

**SUMMARY OF RECOMMENDED CHANGES
TO THE
EXECUTIVE BUDGET
STATE FISCAL YEAR 2018-19**

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FINANCIAL PLAN

Financial Plan

On an All-Funds basis, the SFY 2018-19 Enacted Budget is estimated to total \$168.3 billion, for annual growth of 2.8 percent.

The Enacted Budget projects State Operating Funds spending of \$100.1 billion, which is an increase of \$1.94 billion or 2.0 percent over SFY 2017-18. Total State fund spending (including Special Revenue Funds and Capital Projects) is projected at \$112.6 billion for growth of \$5.6 billion or 5.3 percent over last year.

General Fund spending is projected at \$75.5 billion, an 8.3 percent increase over SFY 2017-18 with no anticipated changes to statutory tax stabilization and rainy day reserves.

Settlements

Since SFY 2014-15 the State has received \$10.7 billion in monetary settlements for violations of State laws and regulations. The SFY 2018-19 Enacted Budget allocates \$702 million of previously unallocated settlement funds.

Use of settlement funds remains unchanged from the Executive proposal, including \$383 million for General Fund support, \$194 million to support the operations of the Metropolitan Transportation Authority (MTA), and \$125 million allocated to the Health Care Facility Transformation Program.

Contingency for Federal Receipts

The Enacted Budget includes language to authorize spending reduction plans related to substantial reductions in Federal aid, defined as either an \$850 million reduction in Federal Medicaid participation and/or an \$850 million reduction in any other Federal funding source, exclusive of Medicaid, related to Federal Fiscal Year (FFY) 2019.

In the event of Federal cuts, the Director of the Division of Budget shall submit a spending reduction plan to the Legislature which specifies the amount to be reduced; itemizes affected programs and appropriations to be reduced.

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

CASH FINANCIAL PLAN
GENERAL FUND
Estimated Closeout 2017-18 vs Enacted Plan 2018-19
(millions of dollars)

	2017-18 Closeout	2018-19 Enacted Plan	% Change from 17-18 to 18-19
Opening fund balance	7,749	9,445	21.9%
Receipts:			
Taxes			
Personal Income Tax	36,037	22,758	-36.8%
User taxes and fees	7,378	7,671	4.0%
Business taxes	4,916	5,859	19.2%
Other taxes	1,326	1,051	-20.7%
Miscellaneous receipts	3,129	2,004	-35.9%
Federal grants	0	0	0.0%
Transfers from other funds			
- PIT Revenue Bond	10,909	22,832	109.3%
- LGAC/Sales Tax	5,861	5,984	2.1%
- RETT	944	1,034	9.6%
- All other	922	2,363	156.3%
Total Receipts	71,420	71,556	0.2%
Disbursements:			
Grants to local governments	46,072	50,264	9.1%
State operations	8,228	11,403	38.6%
General State charges	5,572	7,605	36.5%
Transfers to other funds			
- Debt service	1,047	687	-34.4%
- Capital projects	2,191	3,246	48.2%
- Other purposes	6,614	2,314	-65.0%
Total Disbursements	69,724	75,518	8.3%
Change in fund balance	1,696	(3,963)	
Closing fund balance	9,445	5,482	
Tax Stabilization Reserve Fund	1,258	1,258	
Rainy Day Fund	540	540	
Contingency Reserve Fund	21	21	
Community Projects Fund	39	0	
Reserved for Debt Management	500	500	
Reserved for Potential Labor Agreement	155	155	
Prepayment of PIT Taxes	1,905	0	
Settlement Funds	5,027	2,946	

CASH FINANCIAL PLAN
STATE OPERATING FUNDS
Estimated Closeout 2017-18 vs Enacted Plan 2018-19
(millions of dollars)

	<u>2017-18 Closeout</u>	<u>2018-19 Enacted Plan</u>	<u>% Change from 17-18 to 18-19</u>
Opening fund balance	11,625	13,606	17.0%
Receipts:			
Taxes	77,953	76,303	-2.1%
Miscellaneous receipts	21,334	19,802	-7.2%
Federal grants	74	74	-0.5%
Total Receipts	99,361	96,179	-3.2%
Disbursements:			
Grants to local governments	65,604	66,792	1.8%
State operations	18,821	19,254	2.3%
General State charges	7,853	8,557	9.0%
Debt service	5,873	5,486	-6.6%
Capital projects	0	0	
Total Disbursements	98,151	100,089	2.0%
Other financing sources (uses)			
Transfers from other funds	31,089	25,795	-17.0%
Transfers to other funds	(30,318)	(25,942)	-14.4%
Bond and note proceeds	0	0	
Net other financing sources (uses)	771	(146)	-119.0%
Change in fund balance	1,981	(4,056)	
Closing fund balance	13,606	9,550	

CASH FINANCIAL PLAN
STATE FUNDS
Estimated Closeout 2017-18 vs Enacted Plan 2018-19
(millions of dollars)

	<u>2017-18 Closeout</u>	<u>2018-19 Enacted Plan</u>	<u>% Change from 17-18 to 18-19</u>
Opening fund balance	11,134	12,068	8.4%
Receipts:			
Taxes	79,267	77,704	-2.0%
Miscellaneous receipts	27,061	27,520	1.7%
Federal grants	79	79	-0.5%
Total Receipts	<u>106,407</u>	<u>105,303</u>	<u>-1.0%</u>
Disbursements:			
Grants to local governments	68,705	71,607	4.2%
State operations	18,821	19,254	2.3%
General State charges	7,853	8,557	9.0%
Debt service	5,873	5,486	-6.6%
Capital projects	5,685	7,670	34.9%
Total Disbursements	<u>106,937</u>	<u>112,574</u>	<u>5.3%</u>
Other financing sources (uses)			
Transfers from other funds	31,089	29,750	-4.3%
Transfers to other funds	(30,318)	(27,299)	-10.0%
Bond and note proceeds	160	718	347.6%
Net other financing sources (uses)	<u>931</u>	<u>3,170</u>	<u>240.3%</u>
Change in fund balance	<u>401</u>	<u>(4,101)</u>	
Closing fund balance	<u>11,535</u>	<u>7,967</u>	

CASH FINANCIAL PLAN
ALL FUNDS
Estimated Closeout 2017-18 vs Enacted Plan 2018-19
(millions of dollars)

	<u>2017-18 Closeout</u>	<u>2018-19 Enacted Plan</u>	<u>% Change from 17-18 to 18-19</u>
Opening fund balance	11,105	12,749	14.8%
Receipts:			
Taxes	79,267	77,704	-2.0%
Miscellaneous receipts	27,262	27,722	1.7%
Federal grants	58,941	57,878	-1.8%
Total Receipts	165,470	163,304	-1.3%
Disbursements:			
Grants to local governments	121,995	123,635	1.3%
State operations	20,857	21,327	2.3%
General State charges	8,175	8,880	8.6%
Debt service	5,873	5,486	-6.6%
Capital projects	6,844	8,985	31.3%
Total Disbursements	163,744	168,313	2.8%
Other financing sources (uses)			
Transfers from other funds	33,064	29,387	-11.1%
Transfers to other funds	(33,307)	(29,450)	-11.6%
Bond and note proceeds	160	718	347.6%
Net other financing sources (uses)	(82)	656	-895.8%
Change in fund balance	1,644	(4,353)	
Closing fund balance	12,749	8,395	

Revenue Actions

The Enacted Budget includes the following changes:

Real Property Tax Law Changes

- Makes participation in the Income Verification Program (IVP) Mandatory for Enhanced STAR recipients: Modifies the Executive proposal to require assessors to assist taxpayers, upon their request, in the filing of required statements with the Department of Taxation and Finance. Increases revenue by \$35 million annually beginning in FY 2019.
- Technical changes to the Real Property Tax Law: Modifies the Executive proposal and delays by two years the repeal of the property tax freeze provisions. The other proposals would: remove out-of-date references; require municipalities to receive county consent prior to offering partial payments of property taxes; provides the county with sole authority to collect partial payments for municipalities if the county collects their taxes; clarify that married couples can only receive one STAR benefit; conform payment deadlines; and ratify the Department of Taxation and Finance's practice regarding the application of the Consumer Price Index to Enhanced STAR amounts for all school districts. No impact on the state financial plan.
- Telecommunications mass property assessments: Extends the current program providing state assessment ceilings on telecommunication property on private property for another four years. In addition, the proposal would provide for a phase-in of assessment changes. No impact on the state financial plan.

Tax Law & NYC Administrative Law Changes

- Extends the statute of limitations on amended tax returns for one year. Increases revenue by \$2 million annually.
- Provides for employee wage reporting consistency between the Departments of Taxation and Finance and Labor: Require employers to file individual employee gross wages and withholding amounts on a quarterly basis instead of on annual basis. No impact on the state financial plan.
- Simplifies the sales tax exemption for prepared food purchased for resale: Eliminates the requirement that businesses pay upfront sales tax on foods that are intended for resale and then apply for a refund from the state. Under this proposal, food service businesses would be able to purchase all products that they resell tax free. No impact on the state financial plan.

- Allows warrantless tax debt collections against unclaimed funds: Gives the state the ability to collect fixed and final tax debt from the unclaimed funds held by the state Comptroller without filing a warrant. Increases revenue by \$3 million annually beginning in FY 2019.
- Clarifies residency requirements for taxpayers that spend part of the year as a resident and part of the year as a non-resident: Taxpayers would be deemed residents of the state as long as they have spent 184 days in the state. Modifies the Executive proposal to be effective only prospectively. Increases revenue by \$3 million annually beginning in FY 2021.
- Maintains the Empire State Child Credit benefit by using the calculation for the credit that was effective before the federal tax reform of December 2017. Recent federal changes altered the refundability, eligible income ranges and value of the child credit. The proposal eliminates the adverse fiscal impact, estimated at \$500 million, which this component of federal tax reform would otherwise have on the state. No impact on the state financial plan.
- Extends the Hire a Veteran Tax Credit for two years: The credit available to employers is capped at \$5,000 for each veteran hired, but that amount rises to \$15,000 for each disabled veteran that is hired. The credit would be extended through 2020. Decreases revenue by \$37 million annually, for two years, beginning in FY 2021.
- Enhances the New York Youth Jobs Program: increases the amount of credit available to employers claiming the Youth Jobs Program Tax Credit by 50 percent. This proposal would also require employers to comply with increased reporting requirements related to the administration of the credit. No impact on the state financial plan.
- Converts the veterinarian drug sales tax credit for livestock into a sales tax exemption for veterinarian and farmer livestock drug sales. No impact on the state financial plan.
- Relieves non-controlling and non-managing members of limited liability corporations (LLCs) or limited partnerships (LPs) from liability for the entire sales tax debt of the business: The current statutory obligation is to hold all owners of the LLC or LP equally responsible for the sales tax debt. This proposal codifies current Tax Department practice. No impact on the state financial plan.
- Technical changes to the local sales tax distribution laws to ensure conformity to general provisions. No impact on the state financial plan.
- Decouples from certain personal income tax provisions in the federal tax code: Decouple from the federal tax code to allow taxpayers to utilize all the itemized

deductions that were available in 2017. Additionally, the provision would preserve the standard deduction for single filers. Reduces revenue by \$1.525 billion in FYs 2020 and 2021 and by \$1.550 billion annually thereafter.

- Technical changes to NYS and NYC tax law related to deemed repatriation of foreign income: Adds back to taxable income certain deductions allowed under the federal tax reform provisions related to deemed repatriation of foreign income. Also includes similar conformity provisions for New York City. Increases state revenue by \$2 billion in FY 2019.
- Charitable contribution funds: Provides for charitable contribution funds for the state, school districts and local governments, as well as creating tax credits to offset a portion of the donations. Modifies the Executive proposal to give local governments more flexibility related to the purposes that funds can be used. No impact on the state financial plan.
- Employer Compensation Expense Program (ECEP): Creates an optional employer tax for employees' wages in excess of \$40,000. Also provides for an accompanying tax credit for employees to offset potential wage adjustments. No impact on the state financial plan.
- Low Income Housing Credit transferability: Allows the allocation of the credit to investors in a different proportion than their pro rata share of the business, as well as to investors without ownership in the company. This action is intended to increase demand for the credit and therefore increase investment in low income housing projects. No impact on the state financial plan.
- Historic Properties Rehabilitation tax credit: Extends this credit for an additional five years, while decoupling from the federal tax provisions that reduced the effective value of the credit. Decreases revenues by \$89 million in FY 2022.
- Allows for taxpayers to be reimbursed for interest payments paid to the Internal Revenue Service related to tax actions taken by the state in 2018.
- Extends the Musical and Theatrical Production tax credit. Reduces tax revenue by \$4 million a year beginning in FY 2021.
- For-hire-vehicle surcharge and MTA programs: Imposes a surcharge of \$2.75 for every for-hire vehicle trip south of 96th street in Manhattan; however, yellow-cabs would be charged \$2.50 and parties in pooled rides would be charged \$0.75 each. A new transportation assistance fund would collect surcharge revenues, which would be dedicated to the subway action plan, MTA transit projects and outer borough transportation initiatives. A supplemental revenue transparency program is established to ensure that the additional revenue generated is spent on transportation upgrades.

Allows for up to 50 mobile bus lane photo enforcement devices on routes south of 96th street, and creates a Metropolitan Transportation Sustainability Advisory Workgroup to review and make recommendations for improving transportation in the MCTD.

- NYC Personal Income Tax technical fix: Fixes a tax law section that was not extended in conformity with other bill parts in the June 2017 omnibus bill. No impact on the state financial plan.
- NYC Charitable Contribution add back: Preserves the taxable base for the City of New York when taxpayers utilize the state and local charitable tax credit funds. No impact on the state financial plan.

Racing, Pari-Mutuel Wagering and Breeding Law

- Jockey injury compensation fund: Amends the racing, pari-mutuel wagering and breeding law, in relation to the New York Jockey Injury Compensation Fund, Inc. (NYJICF), to permit the NYJICF to continue to use up to \$2 million from the NYRA unpaid purse cushion to pay for the cost of workers' compensation insurance procured by the NYJICF. In addition, this action enables the establishment of a separate account to be used by New York Thoroughbred Horsemen's Association solely as collateral to secure workers' compensation insurance coverage. No impact on the state financial plan.
- Off-Track-Betting (OTB) revenue transfer: Allows OTB facilities to transfer revenues to localities on a semi-annual or annual basis if all effected local governments agree to the payment timing change.
- Extends the Capital Awards program for Video Lottery Terminal (VLT) facilities: Extends for one year the capital awards program for all VLT facilities. No impact on the state financial plan.
- Amends New York Racing Association (NYRA) racing operations provisions: Doubles the number of days of reserves which can be held by NYRA and creates an advisory committee for equine drug testing and research. No impact on the state financial plan.
- Extends certain horseracing wagering tax rates and certain simulcasting provisions for one year. No impact on the state financial plan.
- Eliminates an inter-gaming fund transfer to reduce governmental administration costs.

PUBLIC PROTECTION & GENERAL GOVERNMENT

By Agency

Recommended Changes to the Executive Budget Division of Alcoholic Beverage Control

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

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- The Legislature rejects the Executive proposal to modify the on-premises hotel license for retail sale of alcoholic beverages for hotels licensees to operate without having a requirement of providing a full sit-down meal.
- The Legislature rejects the Executive proposal to create a new license for production and sale of mead and braggot in New York State.
- The Legislature rejects the Executive proposal to create a new exporter license for businesses that export alcoholic beverages made in New York State, yet does not sell to wholesalers or retailers.

**Recommended Changes to the Executive Budget
Department of Audit and Control**

The Legislature provides an All Funds appropriation of \$354.4 million.

State Operations

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

Aid to Localities

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

Capital Projects

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

Article VII

- **Not applicable.**

Recommended Changes to the Executive Budget Division of the Budget

The Legislature provides an All Funds appropriation of \$50.01 million, an increase of \$827,000 over the Executive proposal.

State Operations

- The Legislature adds \$527,000 for membership dues in various organizations, and \$300,000 for the purposes of the Eastern Conference of the Council of State Governments.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Department of Civil Service

The Legislature provides an All Funds appropriation of \$56.5 million.

State Operations

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

Aid to Localities

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

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

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

The Legislature provides an All Funds appropriation of \$3.3 billion, an increase of \$1.75 million over the Executive proposal.

State Operations

- The Legislature provides \$1 million for the purchase of facility personal safety initiatives.
- The Legislature restores \$750,000 to reimburse the counties for personal service costs associated with transporting state-ready inmates.

Aid to Localities

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

Capital Projects

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

Article VII

- The Legislature rejects the proposal to reduce a portion of the payments to counties for transferring state-ready inmates to Department of Corrections and Community Supervision (DOCCS).
- The Legislature rejects the Executive proposal to expand merit time and the limited credit time allowance programs.
- The Legislature rejects the Executive proposal to eliminate the \$30 per month parole supervision fee.
- The Legislature rejects the Executive proposal to authorize temporary release programs for college educational leave and work release.
- The Legislature rejects the Executive proposal to clarify the processes used by employers and licensing agencies for evaluating an individual's criminal history.

- **The Legislature rejects the Executive proposal to establish a new geriatric parole program for inmates with serious medical conditions.**
- **The Legislature rejects the Executive proposal to permit the discipline and termination of correctional employees for serious misconduct outside of collective bargaining agreements, and to add additional requirements of employment for correctional officers, parole officers and institutional safety officers.**

Recommended Changes to the Executive Budget Commission of Correction

The Legislature provides an All Funds appropriation of \$2.96 million.

State Operations

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

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

Recommended Changes to the Executive Budget Division of Criminal Justice Services

The Legislature provides an All Funds appropriation of \$307.63 million, an increase of \$26.28 million over the Executive proposal.

State Operations

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

Aid to Localities

- The Legislature provides \$5 million for programs which assist non-citizens with legal services, case management, English-as-a-second-language training, job training and placement assistance, and post-employment services.
- The Legislature provides \$4.82 million for regional Cure Violence New York (SNUG) programs, including \$615,000 for a program in Bronx County, \$300,000 for a program in the City of Poughkeepsie, and \$85,000 for a program operated by Jacobi Medical Center in the Throggs Neck New York City Housing Authority.
- The Legislature provides \$2.95 million for Prisoners' Legal Services, an increase of \$750,000 over the Executive proposal.
- The Legislature restores funding for the New York State Defenders Association at \$2.09 million, an increase of \$1.06 million over the Executive proposal.
- The Legislature provides \$2.22 million for domestic violence related to civil and criminal legal services providers.
- The Legislature restores \$1.98 million to support the Westchester County Policing Program.
- The Legislature restores \$600,000 in support for immigrant legal services.
- The Legislature restores a legislative share of the Federal Edward Byrne/Justice Assistance Grants at \$600,000.
- The Legislature restores \$500,000 for Alternatives to Incarceration (ATI) Programs.

- The Legislature restores \$441,000 in support of public defense services.
- The Legislature restores \$147,000 in support for rape crisis centers.
- The Legislature restores \$126,000 to support the New York State District Attorneys Association and the New York State Prosecutors Training Institute.
- The Legislature provides \$4.38 million in Legal Services Assistance Fund (LSAF) support as follows:
 - \$2.83 million for civil and criminal legal service grants;
 - \$950,000 for domestic violence and veterans legal services; and
 - \$600,000 for the indigent parolee program.
- The Legislature transfers \$5.07 million in support for public defense services from the LSAF to the Indigent Legal Services Fund.
- The Legislature also provides General fund support of the following programs:
 - \$2.97 million for law enforcement, drug, violence and crime control and prevention programs;
 - \$1.05 million for Neighborhood Legal Services;
 - \$860,750 for law enforcement and emergency services equipment and technology upgrades;
 - \$500,000 for Finger Lakes Law Enforcement;
 - \$500,000 for Southern Tier Law Enforcement;
 - \$356,000 for the Central Family Life Center;
 - \$300,000 for Civil Air Patrol;
 - \$300,000 for Make the Road NY Anti-Gang Programs;
 - \$250,000 for Brooklyn Legal Services Corp A;
 - \$250,000 for Brooklyn Conflicts Office;
 - \$250,000 for Child Care Center of New York;
 - \$250,000 for Community Service Society - Record Repair Counseling Corps;
 - \$250,000 for NY Judicial Institute: Legal Education Opportunity;
 - \$250,000 for the Fireman's Association of New York;
 - \$250,000 for the Newburgh Fire Department;
 - 250,000 for the Jewish Community Council of Greater Coney Island;
 - \$200,000 for the Fortune Society;
 - \$200,000 for Common Justice;
 - \$200,000 for Nassau Suffolk Law Services Committee Veterans Rights Project;
 - \$200,000 for Staten Island Legal Services;
 - \$180,00 for the Legal Action Center;
 - \$175,000 for Brooklyn Defender;

- \$175,000 for New York County Defender Services;
- \$150,000 for Friends Of the Island Academy;
- \$150,000 for Greenpoint Outreach Domestic and Family Intervention Program;
- \$147,000 for Neighborhood Initiative;
- \$127,00 for the Correctional Association;
- \$125,000 for the Goddard Riverside Community Center;
- \$125,000 for Chevra Hatzolah Boro Park Division;
- \$125,000 for Chevra Hatzolah Flatbush Division;
- \$120,000 for the Schoharie Fire Department;
- \$110,000 for Queens Legal Services Corporation;
- \$100,000 for Bailey House - Project FIRST;
- \$100,000 for John Jay College Prison to College Pipeline;
- \$100,000 for Greenburger Center;
- \$100,000 for Mobilization for Justice;
- \$100,000 for Center for Court Innovation - Youth SOS Crown Heights;
- \$100,000 for Operation SNUG – Wyandanch
- \$100,000 for Ambulance and Emergency Medical Services Active Shooter Kits;
- \$100,000 for Kings Against Violence Initiative, Inc.;
- \$100,000 for South Brooklyn Legal Services Inc.;
- \$100,000 for District Attorney Office - Queens County;
- \$100,000 for District Attorney Office - Rockland County;
- \$100,000 for District Attorney Office - Richmond County;
- \$100,000 for District Attorney Office - Richmond County - Opioid Enforcement;
- \$100,000 for District Attorney Office - Bronx County;
- \$100,000 for Manhattan Legal Services;
- \$100,00 for Her Justice;
- \$80,000 for New York Police Department Law Enforcement Explorers – Bronx;
- \$75,000 for Groundswell;
- \$75,000 for The Mohawk Consortium;
- \$75,000 for Northern Manhattan Improvement Corporation;
- \$75,000 for Flatbush Shomrim Safety Patrol;
- \$70,000 Legal Services of the Hudson Valley;
- \$60,000 for Mobilization for Justice, Inc.
- \$50,000 for Exodus Transitional Community;
- \$50,000 for Immigrant Justice Corps;
- \$50,000 for Legal Aid Society;
- \$50,000 for Youth Represent;
- \$50,000 for Shmira Civilian Volunteer Patrol of Boro Park;
- \$44,000 for Elmcors Youth and Adult Activities Program;
- \$40,000 for Center for the Integration and Advancement of New Americans;
- \$31,000 for Osborne Association;
- \$30,000 for NYU Veteran's Entrepreneurship Program;
- \$26,000 for Bergen Basin Community Development Corporation;
- \$25,000 for Glendale Civilian Patrol;

- \$20,000 for Jacob Riis Settlement House;
- \$15,000 for Bronx Veteran Mentors; and
- \$10,000 for the New York Police Department.

Capital Projects

- Not applicable.

Article VII

- The Legislature accepts the Executive proposal to stipulate that a person is incapable of consenting to sexual contact while detained or in the custody of law enforcement.
- The Legislature modifies the Executive proposal regarding sexual extortion and publishing sexual images, to replace it with a proposal that creates a new crime of second degree of coercion, which is committed when a person induces or compels another individual to engage in a sexual act.
- The Legislature modifies the Executive proposal to remove firearms from persons in certain domestic violence cases, to make various technical amendments.
- The Legislature modifies the Executive Proposal to extend the provision of law controlling the distribution of certain funds recovered based on pre-indictment settlement by district attorneys in New York City, to codify these provisions in the Criminal Procedure Law.
- The Legislature does not approve Executive proposals to amend speedy trial requirements; conditions for bail and pre-trial detention; or changes to the criminal discovery process.
- The Legislature rejects the Executive proposal to limit law asset seizure and forfeiture activities.
- The Legislature does not approve legislation to adopt the Child Victims Act.
- The Legislature rejects the Executive proposal that would limit the availability of the defense to murder in the degree that defendant acted under the influence of extreme emotional disturbance.
- The Legislature rejects the proposals to place additional residency restrictions on certain sex offenders.

Recommended Changes to the Executive Budget State Board of Elections

The Legislature provides an All Funds appropriation of \$40.56 million, an increase of \$16 million over the Executive proposal.

State Operations

- The Legislature accepts the Executive proposal to provide \$5 million to the State Board of Elections for the purpose of creating a new Election Support Center to defend against election disruption and to prepare for cyber-attacks in consultation with appropriate state, local and federal stakeholders.
- The Legislature provides \$23 million in appropriation authority in anticipation of federal funds pursuant to the Help America Vote Act for enhanced election technology and election security improvements.

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

- The Legislature modifies the Executive proposal to increase transparency for digital political communications by clarifying that the definition of “political communication” includes internet and digital political advertisements; by expanding the requirement that independent expenditure digital advertisement buyers register with the Board of Elections, and by requiring the State Board of Elections to maintain a record of, and make available online, any digital political advertisement purchased by an independent expenditure committee.

- **Executive proposals to provide for optional public financing of campaigns, early voting, closing the LLC loophole, same day voter registration, and expanded voter registration through the Department of Motor Vehicles are not included in the enacted budget.**

Recommended Changes to the Executive Budget Office of Employee Relations

The Legislature provides an All Funds appropriation of \$4.86 million.

State Operations

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

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

Recommended Changes to the Executive Budget Executive Chamber/Lieutenant Governor

The Legislature provides an All Funds appropriation of \$18.48 million.

State Operations

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

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

Recommended Changes to the Executive Budget Department of Financial Services

The Legislature provides an All Funds appropriation of \$433.38 million, an increase of \$75,000 from the Executive proposal.

State Operations

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

Aid to Localities

- The Legislature provides \$110,000 to extend the Continuation Assistance Demonstration Program for Entertainment Workers for one additional year.

Capital Projects

- Not applicable.

Article VII

- The Legislature accepts the Executive's proposal to extend the Physician's Excess Medical Malpractice Program for one year, through June 30, 2019.
- The Legislature modifies the Executive proposal related to prohibiting the denial, suspension, or revocation of professional licenses for failure to pay student loans to make technical changes.
- The Legislature rejects the Executive's proposal which would increase the fine for violations of Insurance Law from \$1,000 to \$10,000 per offense.
- The Legislature does not include legislation to enact the Comprehensive Contraceptive Coverage Act.
- The Legislature rejects the Executive's proposals for the regulation of student loan servicers and to create minimum standards for student debt consultants.

- The Legislature includes language to prohibit health insurers from requiring prior authorization for outpatient substance abuse services and provide that such coverage shall not be subject to concurrent review for the first two weeks of continuous treatment.
- The Legislature includes language to require health insurers to provide coverage for donated breast milk for inpatient use for an infant when ordered by a licensed medical practitioner.
- The Legislature includes language to establish uniform requirements regarding the audit of pharmacy records by pharmacy benefit managers (PBMs).
- The Legislature includes language to prohibit PBMs from restricting pharmacies ability to disclose the cost of prescription medication, the availability of alternative medications, or alternative means of purchasing prescription medications to consumers.
- The Legislature includes language to exempt health insurance coverage for sexual assault forensic exams from annual deductibles, copays, or other out-of-pocket costs.
- The Legislature includes language to extend the Continuation Assistance Demonstration Program for Entertainment Workers for one additional year.

Recommended Changes to the Executive Budget Office of General Services

The Legislature provides an All Funds appropriation of \$1.61 billion, an increase of \$4 million over the Executive proposal.

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- The Legislature provides an additional \$4 million for capital improvements in the Capitol and Legislative Office Buildings.
- The Legislature modifies the reappropriation for the Cogenerations Plant and Microgrid to authorize the use of renewable energy, in addition to natural gas or number two fuel oil, to operate the facility.

Article VII

- The Legislature accepts the Executive proposal to extend the authority and operations of the State Commission on the Restoration of the Capitol for an additional five years.
- The Legislature rejects the Executive proposal to expand the types of local government bodies that may obtain surplus State lands for nominal consideration and to expand the purposes for which local governments may use such State land.
- The Legislature accepts the Executive proposal to establish the parking Services Account, Special Events Account and Solid Waste Account as enterprise funds.

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

The Legislature provides an All Funds appropriation of \$1.53 billion, an increase of \$1.6 million over the Executive proposal.

State Operations

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

Aid to Localities

- **The Legislature provides \$1.6 million in additional support to the Red Cross for emergency response preparedness activities.**

Capital Projects

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

Article VII

- **The Legislature accepts the Executive proposal to suspend the annual transfer of funds from the Public Safety Communications Account to the Emergency Services Revolving Loan Fund for an additional two fiscal years.**

Recommended Changes to the Executive Budget Office of Indigent Legal Services

The Legislature provides an All Funds appropriation of \$161.24 million.

State Operations

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

Aid to Localities

- **The Legislature modifies the Executive proposal to extend the Hurrell-Harring settlement statewide, to remove appropriation language that would require Division of Budget approval of all plans submitted by the Office of Indigent Legal Services.**

Capital Projects

- **Not applicable.**

Article VII

- **The Legislature includes language to transfer the authority for approval of assigned counsel (18-b) plans from the Office of Court Administration to Office of Indigent Legal Services.**

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

The Legislature provides an All Funds appropriation of \$7.44 million.

State Operations

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

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

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

The Legislature provides an All Funds appropriation of \$47.04 million.

State Operations

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

Aid to Localities

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

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

Recommended Changes to the Executive Budget Department of Law

The Legislature provides an All Funds appropriation of \$263.87 million.

State Operations

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

Aid to Localities

- **Not applicable.**

Capital Projects

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

Article VII

- **Not applicable.**

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

The Legislature provides an All Funds appropriation of \$156.51 million.

State Operations

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

Aid to Localities

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

Capital Projects

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

Article VII

- **The Legislature accepts the Executive proposal to establish an Armory Rental Account Enterprise Fund.**

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

The Legislature provides an All Funds appropriation of \$5.6 million.

State Operations

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

Aid to Localities

- **The Legislature restores language to include the SUNY Buffalo Law School Domestic Violence and Women’s Rights Clinic as a recipient of funds to support domestic violence legal services and programs.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

Recommended Changes to the Executive Budget Public Employment Relations Board

The Legislature provides an All Funds appropriation of \$3.98 million.

State Operations

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

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

Recommended Changes to the Executive Budget Joint Committee on Public Ethics

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

State Operations

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

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

Recommended Changes to the Executive Budget Judicial Commissions

The Legislature provides an All Funds appropriation of \$5.76 million.

State Operations

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

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

Recommended Changes to the Executive Budget Division of State Police

The Legislature provides an All Funds appropriation of \$994.66 million.

State Operations

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

Aid to Localities

- **Not applicable.**

Capital Projects

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

Article VII

- **The Legislature rejects the Executive proposal to provide the Superintendent of State Police with administrative subpoena powers related to certain online sexual offenses.**

Recommended Changes to the Executive Budget Statewide Financial System

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

State Operations

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

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

Recommended Changes to the Executive Budget Office of Information Technology Services

The Legislature provides an All Funds appropriation of \$854.63 million.

State Operations

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

Aid to Localities

- **Not applicable.**

Capital Projects

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

Article VII

- **The Legislature rejects the Executive's proposal to authorize the Department of Civil Service to place 300 term appointments, without examination, within the Office of Information Technology Services.**

Recommended Changes to the Executive Budget Office of Victim Services

The Legislature provides an All Funds appropriation of \$119.7 million.

State Operations

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

Aid to Localities

- **The Legislature restores appropriation language that would require the Office of Victim Services to report to the Legislature on initiatives supported through federal crime victim and witness assistance funds.**
- **The Legislature restores appropriation language to include enhanced multidisciplinary teams as a recipient of federal crime victim and witness assistance funds through the New York State Office of the Aging.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

Recommended Changes to the Executive Budget Workers' Compensation Board

The Legislature provides an All Funds appropriation of \$216.5 million.

State Operations

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

Aid to Localities

- **Not applicable.**

Capital Projects

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

Article VII

- **The Legislature rejects the Executive proposal to authorize the New York State Insurance Fund to diversify its investments of surplus funds.**

Recommended Changes to the Executive Budget General State Charges

The Legislature provides an All Funds appropriation of \$5.85 billion, a decrease of \$1.35 billion from the Executive proposal. This significant decrease is primarily related to a technical adjustment in the structure of appropriations made for General State Charges.

State Operations

- The Legislature rejects Executive proposals to eliminate reimbursement of the Income Related Monthly Adjustment Amount (IRMAA) and to institute a cap in Medicare Part B premium support, and instead restores \$2.7 million.
- The Legislature rejects the Executive proposal to require the rate of interest paid upon any judgement or accrued claim be calculated at a rate equal to the weekly average one year constant maturity rate Treasury yield, up to a maximum of nine percent, and instead restores \$6 million.
- The Legislature adds \$43,000 in a State aid grant to the Town of New Hudson and \$21,000 in State aid grants to the towns of Preston and McDonough.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- The Legislature rejects the Executive proposals to cease reimbursement of IRMAA and to cap reimbursement of Medicare Part B premium support.
- The Legislature rejects the Executive proposal to require the rate of interest paid upon certain judgements or accrued claims be calculated at a variable market based rate.

- **The Legislature modifies the Executive proposal to enact the New York State Secure Choice Savings Program, which would help private sector employees save for retirement. Specifically, the Legislature would authorize the Department of Taxation and Finance to administer the program and would make clear that participation in the program is completely voluntary.**
- **The Legislature adds Article VII language to provide that certain land owned by the State in the towns of Preston and McDonough shall be subject to taxation.**
- **The Legislature adds Article VII language to establish standards for the deduction of union dues by public employers and to clarify an employee organization's duty of fair representation to non-member public employees.**

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

Local Governments

The Legislature provides an All Funds appropriation of \$1.23 billion, an increase of \$16.75 million over the Executive proposal.

State Operations

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

Aid to Localities

- **The Legislature provides \$9.75 million in Miscellaneous Financial Assistance, which includes:**
 - **\$2 million to Onondaga County for a pilot project with the Syracuse City School District;**
 - **\$48,000 to three villages that are not included in the Aid and Incentives for Municipalities (AIM) formula:**
 - **\$27,000 for the Village of Woodbury;**
 - **\$19,000 for the Village of South Blooming Grove; and**
 - **\$2,000 for the Village of Sagaponack;**
 - **\$1.6 million to the Niagara County Industrial Development Agency to fund economic development initiatives within the City of Niagara Falls;**
 - **\$340,000 to the County of Seneca to mitigate shortfalls in real property taxes due to the loss of taxable lands to the Cayuga Indian Nation of New York;**
 - **\$310,000 to the County of Franklin to mitigate shortfalls in real property taxes due to the loss of taxable lands to the St. Regis Mohawk Tribe;**
 - **\$92,500 to the County of Cayuga to mitigate shortfalls in real property taxes due to the loss of taxable lands to the Cayuga Indian Nation of New York;**

- **\$210,000 to the Village of Brockport for expenses related to police and fire services associated with institutions of higher education;**
- **\$200,000 to the City of Cortland for expenses related to police and fire services associated with institutions of higher education;**
- **\$200,000 to the Village of Delhi for expenses related to police and fire services associated with institutions of higher education;**
- **\$200,000 to the Village of New Paltz for expenses related to police and fire services associated with institutions of higher education;**
- **\$200,000 to the City of Oneonta for expenses related to police and fire services associated with institutions of higher education;**
- **\$150,000 to the Town of Vestal for expenses related to police and fire services associated with institutions of higher education;**
- **\$100,000 to the Village of Cobleskill for expenses related to police and fire services associated with institutions of higher education;**
- **\$50,000 to the City of Binghamton for expenses related to police and fire services associated with institutions of higher education;**
- **\$500,000 to the Town of Ashford;**
- **\$300,000 to the City of Syracuse; and**
- **\$250,000 to the Village of Depew for fire department expenses.**
- **The Legislature provides \$12 million to the City of Albany, \$9 million funded from the Mortgage Insurance Fund (MIF) and \$3 million from the General Fund.**
- **The Legislature provides a restoration of \$7 million for the Citizen’s Re-organization Empowerment Grants and Citizen Empowerment Tax Credits.**

Capital Projects

- **Not applicable.**

Article VII

- The Legislature modifies the Executive’s proposal related to the County-Wide Shared Services Initiative by extending the initiative for three years to December 31, 2021 and by allowing newly-developed shared service actions to receive a savings match subject to available appropriation.
- The Legislature rejects the proposal to create a statewide siting process for small cell wireless facilities.
- The Legislature accepts, with technical modification, the proposal to limit eligibility for the Citizen Empowerment Tax Credit to municipalities that dissolved prior to December 31, 2017, and limit any new credits to the lesser of \$1 million or the village’s prior-year tax levy.
- The Legislature accepts with modification the proposal to authorize towns within a single county to share one or more town justices to include non-adjacent towns.
- The Legislature rejects the proposal to provide counties with zoning authority.
- The Legislature provides authority to New York City to utilize “design-build” procurement for the construction of new jails to replace the Rikers Island Jail Complex, the reconstruction of the Brooklyn Queens Expressway, and projects undertaken by the New York City Housing Authority (NYCHA) projects.

Data Analytics

The Legislature provides an All Funds appropriation of \$25 million, unchanged from the Executive proposal.

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

EDUCATION, LABOR & FAMILY ASSISTANCE

By Agency

Recommended Changes to the Executive Budget Division of Veterans' Affairs

The Legislature provides an All Funds appropriation of \$21.26 million, an increase of \$2.16 million over the Executive proposal.

State Operations

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

Aid to Localities

- The Legislature adds \$2.16 million for the following community initiatives:
 - \$500,000 for the New York State Defenders' Association Veterans' Defense Program;
 - \$250,000 for additional funding for the Veterans' Outreach Center in Monroe County;
 - \$220,000 for the New York State Defenders Association Veterans Defense Program – Long Island Expansion;
 - \$200,000 for Helmets-to-Hardhats;
 - \$200,000 for Legal Services of the Hudson Valley's Veterans and Military Families Advocacy Project;
 - \$200,000 for Warrior Salute;
 - \$125,000 for the Veterans of Foreign Wars Department of New York;
 - \$100,000 for the Veterans Justice Project;
 - \$100,000 for the SAGE Veterans Project;
 - \$100,000 for North Country Veterans Association;
 - \$50,000 for the Vietnam Veterans of America, New York State;
 - \$50,000 for the Research and Recognition Project;
 - \$35,000 for the West Islip American Legion; and
 - \$25,000 for the Veterans Miracle Center.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Council on the Arts

The Legislature provides an All Funds appropriation of \$47.04 million, an increase of \$160,000 over the Executive proposal.

State Operations

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

Aid to Localities

- The Legislature provides additional support for the following programs in the Executive proposal:
 - \$100,000 for CNY Arts, Inc; and
 - \$60,000 for the Cayuga County Arts Council.

Capital Projects

- The Legislature provides \$10 million in new Capital grants for arts institutions through a second round of the Arts and Cultural Facilities Improvement Program, of which \$5 million will be determined by a competitive process by the New York State Council on the Arts.

Article VII

- Not applicable.

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

The Legislature provides an All Funds appropriation of \$4.63 billion, an increase of \$21.38 million over the Executive proposal.

State Operations

- The Legislature provides \$1.5 million to the School of Labor and Urban Studies, formerly known as the Joseph Murphy Institute, for a total of \$3.6 million.
- The Legislature provides \$28.1 million for the SEEK opportunity program, a \$4.68 million increase over the Executive proposal.
- The Legislature restores \$250,000 to support the CUNY Pipeline at the Graduate Center.
- The Legislature provides \$50,000 for the CUNY Law Community Legal Resource Network.

Aid to Localities

- The Legislature provides \$6.3 million to increase the base aid rate at CUNY Community Colleges to \$2,847 per FTE, a \$100 per FTE increase.
- The Legislature restores \$902,000 to CUNY child care centers.
- The Legislature provides \$1.3 million for the College Discovery opportunity program, a \$225,000 increase over the Executive proposal.
- The Legislature restores \$2.5 million in funding for the Accelerated Study in Associates Program (ASAP).
- The Legislature provides \$100,000 for CUNY in the Heights at Hostos.

Capital Projects

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

Article VII

- **The Legislature rejects the Executive proposal to allow the State Inspector General to oversee implementation and enforcement of financial control policies at SUNY, CUNY and their affiliated nonprofit organizations and foundations.**
- **The Legislature rejects the proposal to expand the jurisdiction of the State Inspector General to include SUNY and CUNY affiliated nonprofit organizations and foundations.**
- **The Legislature repeals the requirement that SUNY and CUNY develop a new methodology for calculating chargeback rates for community colleges that would have otherwise been phased in beginning in the 2018-19 academic year.**
- **The Legislature includes a proposal to allow firefighters and fire officers employed by the New York City Fire Department who are enrolled in a program leading to a bachelor's degree or higher at a CUNY senior college to take one class without tuition, provided such course is related to their employment.**

Recommended Changes to the Executive Budget State Education Department

The Legislature provides an All Funds appropriation of \$36.2 billion, which is an increase of \$422 million over the Executive proposal.

State Operations

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

Aid to Localities

- The Legislature provides an overall increase to General Support for Public Schools (GSPS) of \$914 million over the 2017-18 School Year (SY), for a total of \$26.6 billion. This is an increase in formula based aids of \$859 million or 3.41 percent for SY 2018-19, and reflects an increase of \$262 million over the Executive Budget.
 - The Legislature increases Foundation Aid by \$618 million for SY 2018-19, for a total of \$17.8 billion. This amount includes a reallocation of the \$64 million Fiscal Stabilization Fund toward Foundation Aid.
 - The Legislature modifies the Executive's proposal for school level funding plans by requiring all school districts to report school-level spending amounts to the State Education Department and Division of the Budget, with 76 school districts reporting in the 2018-19 SY. The Legislature rejects the Executive's proposal to allow the Division of the Budget and State Education Department approval over school-by-school budgeting, and rejects the Executive proposal to deny an increase in state aid for noncompliant school districts. In addition, the Legislature allows municipal financial executives to assist in preparing a school-by-school funding distribution for noncompliant school districts, requires a statewide uniform reporting form, provides approval timelines, and includes a five year sunset.
 - The Legislature maintains the \$50 million Executive increase to the Community Schools set-aside within Foundation Aid, for a total of \$200 million.
 - The Legislature rejects the Executive's proposal to cap the annual growth in Building, BOCES, and Transportation aids to two percent.

- **The Legislature provides for full reimbursement of expense-based aids, costing \$28 million.**
- **The Legislature modifies the Executive’s prekindergarten proposal by ensuring all school districts can apply for prekindergarten grants while maintaining an emphasis on need for school districts and students.**
- **The Legislature also includes support for the following:**
 - **\$15 million for nonpublic STEM programs;**
 - **\$14.3 million to restore funding for Teacher Resource and Computer Training Centers;**
 - **\$7 million for nonpublic schools for costs of complying with immunization requirements;**
 - **\$3 million for the East Ramapo School Improvement Grant;**
 - **\$2.3 million in additional funding for 4201 schools for the Blind and Deaf, for a total of \$106 million;**
 - **\$2 million for the Supportive Schools Grant Program to help districts improve school climate and safety, and to implement the Dignity for All Students Act;**
 - **\$2 million in additional funding for Bilingual Education, for a total of \$17.5 million;**
 - **\$2 million for Supplemental Valuation Impact Grants;**
 - **\$1.5 million to restore the carve-out for the Consortium for Worker Education;**
 - **\$1.5 million for Adult Literacy Education, for a total of \$7.8 million;**
 - **\$1.2 million to restore funding for the Rochester School Health Services and \$1.2 million to restore funding for the Buffalo School Health Services;**
 - **\$903,000 to restore funding to the Henry Viscardi School, \$903,000 to restore funding to the School for the Deaf, and \$500,000 for the Mill Neck Manor School for the Deaf;**
 - **\$770,000 for training programs to increase the number of teachers providing bilingual or multi-lingual education;**

- **\$500,000 to provide funding for the Teacher Diversity Pipeline Pilot, which would provide assistance for teacher aides and teaching assistants to become teachers;**
- **\$500,000 for additional teacher training and support to serve English Language Learners;**
- **\$500,000 to restore funding for the New York City Community Learning Initiative;**
- **\$500,000 for Public Conversion Charter Schools;**
- **\$500,000 for the Consortium for Worker Education Enhanced Credentialing Initiative;**
- **\$500,000 to restore funding for the Center for Autism and Related Disabilities at SUNY Albany;**
- **\$475,000 to restore funding for the Executive Leadership Institute;**
- **\$461,000 to restore funding for Bard High School Early College Queens; and**
- **\$125,000 for National History Day at the Fenimore Art Museum.**

Cultural Education

- **The Legislature provides \$5 million in Aid to Public Libraries, for a total of \$96.6 million for fiscal year 2018-19, a \$1 million increase over SFY 2017-18.**
- **The Legislature restores \$250,000 for the Schomburg Center for Research in Black Culture.**
- **The Legislature restores \$75,000 for the Langston Hughes Community Library and Cultural Center.**

Office of Higher Education and the Professions

- **The Legislature restores \$24.6 million for Bundy Aid.**
- **The Legislature provides \$35.5 million for the Higher Education Opportunity Program (HEOP), a \$5.9 million increase over the Executive proposal.**
- **The Legislature provides \$18.4 million for the Liberty Partnership Program, a \$3.06 million increase over the Executive proposal.**

- **The Legislature provides \$15.8 million for the Science and Technology Entry Program (STEP), a \$2.6 million increase over the Executive proposal.**
- **The Legislature provides \$11.9 million for the Collegiate Science and Technology Entry Program (CSTEP), a \$1.99 million increase over the Executive proposal.**
- **The Legislature provides \$6 million for the Foster Youth Initiative, which includes annual funding for a third cohort. The Legislature added language to allow SUNY to use funds to provide supplemental housing and meals to students that are not enrolled in an opportunity program.**
- **The Legislature provides \$300,000 to Utica College to provide student aid.**

Capital Projects

- **The Legislature provides an additional \$20 million to Library Construction Grants, for a total of \$34 million, a \$10 million increase over SFY 2017-18.**

Article VII

- **The Legislature rejects the \$70 million cost shift to school districts for summer school special education funding (4408). School districts will continue to receive the 80 percent reimbursement for these costs.**
- **The Legislature modifies the current Building Aid penalty stretch-out to allow more school districts to qualify and to lower the annual penalty repayment from the current two percent to a new 1.25 percent of a school district's Total General Fund Operating Expense (TGFE).**
- **The Legislature includes a one year extension for Statewide Universal Full-Day Prekindergarten teacher certification, and adds provisions to create a consistent process for allocating prekindergarten funds in the future.**
- **The Legislature modifies the Executive's proposal for Full-Day Kindergarten Conversion Aid to provide for an enhanced three-year phase down in state aid for districts who convert in the 2018-19 or 2019-20 school years.**
- **The Legislature rejects the Executive's proposal to end State reimbursement to the New York City School District for supplemental charter tuition.**

- **The Legislature rejects the Executive’s proposals to cap State reimbursement to New York City for Charter Facilities Aid at \$10 million annually and to expand the expenses covered by Facilities Aid.**
- **The Legislature rejects the Executive’s proposals to establish a school bus camera program.**
- **The Legislature requires every school district, charter school, and nonpublic school to develop a plan to prevent meal shaming.**
- **The Legislature modifies the Executive’s Breakfast after the Bell proposal to allow schools to apply for a waiver from establishing a breakfast after the bell program, if the school already has an existing successful breakfast program or for reasons of economic hardship.**
- **The Legislature increases the reimbursement for school lunch programs from six cents to 25 cents for schools that purchase 30 percent of their school lunch food from NYS farmers, growers or producers.**
- **The Legislature requires the Commissioner of Education to convene a workgroup to develop draft computer science standards.**
- **The Legislature accepts the Executive’s proposal to require public schools serving grades six through 12 to provide free feminine hygiene products in school restrooms.**
- **The Legislature rejects the Executive’s curriculum proposals.**
- **The Legislature rejects the Executive’s proposal to allow school districts and BOCES to apply for waivers from certain special education requirements.**
- **The Legislature increases the aidable cap for transportation after 4 p.m. by \$1.75 million, for a total of \$18.8 million.**
- **The Legislature requires the Commissioner of Education to prepare a report on teacher diversity by June 1, 2019.**
- **The Legislature extends the current 10 percent bump building aid enhancement for the purchase of certain security equipment for five years.**
- **The Legislature conforms state law to the federal statute regarding foster care and transporting foster care youth.**

- **The Legislature amends the provisions of the Education Law dealing with substantial equivalency to require SED to consider, among other things, a list of factors when making substantial equivalency determinations.**

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

The Legislature provides an All Funds appropriation of \$4.01 billion, an increase of \$204.5 million over the Executive proposal.

State Operations

- The Legislature rejects the Executive's proposal to close the Ella McQueen Reception Center upon 30 days notice and provides \$5.4 million to restore the one-year notification period of a closure.
- The Legislature provides an additional \$326,000 for personal and non-personal services associated with additional staff to extend the Adult Protective Services hotline to accept calls for an additional three hours per weekday, until 8 p.m.

Aid to Localities

- The Legislature provides \$130 million in new Federal Funds that would be spent as follows:
 - up to \$80 million for Federal Child Care and Development Block Grant (CCDBG) compliance;
 - at least \$10 million to supplement local funding for subsidized child care slots; and
 - the remainder would be applied to funding for the new child care market rate which would become effective on October 1, 2018.
- The Legislature provides \$17 million to reject the Executive proposal to cap funding for Child Welfare Services.
- The Legislature provides \$15 million for increases in the minimum wage of not-for-profit human services employees.
- The Legislature provides \$20.6 million as follows:
 - \$5 million for Advantage Afterschool;
 - \$3 million for Safe Harbour;

- **\$2.45 million for Settlement Houses;**
 - **\$2 million for Child Advocacy Centers;**
 - **\$1.9 million for Kinship Care;**
 - **\$1.5 million for the Youth Development Program;**
 - **\$1.25 million for United Way Statewide 2-1-1;**
 - **\$758,000 for Child Protective Caseload;**
 - **\$700,000 for the New York State Alliance of Boys and Girls Clubs;**
 - **\$500,000 each for Facilitated Enrollment Programs in New York City, Erie and Onondaga Counties;**
 - **\$400,000 for the New York State YMCA Foundation; and**
 - **\$100,000 for the Kinship Navigator.**
- **The Legislature provides an additional \$14.3 million for various local initiatives.**
 - **The Legislature rejects language proposed to expand the number of municipalities that would be eligible under the Community Optional Preventive Services (COPS) program.**

Capital Projects

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

Article VII

- **The Legislature accepts the Executive's proposal to extend the Close to Home initiative for five years and to eliminate State reimbursement to New York City.**
- **The Legislature rejects the Executive's proposal to close the Ella McQueen Reception Center in Brooklyn with only 30 days' notice.**
- **The Legislature accepts the Executive's proposal to extend the Youth Development program by three years to 2021.**
- **The Legislature accepts the Executive's proposal to extend Office of Children and Family Services' (OCFS) authority to contract with BOCES to provide certain educational services to youth in OCFS juvenile justice facilities for an additional three years.**
- **The Legislature accepts the Executive's proposal to include OCFS to the list of entities which the Dormitory Authority of the State of New York (DASNY) is authorized to provide capital design and construction services.**

- **The Legislature accepts the Executive proposal to authorize DASNY to provide construction and financing services to authorized agencies including detention facilities.**

Recommended Changes to the Executive Budget Office of Temporary Disability Assistance

The Legislature provides an All Funds appropriation of \$5.73 billion, an increase of \$4.5 million over the Executive proposal.

State Operations

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

Aid to Localities

- The Legislature includes \$2 million to assist refugee resettlement agencies statewide.
- The Legislature provides \$18.9 million in TANF restorations and adds, including:
 - \$8.48 million for Facilitated Enrollment in New York City, Monroe County, and the Capital Region;
 - \$4 million for the Advanced Technology Training and Information Networking Program (ATTAIN);
 - \$2.85 million for Career Pathways;
 - \$1.57 million for Preventive Services;
 - \$800,000 for ACCESS Welfare to Careers Program;
 - \$475,000 for the Wage Subsidy Program;
 - \$334,000 for SUNY/CUNY Child Care;
 - \$200,000 for the Fatherhood Initiative;
 - \$144,000 for Wheels for Work;
 - \$82,000 for the Rochester-Genesee Regional Transportation Authority; and
 - \$25,000 to Centro of Oneida.
- The Legislature provides an additional \$2.46 million in General Fund support for the following programs:
 - \$1.5 million for the Disability Advocacy Program, for a total of \$4.13 million;
 - \$380,000 for the Council on Jewish Organizations of Flatbush;
 - \$150,000 for the Association of Community Employment Programs for the Homeless;
 - \$50,000 for Ibero-American Action League;
 - \$50,000 for Mohawk Valley Latino Association;
 - \$50,000 for Centro Civico of Amsterdam;

- \$50,000 for Spanish Action League in Onondaga;
 - \$50,000 for Hempstead Hispanic Civic Association;
 - \$50,000 for El Centro Hispano de White Plains;
 - \$50,000 for Family Residences and Essential Enterprises, Inc.;
 - \$25,000 for Housing and Family Services of Greater New York;
 - \$25,000 for Center for Safety and Change; and
 - \$25,000 for Community Help in Park Slope.
- The Legislature reduces TANF support for child care by \$19 million to allow TANF funds to support a variety of restorations and new initiatives. The Legislature includes \$19 million in child care funding in Office of Children and Family Services to fully offset this reduction.
 - The Legislature includes language creating a pilot program for families and individuals on public assistance who are homeless or at risk of homelessness. The program offers a rental supplement up to 100 percent of the Fair Market Rent and would be provided to the households for four years, as long as they are otherwise eligible for public assistance. There will be a study of the program to report on the outcomes.
 - The Legislature modifies language included in the Executive’s proposal for a statewide rent cap for public assistance recipients with HIV/AIDS to provide Medicaid Managed Care Organizations with reimbursement should actual gross savings not be realized.

Capital Projects

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

Article VII

- The Legislature accepts the Executive proposal to allow the passthrough of the current Federal cost of living adjustment increase in 2019 for individuals receiving Supplemental Security Income, who reside in residential care, family care or enhanced residential care settings.
- The Legislature accepts the Executive proposal to allow local social service districts, outside of New York City, the option to establish a 30 percent rent cap for individuals on public assistance living with medically diagnosed HIV infection.
- The Legislature includes a modified shelter savings plan program for New York City, creating a four-year pilot with annual reporting and a comprehensive report at the end of the program.

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

The Legislature provides an All Funds appropriation of \$1.25 billion, an increase of \$5 million over the Executive proposal.

State Operations

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

Aid to Localities

- The Legislature provides \$4 million to extend the STEM scholarship to private schools.
- The Legislature provides \$1 million for a Teacher Loan Forgiveness Program.

Capital Projects

- Not applicable.

Article VII

- The Legislature modifies the Enhanced Tuition Award Program to allow students attending proprietary colleges to become eligible for a scholarship, to allow HESC to change a student's determination of eligibility if such student has a change of circumstance, and to stipulate that when a college has reduced tuition by more than 15 percent within six years prior to the academic year in which the award is to be applied, such college is not required to provide an institutional match.
- The Legislature modifies the Excelsior Scholarship program to allow HESC to change a student's determination of eligibility if such student has a change in circumstance and to clarify that scholarships that have been awarded exclusively for non-tuition expenses are not to be counted in the calculation of eligibility to the Excelsior program.
- The Legislature extends the New York State Science, Technology, Engineering and Mathematics (STEM) Incentive Program to private colleges.

- **The Legislature establishes the New York State Teacher Loan Forgiveness Program to provide an award of \$5,000 per year to certified teachers who teach in a shortage subject area, a hard to staff district, or an economically disadvantaged district.**
- **The Legislature does not provide authorization to enact the DREAM Act.**

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

The Legislature provides an All Funds appropriation of \$662.25 million, an increase of \$251.77 million over the Executive proposal.

State Operations

- The Legislature modifies the Executive proposal to provide full funding for the Tenant Protection Unit (TPU).

Aid to Localities

- The Legislature provides \$75,000 for Neighborhood Housing Services of Queens, CDC Inc.
- The Legislature provides \$20,000 for the North Brooklyn Development Corporation.
- The Legislature provides \$4.35 million for Neighborhood Preservation Program and \$1.82 million for Rural Preservation Program for a total funding of \$6.17 million.

Capital Projects

New York City Housing Authority (NYCHA)

- The Legislature provides a \$250 million capital investment for the New York City Housing Authority (NYCHA) for capital projects including heating, mold and lead remediation, and other imminent hazards.
- The Legislature provides that NYCHA be subject to an Executive order which shall govern the examination and remediation of NYCHA properties.
- The legislature provides authority to NYCHA to utilize “design-build” procurement for the design and construction of projects.

Article VII

- **The Legislature would provide \$9 million to the City of Albany from the Mortgage Insurance Fund.**
- **The Legislature codifies the Residential Emergency Services to Offer Home Repairs to the Elderly (RESTORE) program.**
- **The Legislature codifies the Access to Home for Heroes program, and widens the definition of disabled veteran for the purposes of this program.**

Recommended Changes to the Executive Budget Division of Human Rights

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

State Operations

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

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **The Legislature rejects the Executive proposal to extend anti-discrimination protections contained within the State's Human Rights Law to apply to children in public schools, BOCES, colleges and universities.**

Recommended Changes to the Executive Budget Department of Labor

The Legislature provides an All Funds appropriation of \$3.63 billion, an increase of \$15.5 million over the Executive proposal.

State Operations

- The Legislature modifies language in the Unemployment Insurance Fund Re-employment Services appropriation to ensure that the State Workforce Investment Boards and other relevant agencies are consulted in regard to workforce development initiatives.
- The Legislature includes \$1 million for additional services and expenses related to wage theft investigations.

Aid to Localities

- The Legislature modifies language in redeployed Workforce Innovation and Opportunity Act (WIOA) funds to ensure that the State Workforce Investment Boards and other relevant agencies are consulted in regard to workforce development initiatives.
- The Legislature provides \$14.5 million for the following community initiatives:
 - \$4 million for AFL-CIO Workforce Development Institute;
 - \$3 million for AFL-CIO Workforce Development Institute Manufacturing Initiative;
 - \$1.62 million in funding for the Displaced Homemakers Program;
 - \$980,000 for Chamber on the Job Training;
 - \$750,000 for the Manufacturers Association of Central New York, Inc.;
 - \$500,000 for Solar Energy Consortium;
 - \$400,000 for Paul Smith's College Logger Training School;
 - \$400,000 for Youth Build Statewide;
 - \$350,000 for the New York Council on Occupational Safety and Health;
 - \$300,000 for the Cornell Worker Institute;
 - \$300,000 for Rochester Summer of Opportunity Youth Employment;
 - \$200,000 for the Building Trades Pre-Apprenticeship Program in Nassau County;
 - \$200,000 for the Building Trades Pre-Apprenticeship Program in Rochester;
 - \$200,000 for the Building Trades Pre-Apprenticeship Program in Western New York;

- **\$200,000 for the New York Council on Occupational Safety and Health in Western New York;**
- **\$200,000 for the New York Council on Occupational Safety and Health Long Island;**
- **\$150,000 for the AFL-CIO Cornell Leadership Institute;**
- **\$150,000 for the Cornell Domestic Violence Program;**
- **\$150,000 for the Cornell Sexual Harassment Prevention Program;**
- **\$140,000 for NYS Pipe Trades Industry United Association;**
- **\$100,000 for Jubilee Homes of Syracuse;**
- **\$100,000 for Rochester Tooling and Machining program;**
- **\$50,000 for the Criminal Records Discrimination Program at Cornell's School of Industrial Labor Relations;**
- **\$42,000 for the Buffalo Office of the Cornell University School of Industrial and Labor Relations study on Western NY; and**
- **\$30,000 for the Office of Adult and Career Education Services.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

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

The Legislature provides an All Funds appropriation of \$222.67 million.

State Operations

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

Aid to Localities

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

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

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

The Legislature provides an All Funds appropriation of \$11.06 billion, an increase of \$370.8 million over the Executive proposal.

State Operations

- The Legislature restores \$92 million state subsidy for SUNY Hospitals to be accessed over a period of two years.
- The Legislature provides \$32.2 million for the Educational Opportunity program, a \$5.36 million restoration.
- The Legislature restores funding for Educational Opportunity Centers (EOC) by \$5 million for a total of \$60.04 million.
- The Legislature restores ATTAIN Labs by \$2 million for a total of \$6.5 million in funding within SUNY.
- The Legislature restores \$1.5 million for Small Business Development Centers.
- The Legislature provides an additional \$722,000 to the Rockefeller Institute composed of \$329,000 for the Center for Education Pipeline Systems Change, and \$393,000 for operating costs.
- The Legislature restores \$600,000 for Graduate Diversity Fellowships.
- The Legislature provides \$600,000 for telecounseling and mental health services at SUNY.
- The Legislature provides an additional \$500,000 for the Central New York Cord Blood Center.
- The Legislature provides \$300,000 to the Center for Italian Studies at Stony Brook.
- The Legislature restores \$250,000 for Cornell's Veterinary School.
- The Legislature provides \$200,000 to fund the Hispanic Leadership Institute at SUNY.
- The Legislature provides \$150,000 to the Cornell Center in Buffalo.

- The Legislature restores \$100,000 to the American Chestnut Research and Restoration project.
- The Legislature restores \$100,000 for the Benjamin Center at SUNY New Paltz.
- The Legislature provides \$100,000 to the Center for Women in Government.
- The Legislature provides \$50,000 to the Stony Brook Algonquian Language Revitalization program.
- The Legislature provides an additional \$1.7 million in spending authority to the Long Island Veterans Home.

Aid to Localities

- The Legislature provides \$12.1 million to increase SUNY Community College base aid to \$2,847 per FTE, a \$100 increase.
- The Legislature restores \$1.1 million to SUNY Child Care Centers.
- The Legislature restores \$600,000 for Harvest NY.
- The Legislature restores \$100,000 to the SUNY Orange BRIDGE program.

Capital Projects

- The Legislature provides an additional \$200 million in capital support for SUNY critical maintenance.
- The Legislature provides \$10 million for capital needs at Educational Opportunity Centers.
- The Legislature provides a total of \$35.7 million for community college capital projects that have received a local match, including:
 - \$20.4 million for the Fashion Institute of Technology;
 - \$13 million for Nassau Community College; and
 - \$2.3 million for Ulster County Community College.

Article VII

- **The Legislature rejects the Executive proposal to allow the State Inspector General to oversee implementation and enforcement of financial control policies at SUNY, CUNY, and their affiliated nonprofit organizations and foundations.**
- **The Legislature rejects the Executive proposal to expand the jurisdiction of the State Inspector General to include SUNY and CUNY affiliated nonprofit organizations and foundations.**
- **The Legislature repeals the requirement that SUNY and CUNY develop a new methodology for calculating chargeback rates for community colleges that would have otherwise been phased in beginning in the 2018-19 academic year.**
- **The Legislature allows SUNY Stony Brook to establish an escrow account for their affiliation with the Eastern Long Island Hospital Association.**
- **The Legislature provides supplemental housing and meals for foster youth not currently enrolled in an Educational Opportunity Program (EOP) at SUNY under the Foster Youth College Success Initiative.**

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

The Legislature provides an All Funds appropriation of \$1.41 million.

State Operations

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

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

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

Arts and Cultural Facilities Improvement Program

- **The Legislature provides \$10 million in new Capital grants for arts institutions through a second round of the Arts and Cultural Facilities Improvement Program.**

Raise the Age

The Legislature accepts an All Funds appropriation of \$100 million.

State Operations

- **Not applicable.**

Aid to Localities

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

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

Pay for Success

The Legislature provides an All Funds appropriation of \$69 million.

State Operations

- **Not applicable.**

Aid to Localities

- **The Legislature modifies appropriation language to ensure that the State Workforce Investment Boards and other relevant agencies are consulted in regard to workforce development initiatives.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

HEALTH & MENTAL HYGIENE

By Agency

Recommended Changes to the Executive Budget Office for the Aging

The Legislature provides an All Funds appropriation of \$256.97 million, an increase of \$8.98 million over the Executive proposal.

State Operations

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

Aid to Localities

- The Legislature provides \$2 million in additional support for Naturally Occurring Retirement Community (NORC) programs and \$2 million in additional support for Neighborhood NORC programs.
- The Legislature provides \$2.25 million in additional support for the Community Services for the Elderly (CSE) and waives the local matching requirement for such funds.
- Legislature provides General Fund support for the following programs:
 - \$250,000 for Older Adults Technology Center (OATS);
 - \$250,000 for LiveOn-NY;
 - \$200,000 for Jewish Community Council of Greater Coney Island;
 - \$200,000 for Lifespan of Greater Rochester, Inc.;
 - \$160,000 for Bay Ridge Center;
 - \$140,000 for Queens Community House;
 - \$125,000 for Wayside Out-Reach Development, Inc.;
 - \$100,000 for Riverdale Senior Services;
 - \$100,000 for Samuel Field YM and YWHA;
 - \$100,000 for Emerald Isle Immigration Center;
 - \$100,000 for the New York Statewide Senior Action Council, Inc.;
 - \$100,000 for Regional Aid for Interim Needs, Inc.;
 - \$100,000 for Clearview Assistance Program;
 - \$100,000 for Hillcrest Senior Center;
 - \$100,000 for Institute for the Puerto Rican Hispanic Elderly, Inc.;
 - \$86,000 for the New York Foundation for Senior Citizens Home Sharing and Respite Program;
 - \$75,000 for Blue Card, Inc.;
 - \$65,000 for Selfhelp Community Services;

- \$50,000 for Hope for the Hopeful;
- \$50,000 for Friends of Catherine M. Sheridan Senior Center;
- \$50,000 for Spanish Speaking Elderly Council (RAICES);
- \$50,000 for United Jewish Organizations of Williamsburg, Inc.;
- \$50,000 for Brooklyn Chinese-American Association Inc.;
- \$30,000 Allerton Avenue Homeowners and Tenants Association;
- \$25,000 for Jewish Family Services of Buffalo and Erie County;
- \$25,000 for Medicare Rights Center, Inc.;
- \$20,000 for Jewish Association for Services for the Aged (JASA) – Bay Eden Senior Center;
- \$15,000 for Bayside Senior Center; and
- \$10,000 for Agudath Israel of American Community Services for the Brookdale Senior Center.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Developmental Disabilities Planning Council

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

State Operations

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

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

Recommended Changes to the Executive Budget Department of Health

The Legislature provides an All Funds appropriation of \$152.7 billion, a decrease of \$786.2 million from the Executive budget.

State Operations

- The Legislature provides \$850,000 to reject the proposal to eliminate hospital resident working hour audits.

Aid to Localities

Medicaid Global Cap

- The Legislature provides restorations of \$143.27 million to the Medicaid program, including:
 - \$17.4 million to reject the Executive proposal to eliminate prescriber prevails provisions in fee-for-service Medicaid and Medicaid Managed Care;
 - \$17.05 million to reject the Executive proposal to implement new hospital penalties and to reduce the hospital quality pool;
 - \$15 million to reject the Executive proposal to delay the expansion of children's mental health services;
 - \$13.42 million to reject the Executive proposal to carve-out managed long term care (MLTC) and adult day health care transportation from the Medicaid managed care benefit, and to transfer the management of these services to the State's transportation manager;
 - \$11.28 million to reject the Executive proposal to limit coverage for over the counter (OTC) drugs and to increase OTC co-payments;
 - \$10 million to reject a reduction in reimbursement rates for patient centered medical home services;
 - \$7.81 million to reject the Executive proposal to eliminate spousal refusal;

- **\$6.7 million to reject the Executive proposal to reduce capital rates for hospital and nursing homes by one percent;**
- **\$5.83 million to reject the Executive’s proposal to raise the minimum Uniform Assessment System score that is required for MLTC eligibility;**
- **\$5.7 million to reject the Executive proposal to reduce the community spouse resource allowance from \$74,820, to \$24,180;**
- **\$5.4 million to reject the Executive proposal to reduce the Medicaid fee-schedule for livery services in New York City;**
- **\$5 million to reject the Executive proposal to authorize the establishment of retail practices;**
- **\$5 million to reject the Executive proposal to expand the authority for certified registered nurse anesthetists to administer anesthesia to patients under the supervision of a physician;**
- **\$5 million to reject the Executive proposal to expand the powers of the Office of the Medicaid Inspector General (OMIG) and to increase certain civil penalties;**
- **\$4 million to reject the Executive proposal to eliminate supplemental payments for rural transportation;**
- **\$3 million to reject the Executive proposal to eliminate supplemental ambulance rates;**
- **\$2.33 million to ensure that poor performing distress nursing homes are not penalized with a two percent reduction in Medicaid quality pool payments;**
- **\$2 million to reject the Executive proposal to require Medicaid Managed Care (MMC) plans to establish a plan for collaboration with each performing provider system;**
- **\$900,000 to reject the Medicaid share of the Executive’s proposals related to the Early Intervention (EI) program evaluations and insurance coverage requirements; and**
- **\$450,000 to reject the Executive proposal to establish a collaborative comprehensive medication management program.**

- **The Legislature provides \$35.35 million in new Medicaid initiatives, including:**
 - **\$30 million in additional funding for enhanced safety net providers, including \$15 million for high Medicaid and public hospitals (\$25 million total) and \$15 million for critical access and sole community hospitals (\$25 million total);**
 - **\$5 million to expand programs to support individuals with Hepatitis C; and**
 - **\$350,000 in increased reimbursement rates for Crouse Community Center.**

- **To support these restorations, the Legislature advances \$178.62 million in reductions, including:**
 - **\$46.3 million in savings related to Care Restructuring Enhancement Pilots (CREP) program payments made to hospitals operated by the State University of New York;**
 - **\$42.05 million in savings related to a delay in the elective repayment of certain federal liabilities;**
 - **\$17 million in savings related to the establishment of a Center for Operational Excellence to focus on strengthening claims editing to detect fraud, waste and abuse in fee-for-service Medicaid;**
 - **\$15 million in contract efficiency savings related to the Medicaid enrollment portal, enrollment broker, and conflict-free evaluation services;**
 - **\$12.97 million in savings related to a reduction in the MMC and MLTC quality pools;**
 - **\$10 million in additional saving related to expanding access to telehealth services;**
 - **\$10 million in savings related to a restructuring of health home program outreach activities to better target resources to high performing activities and establishing improved performance metrics and goals for health homes and care management agencies to ensure quality;**
 - **\$9.77 million in savings related to coverage expansions which were linked to the proposed reduction in hospital quality pool payments, including expanded coverage for licensed clinical social workers (\$3.19 million), diabetes prevention programs (\$520,000), and applied behavioral analysts (\$6.06 million). The**

Legislature retains an investment of \$2.29 million related to an increase in the annual physical therapy cap from 20 to 40 visits;

- \$5.48 million in additional savings related to the transfer of MLTC enrollees that are permanently placed in a nursing home to fee-for-service Medicaid, by transferring individuals after three months of permanent placement and prohibiting the enrollment of permanently placed individuals in MLTC;
 - \$5 million in savings related to improved pharmacy rebate collection activities;
 - \$3.9 million in savings related to the suspension of the federal health maintenance organization tax; and
 - \$1.15 million in savings related to rejecting the establishment of community paramedicine programs.
- The Legislature provides discrete appropriations for the NY Connects program, including \$19.9 million for local grants to area agencies on aging, \$6 million for independent living centers, and \$1.57 million for NYC Connects system maintenance.

Public Health

- The Legislature provides \$9.19 million to fully restore discrete funding for the 30 public health programs that the Governor had proposed to consolidate and cut by 20 percent.
- The Legislature provides \$3.82 million to restore School Based Health Centers funding to State Fiscal Year (SFY) 2016-2017 levels.
- The Legislature provides \$3.45 million to provide a 50 percent restoration of the Empire Clinical Research Investigator Program (ECRIP) program.
- The Legislature restores \$2.55 million to reject the Executive's proposals related to the Early Intervention (EI) program evaluations and insurance coverage requirements.
- In addition, the Legislature provides:
 - \$5 million for Women's Health Services;
 - \$1.5 million for Sunset Park Health Council;
 - \$1.4 million for Community Health Advocates;
 - \$1.1 million for Rural Health Care Access Development;
 - \$1.1 million for Rural Health Network Development;
 - \$1.06 million for the Comprehensive Care Centers for Eating Disorders;
 - \$1 million for Senate Task Force on Lyme and Tick Born Disease;

- **\$1 million for People, Inc.;**
- **\$1 million for Children and Recovering Mothers Program;**
- **\$900,000 for Lead Risk Reduction Initiatives;**
- **\$800,000 for Premium Health, Inc.;**
- **\$800,000 for the Nurse Family Partnership;**
- **\$750,000 for Family Planning Services;**
- **\$725,000 for the New York Alliance for Donation, Inc.;**
- **\$600,000 for New Alternatives for Children;**
- **\$525,000 for HIV/AIDS Community Services Program (CSP);**
- **\$525,000 for HIV/AIDS Multi Service Agencies (MSA);**
- **\$500,000 for the Hunger Prevention and Nutrition Assistance Program (HPNAP);**
- **\$500,000 for the Diversity in Medicine Program;**
- **\$500,000 for the Iroquois Healthcare Association – Opioid Alternative Pilot;**
- **\$500,000 for Nassau and Suffolk Guardianship Demonstration;**
- **\$475,000 for Health and Social Services Sexuality-Related Programs;**
- **\$450,000 for Primary Care Development Corporation (PCDC);**
- **\$450,000 for New York Center for Kidney Transplantation, Inc.;**
- **\$409,000 for the Finger Lakes Health Systems Agency;**
- **\$400,000 for the ALS Association Greater New York;**
- **\$372,000 for the Rural Dentistry Pilot;**
- **\$350,000 for Infant Recovery Centers Pilot Program;**
- **\$300,000 for Sexual Assault Forensic Examiner Telehealth Pilot;**
- **\$300,000 for Forme Medical Center;**
- **\$250,000 for the National Lymphatic Disease Patient Registry and Tissue Bank;**
- **\$250,000 for Long Term Care Community Coalition;**
- **\$250,000 for the New York State Dental Association;**
- **\$250,000 for Safe Motherhood Initiative;**
- **\$250,000 for Northern Oswego County Health Services;**
- **\$225,000 for the New York Center for Liver Transplant;**
- **\$225,000 for the Alzheimer’s Disease Resource Center, Inc.;**
- **\$200,000 for Integrated Medical Foundation, Inc.;**
- **\$200,000 for the Evidence Based Cancer Services (5 Counties);**
- **\$150,000 for the Iroquois Healthcare Association – Take a Look Tour;**
- **\$150,000 for the Congregation Chai Lifeline;**
- **\$150,000 for the Coalition for the Institutionalized, Aged, and Disabled;**
- **\$125,000 for Heartscan, Inc.;**
- **\$120,000 for St. Joseph’s Neighborhood Center;**
- **\$100,000 for the New York Cancer Center, Inc.;**
- **\$100,000 for the Urban Health Plan, Inc.;**
- **\$84,000 for New York School-Based Health Alliance;**
- **\$50,000 for Mekimi;**
- **\$50,000 for the Ezras Cholim Yad Ephraim;**
- **\$50,000 for the New York State Breast Cancer Network;**
- **\$50,000 for the Epilepsy Foundation of Northeastern New York, Inc.;**

- **\$40,000 for Maimonides Medical Center;**
 - **\$35,000 for the American-Italian Cancer Foundation Mobile Cancer Services;**
 - **\$25,000 for Chayim Aruchim, Inc.;**
 - **\$25,000 for Congregation Chasdei Lev;**
 - **\$25,000 for Guardians of Sick, Inc.;**
 - **\$25,000 for Westchester Jewish Community Services;**
 - **\$20,000 for the New York Community Hospital of Brooklyn;**
 - **\$20,000 for Jewish Family Services of Rockland County;**
 - **\$10,000 for Jewish Crohn’s and Colitis Support Group;**
 - **\$10,000 for Sparks PPD;**
 - **\$5,000 for Lupus Alliance of Upstate NY; and**
 - **\$5,000 for Cattaraugus County – Veggie Mobile.**
- **The Legislature eliminates the Executive’s proposed \$1 billion Health Care Reform Act appropriation to support the Health Care Shortfall Account, replaces this proposal with the Health Care Transformation Fund, and provides additional transparency and reporting requirements.**

Capital

- **The Legislature modifies the Executive proposal to establish a new Health Care Facility Transformation Program Statewide III, to:**
 - **increase total program funding by \$100 million, from \$425 million to \$525 million;**
 - **authorize the \$20 million set-aside for assisted living programs (ALP) to be used for both counties with one or no ALP program as well as counties with high ALP occupancy rates, with priority being given to the counties with one or no ALP program;**
 - **include ALP and children’s residential treatment facilities within the list of eligible applicants for the general capital program; and**
 - **increase the set-aside for community based providers from \$40 million to \$60 million, and to include clinics licensed under Article 16 of the Mental Hygiene Law within the list of eligible community-based applicants.**

Article VII

Part A – Hospitals

- The Legislature accepts the Executive proposal to continue the phase-in of the new distribution methodology under the hospital indigent care pool and to extend the program until March 31, 2020.
- The Legislature accepts the Executive proposal to increase the annual visit cap on physical therapy from 20 to 40 visits per year.
- The Legislature rejects the Executive proposal to decrease the annual visit cap on speech and occupational therapy visits to 20 visits, and restores a 20 visit cap for each service.
- The Legislature rejects the Executive proposal to implement new hospital penalties, to reduce the hospital quality pool, and to reinvest a portion of the savings in expanded coverage for licensed clinical social workers, diabetes prevention programs, and applied behavioral analysts.
- The Legislature rejects the Executive proposal to reduce capital reimbursement for hospitals and nursing homes by one percent.
- The Legislature includes language to require a study on the feasibility of designating a burn center in Brooklyn.
- The Legislature includes language to provide a Medicaid rate increase for certain residential treatment facilities in Madison County, with between 110 and 130 beds (Crouse Community Center).

Part B - Long Term Care

- The Legislature accepts the proposal to limit MLTC eligibility to enrollees that require at least 120 consecutive days of community-based long-term care and to preserve MLTC enrollment for existing enrollees.
- The Legislature accepts the Executive proposal to require that Medicaid rates for clinics serving patients with traumatic brain injury (TBI) and participating in Medicare Part B, to be at least the same as the Medicare Part B reimbursement.
- The Legislature modifies the Executive proposal to reduce Medicaid quality pool payments for poor performing nursing homes, by two percent, to exempt financially distressed nursing homes.

- The Legislature modifies the proposal to transfer enrollees from MLTC to fee for-service Medicaid if they are permanently placed in a nursing home, to reduce the period of MLTC enrollment prior to transfer, from six months to three months.
- The Legislature modifies the Executive proposal to conduct a study of home and community based services (HCBS) available to Medicaid recipients in rural areas, to require consultation with the rural health council.
- The Legislature modifies the Executive proposal to authorize additional assisted living program (ALP) beds, to establish a permanent process for the Department of Health (DOH) to review and authorize additional bed expansions.
- The Legislature modifies the Executive proposal to limit the ability of MLTC enrollees to change plans, to allow for a change of plan within 90 days of enrollment and allow one additional change per 12 month period or otherwise for good cause consistent with current federal regulations.
- The Legislature modifies the Executive proposal to limit MLTC plan contracting with licensed home care services agencies (LHCSA) to:
 - establish a phased-in regional methodology for limiting LHCSA contracts;
 - authorize DOH to modify the LHCSA limits to maximize continuity of care and to minimize labor workforce impacts;
 - require the Public Health and Health Planning Council to make a determination of public need and financial feasibility, prior to approval of new LHCSA programs;
 - establish two-year moratorium on the approval of LHCSA contracts, except in certain situations; and
 - require all LHCSA programs to annually register with DOH.
- The Legislature rejects the proposal to limit eligibility to MLTC to individuals that score a nine or higher on the uniform assessment system (UAS).
- The Legislature rejects the Executive proposal to eliminate spousal refusal.
- The Legislature rejects the Executive proposal to reduce the community spouse resource allowance.

- The Legislature includes language to prohibit fiscal intermediaries from disseminating false or misleading advertising and to require DOH approval of fiscal intermediary advertising.
- The Legislature includes language to extend the traumatic brain injury (TBI) waiver carve-out from MMC until January 1, 2022.
- The Legislature includes language to provide for a prospective 10 percent increase in Medicaid hospice rates.

Part C – Health Homes

- The Legislature modifies the established targets for health home participation rates, to allow for DOH to implement penalties on health home providers, in addition to MMC plans.
- The Legislature modifies the Executive proposal to expand mandated reporting, to require health home providers and subcontractors that are expected to have regular contact with children to be mandated reporters of child abuse and neglect.
- The Legislature modifies the Executive proposal to require health home providers and subcontractors to undergo criminal history and statewide central register checks, to require the DOH to provide a copy of the criminal history information check to the subject of the check, in the event that employment is denied.
- The Legislature rejects the Executive language establishing incentive payments to health home enrollees to incentivize participation in wellness activities and avoiding potentially preventable hospitalizations and emergency department visits.
- The Legislature rejects the Executive proposal to require MMC plans to establish a plan for collaboration with each performing provider system.
- The Legislature includes authorization to extend existing contracts for the Medicaid enrollment portal, enrollment broker, and conflict-free evaluation services.

Part D - Medicaid Pharmacy

- The Legislature accepts the Executive proposal to increase the professional dispensing fee from \$10.00 to \$10.08.
- The Legislature modifies the Executive proposal to extend the Medicaid drug cap to 2020, to make technical changes to the Drug Utilization Review Board referral process and to expand reporting requirements.

- The Legislature modifies the Executive proposal to require a treatment plan for certain opioid prescribing, to apply it to Medicaid and non-Medicaid populations, and to require that the plan be consistent with current professional standards.
- The Legislature rejects the Executive proposal to authorize the Commissioner to make modifications to the list over-the-counter (OTC) drugs covered by Medicaid.
- The Legislature rejects the Executive proposal to increase the co-payment for OTC drugs reimbursed under Medicaid, from \$0.50 to \$1.
- The Legislature rejects the elimination of prescriber prevails in fee-for-service Medicaid.
- The Legislature rejects the Executive proposal to eliminate prescriber prevails in Medicaid Managed Care.
- The Legislature rejects the Executive's proposal to establish a collaborative comprehensive medication management program.

Part E - Medicaid Transportation

- The Legislature rejects the Executive proposal to transfer management of MLTC transportation services from MLTC plans to transportation managers, and accepts the carve-out of Program of All-Inclusive Care for the Elderly (PACE) programs.
- The Legislature rejects the Executive proposal to eliminate supplemental payments for emergency medical transportation.
- The Legislature rejects the Executive proposal to eliminate the supplemental payments to rural transportation networks.

Part G - Retail Practices

- The Legislature rejects the Executive proposal to authorize the provision of health care services offered by corporate owned retail practices.

Part H – Certified Registered Nurse Anesthetists (CRNA)

- The Legislature rejects the Executive proposal to expand the ability for CRNAs to practice nurse anesthesia in collaboration with a doctor.

Part I - Medicaid Integrity Proposals

- The Legislature rejects the Executive proposal to expand the powers of the Office of the Medicaid Inspector General (OMIG) and to increase certain civil penalties.

Part J - False Claims Act

- The Legislature modifies the Executive proposal to adjust the penalty amounts under the State False Claims Act to conform to the requirements of the Federal False Claims Act, to delay the effective date of the changes until September 30, 2018 and to require annual reporting by the Attorney General on the amount of money recovered by the Medicaid Fraud Control Unit.

Part K - Medicaid Global Cap and Cost Reporting

- The Legislature accepts the extension of the Medicaid Global Cap for one additional year.
- The Legislature modifies the proposal to require cost reports from all Medicaid providers, to limit these additional requirements to LHCSA programs, health homes, and fiscal intermediaries.
- The Legislature includes language to establish an enhanced safety net hospital program to provide Medicaid rate increases to high Medicaid hospitals, public hospitals, sole community hospitals, and critical access hospitals.

Part L – Child Health Plus

- The Legislature rejects the Executive proposal to allow administrative changes to the Child Health Plus Program.

Part M – Excess Medical Malpractice Program

- The Legislature accepts the Executive proposal to extend the Physician’s Excess Medical Malpractice Program for one year, through June 30, 2019.

Part N - Department of Health Cost of Living Adjustment (COLA)

- The Legislature accepts the Executive proposal to retroactively and permanently eliminate the COLA in certain DOH programs.

Part O - Early Intervention (EI) Program

- The Legislature rejects the Executive proposal to modify screening and service evaluations under the EI program.
- The Legislature rejects the Executive proposal to require enhanced coverage of EI services by commercial insurance plans.

- The Legislature rejects the Executive proposal to require providers to appeal insurance coverage denials and to provide a rate increase to support the associated administrative costs.
- The Legislature rejects the Executive proposal which would increase the fine from \$1,000 to \$10,000 per offense for violations of Insurance Law.

Part P – Health Care Reform Act (HCRA) Program

- The Legislature rejects the Executive proposal to eliminate the Empire Clinical Research Investigator Program (ECRIP) program.
- The Legislature rejects the Executive proposal to eliminate resident work hour audit requirements.

Part Q/Part UUU - Health Care Facility Transformation Program

- The Legislature modifies the Executive proposal to establish a new Health Care Facility Transformation Program Statewide III, to:
 - increase total program funding by \$100 million, from \$425 million to \$525 million;
 - authorize the \$20 million set-aside for ALP to be used for both counties with one or no ALP program as well as counties with high ALP occupancy rates, with priority being given to the counties with one or no ALP program;
 - include ALP and children’s residential treatment facilities within the list of eligible applicants for the general capital program; and
 - increase the set-aside for community-based providers from \$40 million to \$60 million, and to include clinics licensed under Article 16 of the Mental Hygiene Law within the list of eligible community-based applicants.

Part R - Lead Paint

- The Legislature rejects the Executive proposal to require building and code officers to inspect for and require abatement of lead.

Part S – Regulatory Modernization Initiatives

- The Legislature accepts the Executive proposal to authorize integrated primary care.

- The Legislature modifies the Executive proposal to expand Medicaid reimbursable telehealth, to improve the multi-agency coordination of the telehealth expansion.
- The Legislature rejects the Executive proposal to authorize community paramedicine.

Part T – Extenders

- The Legislature accepts the Executive proposal to extend the authorization of spousal budgeting in long term care, until 2023.
- The Legislature accepts the Executive proposal to extend the care at home waivers through 2023.
- The Legislature accepts the Executive proposal to eliminate the Medicaid trend factor through December 31, 2019.
- The Legislature modifies the Executive proposal to extend the generic consumer price index penalty, to extend it to 2020, instead of 2023.
- The Legislature modifies the Executive proposal to extend the statewide Medicaid integrity and efficiency initiative, to extend it to 2020, instead of 2023.
- The Legislature includes language to extend the authority for DOH to directly negotiate rebates for HIV/AIDS drugs and Hepatitis C drugs.
- The Legislature includes language to extend the demonstration for medical doctors who participate in a committee for the purposes of confronting impaired medical doctors and referring them to treatment, through 2023.

Part BB – Controlled Substances

- The Legislature modifies the Executive proposal to schedule controlled substances, to align the NYS controlled substances schedule with the permanent federal schedule.
- The Legislature rejects the Executive proposal to allow DOH to automatically add substances to the State schedule that are added to the federal schedule.

Part CC – Professional Misconduct

- The Legislature modifies the Executive proposal that would allow the commissioner of Health to take summary action against a licensee charged with a felony, to ensure the felony charge is related to an imminent public harm.

- The Legislature rejects the Executive proposal to reduce from 30 days to ten days the time period for licensees to produce information to the Department.
- The Legislature rejects the Executive proposal to allow the commissioner of Health to apply for a warrant.

Part HH – Sexual Assault Survivors

- The Legislature modifies the Executive proposal to increase the storage time for unreported sexual assault survivor kits from 30-days to five years, to increase the retention time to 20 years; to require a centralized storage location to be implemented by April 1, 2021; and to establish a tracking, monitoring, and notification system.
- The Legislature includes language to exempt health insurance coverage for sexual assault forensic exams from annual deductibles, copays, or other out-of-pocket costs.
- The Legislature includes language to clarify that hospitals are not allowed to bill sexual assault survivors for forensic exams.

Part LL – Water System Consolidation Study

- The Legislature includes language to create a public water system consolidation study to evaluate the feasibility of joining public water systems in order to improve water quality.

Part MM – Public Health and Insurance

- The Legislature includes language to establish uniform requirements regarding the audit of pharmacy records by pharmacy benefit managers (PBMs).
- The Legislature includes language to prohibit PBMs from restricting pharmacies ability to disclose the cost of prescription medication, the availability of alternative medications, or alternative means of purchasing prescription medications to consumers.
- The Legislature includes language to establish a program to provide information on substance use disorder, medication assisted treatment, and referral to substance use disorder services to health care providers and expectant mothers.
- The Legislature includes language to establish a workgroup to examine barriers to treatment for expectant mothers, newborns, and new parents with a substance use disorder.

- The Legislature includes language to provide educational materials and information on available programs to parents of children entering child care, kindergarten, or schools that are identified as having elevated blood lead levels.
- The Legislature includes language to establish a statewide plan for identifying and replacing lead service lines.
- The Legislature includes language to commission a study on asthma and its effects on those residing in Manhattan and Brooklyn.
- The Legislature includes language to prohibit health insurers from requiring prior authorization for outpatient substance abuse services and provides that such coverage shall not be subject to concurrent review for the first two weeks of continuous treatment.
- The Legislature includes language to require health insurers to provide coverage for donated breast milk for inpatient use for an infant when ordered by a licensed medical practitioner.

Part NN – Opioid Stewardship Program

- The Legislature modifies the Executive proposal to establish an opioid epidemic surcharge, to instead establish the Opioid Stewardship Act, which would:
 - establish a \$100 million annual opiate stewardship payment, to be administered by the commissioner of Health;
 - require each licensed manufacturer and distributor that sells or distributes opioids in the state to make an opioid stewardship payment based on the organization's share of the total morphine milligram equivalents sold in the State;
 - exempt sales of buprenorphine, methadone or morphine; sales out of the state; and sales to OASAS certified clinics or hospice providers, from the opioid stewardship payment calculation;
 - allow for the elimination of the stewardship payment, if operating funds spending in the Office of Alcoholism and Substance Abuse Services (OASAS) budget for opioid prevention, treatment and recovery is reduced below the State Fiscal Year (SFY) 2009-10 level;

- prohibit a manufacturer or distributor from passing on the cost of their stewardship payment to a purchaser, including the ultimate user of the opioid; and
- establish an Opioid Stewardship Fund to receive the proceeds from the stewardship payments.

Part F/Part FFF – Health Plan Financial Reserves

- The Legislature modifies the Executive proposal to limit not-for-profit Medicaid Managed Care Plan Reserves, to:
 - establish a Health Care Transformation Fund consisting of moneys paid from contingent reserves, transferred pursuant to law, and contributions or grants to be used to support health care delivery;
 - require written notice to the Legislature within 15 days of executing or modifying an allocation, transfer or distribution from the Fund;
 - require quarterly reports to the legislature on receipts and distributions of the Fund;
 - authorize DOH to require prepaid health services plans (PHSP) to submit all financial books and records to evaluate the plan’s reserves;
 - authorize DOH to issue regulations establishing a presumptive reserve ceiling for PHSPs which would be no less than 150 percent of the minimum contingent reserve required for all lines of business;
 - authorize DOH to determine that a plan’s reserves are in excess of the reserve ceiling and to redeploy such excess reserves to the Health Care Transformation Fund;
 - limit such redeployment to an aggregate amount of \$750 million per year;
 - exclude PHSPs that are owned or operated by a public benefit corporation; and
 - prohibit entities from transferring or loaning funds to avoid the application of these provisions.

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

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

State Operations

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

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **The Legislature rejects the Executive proposal to expand the powers of the Office of the Medicaid Inspector General (OMIG) and to increase certain civil penalties.**

Recommended Changes to the Executive Budget Department of Mental Hygiene

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

State Operations

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

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

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

The Legislature provides an All Funds appropriation of \$808.88 million, an increase of \$21.91 million over the Executive proposal.

State Operations

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

Aid to Localities

- The Legislature provides \$3.75 million to support jail-based substance use disorder treatment and transition services.
- The Legislature restores \$2 million to fund Substance Abuse Prevention and Intervention Specialists (SAPIS) in New York City through the Department of Education.
- The Legislature provides \$1.5 million to establish an independent substance use disorder and mental health ombudsman program.
- The Legislature provides \$1.5 million for additional substance use disorder programs and services.
- The Legislature includes General Fund appropriations for the following:
 - \$600,000 for Family and Children’s Association;
 - \$425,000 for Save the Michaels of the World;
 - \$425,000 for Thomas Hope Foundation;
 - \$350,000 for a Recovery and Community Outreach Center;
 - \$250,000 for Saratoga Hospital – Medication Management Program;
 - \$250,000 for an Adolescent Clubhouse;
 - \$225,000 for New York State Alliance for Boys and Girls Club;
 - \$175,000 for Our Lady of Lourdes Memorial Hospital;
 - \$100,000 for Addicts Rehabilitation Center Foundation;
 - \$70,000 for Council on Alcohol and Substance Abuse of Livingston County;
 - \$70,000 for Chenango County Behavioral Health Services;
 - \$50,000 for YES Community Counseling Center;
 - \$50,000 for National Committee for the Furtherance of Jewish Education;
 - \$50,000 for Rockland Council on Alcoholism;

- \$40,000 for Safe Foundation; and
- \$25,000 for Camelot of Staten Island.

Capital Projects

- The Legislature restores \$10 million to support residential bed and opioid treatment program development.

Article VII

- The Legislature accepts the Executive proposal to defer the cost of living adjustment (COLA) for one year, for all applicable human services agencies.
- The Legislature modifies the Executive proposal to establish an opioid epidemic surcharge, to instead establish the Opioid Stewardship Act, which would:
 - establish a \$100 million annual opiate stewardship payment, to be administered by the Commissioner of Health;
 - require each licensed manufacturer and distributor that sells or distributes opioids in the State to make an opioid stewardship payment based on the organization's share of the total morphine milligram equivalents sold in the state;
 - exempt sales of buprenorphine, methadone or morphine; sales out of the State; and sales to OASAS certified clinics or hospice providers, from the opioid stewardship payment calculation;
 - allow for the elimination of the stewardship payment, if operating funds spending in the Office of Alcoholism and Substance Abuse Services (OASAS) budget for opioid prevention, treatment and recovery is reduced below the State Fiscal Year (SFY) 2009-10 level;
 - prohibit a manufacturer or distributor from passing on the cost of their stewardship payment to a purchaser, including the ultimate user of the opioid; and
 - establish an Opioid Stewardship Fund to receive the proceeds from the stewardship payments.
- The Legislature modifies the Executive proposal related to the social work licensure exemption, to clearly define the services an unlicensed person is authorized to perform

and to identify under which circumstances an unlicensed person is authorized to assist a licensed professional.

- **The Legislature includes language to establish an independent substance use disorder and mental health ombudsman program to identify, investigate, refer, and resolve complaints that are made on behalf of consumers or providers related to health insurance coverage or access to substance use disorder or mental health care.**
- **The Legislature includes language to establish the Certified Peer Recovery Advocate Services Program.**

Recommended Changes to the Executive Budget Office of Mental Health

The Legislature provides an All Funds appropriation of \$4.27 billion, an increase of \$19.5 million over the Executive proposal.

State Operations

- The Legislature rejects the Executive proposal to establish county jail-based restoration units and provides a net restoration of \$1.69 million.

Aid to Localities

- The Legislature includes General Fund appropriations for the following:
 - \$3.74 million for the Joseph P. Dwyer Veteran Peer-to-Peer program;
 - \$1 million for the School Mental Health Resource and Training Center;
 - \$925,000 for Crisis Intervention Teams and other mobile crisis programs;
 - \$500,000 for Children’s Prevention And Awareness Initiatives;
 - \$450,000 for the Veterans Mental Health Training Initiative;
 - \$400,000 for FarmNet;
 - \$200,000 for Communilife, Inc.;
 - \$175,000 for North Fork Mental Health Initiative;
 - \$175,000 for South Fork Mental Health Initiative;
 - \$100,000 for Mental Health Association in New York State;
 - \$100,000 for the North Country Behavioral Healthcare Network; and
 - \$50,000 for Misaskim, Inc.

Capital Projects

- The Legislature restores \$10 million to support children’s behavioral health development.

Article VII

- The Legislature accepts the Executive proposal to extend certain time-limited demonstration programs for three years.

- **The Legislature accepts the Executive proposal to extend the community mental health support and workforce reinvestment program for three years.**
- **The Legislature accepts the Executive proposal to extend the authority for facility directors to act as representative payees for three years.**
- **The Legislature accepts the Executive proposal to defer the cost of living adjustment (COLA) for one year, for all applicable human services agencies.**
- **The Legislature modifies the Executive proposal related to the social work licensure exemption, to clearly define the services an unlicensed person is authorized to perform and to identify under which circumstances an unlicensed person is authorized to assist a licensed professional.**
- **The Legislature rejects the Executive proposal that would authorize OMH, upon local election, to establish and operate a restoration to competency program within a local or state correctional facility.**
- **The Legislature includes language to establish an independent substance use disorder and mental health ombudsman program to identify, investigate, refer, and resolve complaints that are made on behalf of consumers or providers related to health insurance coverage or access to substance use disorder or mental health care.**

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

The Legislature provides an All Funds appropriation of \$4.7 billion, an increase of \$2.56 million over the Executive Proposal.

State Operations

- The Legislature includes \$250,000 for the development of a training program to provide instruction and information to first responders on appropriate recognition and response techniques for addressing emergency situations involving individuals with autism spectrum disorder and other developmental disabilities.

Aid to Localities

- The Legislature modifies the Executive proposal to provide \$30 million in additional funding to support the development of new community based service opportunities, to require at least \$5 million to support services specifically for individuals that are living at home and whose caregivers are increasingly unable to provide care for them.
- The Legislature includes General Fund appropriations for the following:
 - \$500,000 for the New York Alliance for Inclusion and Innovation;
 - \$315,000 for Women’s League Community Residences;
 - \$310,000 for Jawonio;
 - \$200,000 for Special Olympics New York;
 - \$150,000 for Project Refuah;
 - \$150,000 for ACHIEVE, Broome Chenango Tioga;
 - \$100,000 for Best Buddies International;
 - \$100,000 for Syracuse University; and
 - \$100,000 for In the Driver’s Seat;
 - \$75,000 for Bonim Lamokom Zichron Moshe Dov;
 - \$75,000 for Pesach Tikvah - Hope Development;
 - \$55,000 for Developmental Disability Alliance of Western NY;
 - \$50,000 for Hebrew Academy for Special Children (HASC) Center;
 - \$50,000 for Life’s W.O.R.C.;
 - \$50,000 for NYSARC of Rockland County; and
 - \$25,000 for Otsar Family Services.

Capital Projects

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

Article VII

- The Legislature accepts the Executive proposal to extend certain time-limited demonstration programs for three years.
- The Legislature accepts the Executive proposal to extend the authority for facility directors to act as representative payees for three years.
- The Legislature accepts the Executive proposal that would defer the cost of living adjustment (COLA) for one year, for all applicable human services agencies.
- The Legislature modifies the Executive proposal related to the social work licensure exemption, to clearly define the services an unlicensed person is authorized to perform and to identify under which circumstances an unlicensed person is authorized to assist a licensed professional.
- The Legislature modifies the Executive proposal related to authorizing managed care for individuals with a developmental disability, to reject the permanent extension the authorization; make various technical changes to the managed care ownership requirements; require the new waiver be consistent with the existing waiver requirements; and require a report to the Legislature, by December 31, 2022, on the quality and outcomes of such managed care services.
- The Legislature includes language to extend the requirement that OPWDD provide notification to the Legislature and appropriate representatives of impacted labor organizations, no less than 90 days prior to commencing any conversions of a State operated Independent Residential Alternative (IRA) to a not-for-profit provider.
- The Legislature includes language to establish a training program to provide instruction and information to first responders on appropriate recognition and response techniques for addressing emergency situations involving individuals with autism spectrum disorder and other developmental disabilities.
- The Legislature includes language to ensure that services provided by an independent practitioner are covered by both Medicare and Medicaid for eligible individuals enrolled in both programs.

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

The Legislature provides an All Funds appropriation of \$56.4 million.

State Operations

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

Aid to Localities

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

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

TRANSPORTATION, ECONOMIC DEVELOPMENT & ENVIRONMENTAL CONSERVATION

By Agency

Recommended Changes to the Executive Budget Adirondack Park Agency

The Legislature provides an All Funds appropriation of \$4.54 million.

State Operations

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

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

Recommended Changes to the Executive Budget Department of Agriculture and Markets

The Legislature provides an All Funds appropriation of \$186.76 million, an increase of \$24.75 million over the Executive proposal.

State Operations

- The Legislature adds \$1.03 million to Agriculture Business Services for personal services.

Aid to Localities

- The Legislature provides the following restorations and increases, totaling \$13.01 million:
 - \$1.5 million for the New York Farm Viability Institute;
 - \$1 million for the "Core" Diagnostic Lab;
 - \$1 million for the Agribusiness Child Development Program;
 - \$600,000 for Northern NY Agricultural Development;
 - \$560,000 for the Cornell University Rabies Program;
 - \$544,000 for the New York State Apple Growers Association;
 - \$500,000 for the Apple Research and Development Program;
 - \$500,000 for the Senior Farmers Market Nutrition Program;
 - \$488,000 for Cornell University Farm Family Assistance;
 - \$379,000 for the Cornell University Pro-dairy Program;
 - \$310,000 for the New York Wine and Grape Foundation;
 - \$300,000 for Cornell University Concord Grape Research;
 - \$300,000 for Adirondack North Country Association Farm-to-School;
 - \$260,000 for the Hop Evaluation and Field Testing Program;
 - \$260,000 for Cornell University Berry Research;
 - \$250,000 for the Tractor Rollover Protection Program;
 - \$225,000 for the Maple Producers Association;
 - \$220,000 for the Dairy Profit Teams/NY Farm Viability Institute;
 - \$200,000 for Cornell University Hard Cider Research;
 - \$200,000 for Cornell University Salmonella Dublin;
 - \$200,000 for Long Island Deer Fence Matching Grants;
 - \$200,000 for the North Country Agriculture Academy;
 - \$200,000 for Cornell Farm Labor Specialist;
 - \$200,000 for American Farmland Trust Farmland for a New Generation Resource Center;

- **\$200,000 for American Farmland Trust Farmland for a New Generation Regional Navigator;**
- **\$175,000 for the Eastern Equine Encephalitis Program;**
- **\$160,000 for Local Fairs;**
- **\$150,000 for Cornell University Honeybee Research;**
- **\$150,000 for Turfgrass Environmental Stewardship;**
- **\$125,000 for Cornell University Maple Research;**
- **\$125,000 for NY Christmas Tree Farmers;**
- **\$115,000 for Cornell University Veterans to Farm;**
- **\$113,000 for Cornell University Agriculture in the Classroom;**
- **\$113,000 for the Association of Agricultural Educators;**
- **\$112,000 for Cornell University Future Farmers of America;**
- **\$100,000 for Genesee-Livingston-Steuben-Wyoming BOCES Agricultural Academy;**
- **\$100,000 for the Seeds of Success School Gardens Program;**
- **\$100,000 for Cornell University Vegetable Research;**
- **\$100,000 for the Wood Products Development Council;**
- **\$100,000 for Grown on Long Island;**
- **\$75,000 for the NY Corn and Soybean Growers Association;**
- **\$75,000 for the New York State Brewers;**
- **\$75,000 for the New York State Distillers Guild;**
- **\$75,000 for the New York State Cider Association;**
- **\$60,000 for New York State Berry Growers;**
- **\$50,000 for Cornell University Onion Research;**
- **\$50,000 for the Farm to Table Trail;**
- **\$50,000 for Cornell University Avian Disease Program;**
- **\$25,000 for the North Country Low-cost Rabies Vaccine;**
- **\$25,000 for Redevelopment of the NY State Fair Wool Center; and**
- **\$20,000 for the Island Harvest Food Bank.**

Capital Projects

- **The Legislature restores \$5 million for capital improvements at local fairs.**
- **The Legislature restores \$5 million for capital improvements at animal shelters, pounds, and humane societies.**
- **The Legislature adds \$700,000 for fringe benefits for capital expenses.**

Article VII

- **The Legislature modifies the Executive proposal to extend the transfer of administration of dairy and other agricultural marketing orders from the Department of Agriculture and Markets to Empire State Development Corporation by authorizing a three-year extension, rather than making it permanent.**
- **The Legislature modifies the grant program for local soil and water conservation districts to facilitate the efficient and equitable distribution of grants.**

Recommended Changes to the Executive Budget Department of Economic Development

The Legislature provides an All Funds appropriation of \$92.01 million, an increase of \$9.38 million over the Executive proposal.

State Operations

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

Aid to Localities

- The Legislature restores support for the following programs which were eliminated in the Executive proposal:
 - \$1.28 million of additional support for the Centers of Excellence. Through this action, each of the 10 Centers would receive \$1 million, from an overall appropriation of \$10 million;
 - \$1.09 million of additional support for the Local Tourism Promotion Matching Grants Program, for a total appropriation of \$4.52 million;
 - \$750,000 for the Center of Excellence in Life Science at New York Medical;
 - \$609,000 for the Technology Development Organization Matching Grants, for a total appropriation of \$2 million;
 - \$300,000 for the Chautauqua LECOMP/PGA Health Challenge golf tournament promotion;
 - \$250,000 for the Albany Center of Excellence in Atmospheric and Environmental Prediction and Innovation;
 - \$200,000 for the Finger Lakes Tourism Alliance;
 - \$150,000 for the North Country Chamber of Commerce;
 - \$100,000 for the Regional Economic Gardening Program;

- **\$100,000 for the Town of East Hampton for Tourism Initiative; and**
- **\$80,000 for Dream It Do It Western New York, Inc.**
- **The Legislature also provides new support for the following programs:**
 - **\$3 million for Broome County Community Charities - 2018 professional golf tournament;**
 - **\$1 million for the creation of Cornell University's Center of Excellence in Food and Agriculture Innovation;**
 - **\$872,333 for the creation of Centers of Excellence in Digital Gaming Development at Rensselaer Polytechnic Institute, Rochester Institute of Technology, and at New York University;**
 - **\$500,000 for the Small Business Innovation Research (SBIR)/Small Business Technology Transfer Technical Assistance Program (STTR); and**
 - **\$100,000 for Lake Ontario and Thousand Island Tourism Promotion.**

Capital Projects

- **Not applicable.**

Article VII

- **The Legislature updates and clarifies procedures for small businesses applying for SBIR/STTR federal grants and provides technical assistance to small businesses in need.**
- **The Legislature provides a one-year extension of the Minority-and-Women-Owned Business Enterprise (MWBE) program until December 31, 2019.**

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

The Legislature provides an All Funds appropriation of \$17 million.

State Operations

- **Not applicable.**

Aid to Localities

- **Not applicable.**

Capital Projects

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

Article VII

- **The Legislature extends for another year the \$19.7 million assessment on gas and electric corporations for the NYSERDA research, development and demonstration program, with a provision to include \$150,000 for the Department of Agriculture and Markets Fuel NY program.**

Recommended Changes to the Executive Budget Department of Environmental Conservation

The Legislature provides an All Funds appropriation of \$1.25 billion, an increase of \$1.92 million over the Executive proposal.

State Operations

- The Legislature adds \$140,000 from the General Fund to pay for a decrease in fees from pesticide applicators.

Aid to Localities

- The Legislature funds the following programs, totaling \$1.78 million:
 - \$250,000 for the Town of North Elba/ORDA;
 - \$250,000 for the Adirondack Lake Survey Corporation;
 - \$200,000 for Research, Applied Technology, Education Services Inc. (RATES);
 - \$200,000 for the Town of Geneva Seneca Lake Watershed Manager;
 - \$200,000 for the Long Island Commission for Aquifer Protection;
 - \$150,000 for the Chautauqua Lake Association;
 - \$140,000 for Sustainable South Bronx;
 - \$125,000 for Water Quality Monitoring in Manhasset Bay, Hempstead Harbor, Oyster Bay Harbor, and Cold Spring Harbor;
 - \$100,000 for the Atlantic States Marines Fisheries Commission;
 - \$95,000 for the Chautauqua Lake Partnership;
 - \$41,000 for the Lime Lake Cottage Owners Association; and
 - \$25,000 for OSS Project, Inc.

Capital Projects

- The Legislature accepts the Executive proposal to fund the Environmental Protection Fund (EPF) at \$300 million, and modifies the appropriations to provide the following:
 - \$35 million for Land Acquisition, a restoration of \$5 million;
 - \$15 million for Zoos, Botanical Gardens, and Aquaria (ZBGA), a restoration of \$2.5 million;
 - \$3.2 million for Hudson River Park Trust, a restoration of \$2.2 million;
 - \$1 million for the Bronx Zoo;

- **\$500,000 for the East River Esplanade;**
- **\$250,000 for a study of the feasibility, costs, location, and impacts of a Seagate to act as a storm surge barrier along Long Island’s South Shore; and**
- **\$200,000 for the Cornell University Soil Health Program.**
- **The Legislature ensures the eligibility of projects to combat Harmful Algal Blooms for funding in several programs in the EPF.**
- **The Legislature ensures that Environmental Justice Grants within the EPF continue to be provided only to organizations located in Environmental Justice communities.**

Article VII

- **The Legislature modifies the Executive proposal to expand the Pine Barrens by including a requirement to prepare a management plan for the expansion area including a public participation process, and by ensuring the local school district continues to receive property tax revenues.**
- **The Legislature modifies the Executive proposal to facilitate the redevelopment of brownfields by targeting grant funding to applicants in high need areas and by maintaining the optional pre-nomination process.**
- **The Legislature modifies the Executive proposal to amend the Clean Water Infrastructure Act of 2017 by including additional reporting requirements.**
- **The Legislature decreases certain pesticide applicator license fees.**
- **The Legislature authorizes the use of recyclable beverage connectors made of recycled content.**
- **The Legislature delays the implementation of the Diesel Emissions Reduction Act for one additional year.**
- **The Legislature modifies transfer language to ensure that revenues generated from waste tire management and recycling fees are used according to the provisions of law.**
- **The Legislature rejects the Executive’s proposal to amend the existing forestry property tax exemption and create a new property tax exemption program for privately-owned forest land.**
- **The Legislature rejects the Executive proposal to require food waste from high volume food scrap generators to be diverted from landfills by 2021.**

Recommended Changes to the Executive Budget New York State Gaming Commission

The Legislature provides an All Funds appropriation of \$359.58 million.

State Operations

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

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

- The Legislature accepts the Executive's proposal extending the current pari-mutuel tax rates and provisions relating to simulcasting of out-of-state thoroughbred and harness races for one year.
- The Legislature accepts the Executive's proposal to allow NYRA to increase its reserves for operating expenses to 90 days, and to create an advisory committee on equine drug testing and research.
- The Legislature accepts the Executive's proposal to eliminate the transfer of funds intended for education.
- The Legislature rejects the Executive's proposal for nighttime racing at Belmont Park.
- The Legislature rejects the Executive's proposal to allow monies from the New York State Breeding and Development Fund and the Agriculture and New York Horse Breeding Development Fund to be used for aftercare for retired horses.
- The Legislature rejects the Executive's proposal to reconfigure video lottery gaming tax rates, the current additional commission structure, the capital awards distribution, and

to require video lottery gaming operators to submit an annual marketing plan to be approved by the Gaming Commission.

- **The Legislature includes authorization for off-track betting corporations to determine when net revenues will be provided to participating counties and cities after receipt of written approval from such counties and cities.**
- **The Legislature extends provisions that allow the New York Jockey Injury Compensation Fund (NYJICF) to utilize purse monies to help secure worker's compensation insurance and allowing NYRA to establish a separate account for the horsemen's organization in order for NYJICF to secure worker's compensation insurance.**
- **The Legislature extends the video lottery gaming vendor's capital awards program, including approval and completion dates, for one year.**

Recommended Changes to the Executive Budget SFY 2018-19 Department of Motor Vehicles

The Legislature provides an All Funds appropriation of \$362.57 million, an increase of \$375,000 over the Executive proposal.

State Operations

- The Legislature accepts the Executive proposal to shift four Department of Motor Vehicle (DMV) appropriations to State Operations from the Dedicated Highway and Bridge Trust Fund.

Aid to Localities

- The Legislature provides \$375,000 for county-operated STOP-DWI and ignition interlock programs.

Capital Projects

- The Legislature accepts the Executive proposal to shift four DMV appropriations to State Operations from the Dedicated Highway and Bridge Trust Fund.

Article VII

- The Legislature accepts the Executive proposal to redirect various DMV and DOT-related revenues from the Dedicated Highway and Bridge Trust Fund to the General Fund.
- The Legislature modifies the Executive proposal to extend for one year the statute authorizing the testing of autonomous vehicles on public roads by clarifying the role of the police and first responders in such tests.
- The Legislature modifies the Executive proposal to clarify reporting procedures of the Department of Motor Vehicles Traffic Violations Bureau in New York City.
- The Legislature rejects the Executive proposal to amend various provisions of the law relating to seat belt requirements; junior driver; texting while driving; the use of mobile telephones and portable electronic devices while driving; and the establishment of a railroad grade-crossing camera enforcement program.

- **The Legislature rejects the Executive proposal to allow the mandatory five-hour pre-licensing course to be offered over the internet.**

Recommended Changes to the Executive Budget Olympic Regional Development Authority

The Legislature provides an All Funds appropriation of \$70.09 million.

State Operations

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

Aid to Localities

- **Not applicable.**

Capital Projects

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

Article VII

- **Not applicable.**

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

The Legislature provides an All Funds appropriation of \$436.12 million, an increase of \$225,000 over the Executive proposal.

State Operations

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

Aid to Localities

- The Legislature provides funding for the following programs:
 - \$125,000 for the Poppenheusen Institute;
 - \$30,000 for the Coastal Preservation Network;
 - \$25,000 for the Staten Island Zoological Society;
 - \$20,000 for Friends of Cunningham Park;
 - \$15,000 for the Nassau County Museum of Art; and
 - \$10,000 for the Sinfonietta of Riverdale.

Capital Projects

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

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Department of Public Service

The Legislature provides an All Funds appropriation of \$95.42 million.

State Operations

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

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

- The Legislature accepts the Executive proposal to continue the authorization to fund the regulatory expenses of various agencies through a \$3.34 million utility assessment and for the Department of Health to finance public health education programs with revenues generated from a \$454,000 assessment on cable television companies.

Recommended Changes to the Executive Budget Department of State

The Legislature provides an All Funds appropriation of \$253.8 million, an increase of \$6.05 million over the Executive proposal.

State Operations

- The Legislature adds \$200,000 for the purposes of analyzing and reporting on the feasibility of installing adult diaper changing stations in public buildings.

Aid to Localities

- The Legislature adds \$5 million for programs which assist non-citizens with legal services, case management, English-as-a-second-language training, job training and placement assistance, and post-employment services.
- The Legislature adds \$600,000 for the Public Utility Law Project (PULP) for the purposes of delivering civil legal services to the poor.
- The Legislature adds \$150,000 for the services and expenses of the New York Immigration Coalition.
- The Legislature adds \$100,000 for the services and expenses of the Doe Fund, Inc.

Capital Projects

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

Article VII

- The Legislature accepts the Executive proposal that would extend for one year the ability of the Secretary of State to charge fees for expediting certain documents issued by or requested from the Department of State's Division of Corporations.
- The Legislature accepts the Executive proposal to no longer require localities to match contributions in Community Service Block Grants.

- **The Legislature rejects the Executive proposal to require persons or entities suing corporations to serve legal papers on both the Secretary of State and the defendant corporation instead of serving only the Secretary of State as the agent for the defendant corporations.**
- **The Legislature accepts the Executive proposal to require State owned buildings to provide access to diaper changing tables in restrooms.**
- **The Legislature adds language that would provide funding for a commission to study the feasibility of installing adult diaper changing stations in public buildings.**
- **The Legislature adds language that would require the installation of lactation rooms in certain publicly owned and accessible buildings.**

Recommended Changes to the Executive Budget Department of Taxation and Finance

The Legislature provides an All Funds appropriation of \$465.5 million.

State Operations

- The Legislature modified the Executive proposal by providing a \$4 million appropriation for the newly established New York State Secure Choice Savings Program.

Aid to Localities

- The Legislature modifies the Executive proposal to provide a \$926,000 reappropriation for the Revenue Analysis, Collection, Enforcement, Processing, and Real Property Tax Program.

Capital Projects

- Not applicable.

Article VII

- The Legislature rejects the Executive proposal to convert taxes on state-owned land into a PILOT which will grow annually based on the allowable levy growth factor, in lieu of annual reassessments.
- The Legislature accepts the Executive proposal to extend the provisions allowing the Department of Taxation and Finance to determine assessment ceilings for telecommunications properties until December 31, 2022, and phase in the cap to provide a smooth transition to more accurate assessment values.
- The Legislature rejects the Executive proposal to allow the Department of Taxation and Finance to appeal adverse decisions by the Tax Appeals Tribunal.
- The Legislature modifies the Executive proposal to require Enhanced STAR recipients to participate in the STAR Income Verification Program (IVP) by requiring that the assessors assist taxpayers in completing their income verification statements upon the request of such taxpayers.

- **The Legislature modifies the Executive proposal to extend the statute of limitations for assessing additional tax on amended returns by providing for a one year extension instead of the Executive's three year extension proposal.**
- **The Legislature accepts the Executive proposal to authorize the Department of Taxation and Finance to share information with the Comptroller for the purposes of offsetting taxpayers' fixed and final tax debt against unclaimed funds.**
- **The Legislature rejects the Executive proposal to authorize state Department of Social Services to share information related to persons receiving public assistance with the Department of Taxation and Finance for targeted tax enforcement purposes.**
- **The Legislature rejects the Executive proposal to require a real property transfer report to be filed with the Department of Taxation and Finance whenever there is a sale of a co-op apartment or unit, or whenever there is a transfer or acquisition of a controlling interest in an entity with an interest in real property.**
- **The Legislature rejects the Executive proposal to require manufactured home park owners to submit registration forms quarterly, instead of annually.**

Recommended Changes to the Executive Budget Division of Tax Appeals

The Legislature provides an All Funds appropriation of \$3 million.

State Operations

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

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

Recommended Changes to the Executive Budget Thruway Authority

The Executive Budget contains no appropriations for the Thruway Authority.

State Operations

- **Not applicable.**

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **The Legislature rejects the Executive proposal to authorize the Thruway Authority to lease its fiber optic system through agreements based on set fees rather than by public auction.**

Recommended Changes to the Executive Budget Department of Transportation

The Legislature provides an All Funds appropriation of \$6.55 billion, an increase of \$213.24 million over the Executive proposal.

State Operations

- The Legislature accepts the Executive proposal to shift four DOT appropriations to State Operations from the Dedicated Highway and Bridge Trust Fund, including DOT snow and ice removal and bus, truck and rail inspections.

Aid to Localities

- The Legislature provides \$206.7 million in transit operating assistance for upstate transit systems, an increase of \$2 million over the Executive proposal.
- The Legislature provides \$315.6 million in transit operating assistance for non-MTA downstate transit systems, an increase of \$3 million over the Executive proposal.
- The Legislature provides \$500,000 for the operating costs of the South Fork Commuter bus service between Speonk station and Montauk station on the Montauk Branch of the Long Island Rail Road in Suffolk County.

Capital Projects

- The Legislature provides \$122 million for costs related to capital investments in transportation, aviation, water and sewer infrastructure improvements, industrial and manufacturing water supply infrastructure renovations and improvements, and economic development projects.
- The Legislature provides \$65 million for extreme winter recovery, distributed through the CHIPs formula. This is in addition to \$478 million for CHIPs and Marchiselli and \$100 million for Pave NY, also distributed through the CHIPs formula. Total annual funding for these programs is \$643 million.
- The Legislature provides \$104.5 million for non-MTA downstate and upstate transit capital projects, an increase of \$20 million over the Executive proposal.

- **The Legislature provides \$375,000 for municipalities for the reimbursement of eligible costs to replace guiderail end cap terminals that have been removed from DOT's approved list due to safety concerns.**
- **The Legislature reallocates appropriations for engineering costs to support DOT State workforce engineers.**

Article VII

- **The Legislature accepts the Executive proposal to redirect various DMV and DOT-related revenues from the Dedicated Highway and Bridge Trust Fund to the General Fund.**
- **The Legislature accepts the Executive proposal to authorize the Public Transportation Safety Board to enforce federal requirements relating to the oversight of rail fixed guideway public transportation systems.**
- **The Legislature modifies the Executive proposal to increase penalties for motor carrier violations by rejecting a fine increase but accepting language that would conform State law with federal requirements to suspend motor carrier vehicle registrations when necessary to comply with USDOT out-of-service orders.**
- **The Legislature rejects the Executive proposal to authorize commercial facilities at highway rest areas under the jurisdiction of the Department of Transportation (DOT).**
- **The Legislature rejects the Executive proposal to authorize DOT to enter agreements with fiber optic utilities for occupancy of the State right-of-way.**
- **The Legislature rejects the Executive proposal to require DOT to collect a \$120 inspection fee on certain passenger-carrying motor vehicles subject to DOT inspection.**

Recommended Changes to the Executive Budget Metropolitan Transportation Authority

The Legislature provides an All Funds appropriation of \$5.14 billion, an increase of \$3.5 million over the Executive proposal. In addition, the Legislature provides a contingency appropriation of \$1.64 billion.

State Operations

- Not applicable.

Aid to Localities

- The Legislature accepts the Executive proposal to provide \$254 million to the MTA to fund half of the operating costs of the Subway Action Plan through 2018.
- The Legislature includes \$13.8 million for the Verrazano Narrows Bridge Rebate Program, an increase of \$3.5 million above the Executive proposal to fully restore a 24 cent rebate for Staten Island residents.

Capital

- The Legislature accepts the Executive proposal to provide \$174 million to the MTA to fund half of the capital costs of the Subway Action Plan through 2018.
- The Legislature provides up to \$3 million to support diesel train engine retrofits to meet higher emissions standards, including the upgrade of one diesel train engine owned by the Long Island Rail Road.

Article VII

- The Legislature obligates New York State and New York City to each fund half of the costs of the Subway Action Plan through 2018. The State's obligation is met with the funding noted above, which includes:
 - the Legislature's acceptance of the Executive proposal to move the MTA regional payroll mobility tax off budget to accelerate \$60 million toward funding the Subway Action Plan in 2018.

- **The Legislature provides a new \$415 million annually to the MTA to support the following:**
 - **costs associated with the Subway Action Plan, \$362 million in 2019, \$301 million in 2020 and \$300 million every year thereafter;**
 - **the next \$50 million each year will go into a dedicated Outer Borough Transportation Account to be used for capital and operating costs of services in the outer boroughs;**
 - **any remaining annual revenue will be dedicated to the MTA for general capital and operating support; and**
 - **the Legislature prohibits the diversion of these funds to any other purpose.**
- **These funds are derived from three new surcharges, effective January 1, 2019, on trips in the zone south of 96th street in Manhattan, including:**
 - **\$2.75 per trip in for-hire-vehicles;**
 - **\$0.75 per pooled trip in for-hire-vehicles (assessed per hail); and**
 - **\$2.50 per trip in yellow taxicabs.**
- **The Legislature exempts MTA paratransit services, including Access-a-Ride, and Medicaid reimbursed trips from any new surcharges.**
- **The Legislature authorizes the MTA to install no less than 50 mobile bus lane cameras on buses utilizing designated lanes in the bus rapid transit program below 96th street. Related monetary penalties are dedicated to the MTA.**
- **The Legislature requires the MTA to make public the extent to which all spending related to the Subway Action Plan has reduced incidents that have been found to cause delays to the New York City Subway System.**
- **The Legislature creates the Metropolitan Transportation Sustainability Advisory Workgroup to review and make recommendations regarding transportation sustainability within New York City and the Metropolitan Commuter Transportation District, including: public transportation adequacy and reliability; the causes and impacts of motor vehicular traffic; the tolling of intra-borough bridges; transportation strategies to meet environmental goals; reduced fares for college students; and sustainable funding for future public transportation needs.**

- **The Legislature rejects Article VII language that would:**
 - **require DOT and DMV to study congestion caused by buses, authorize the Fix NYC panel to recommend standards and equipment to collect surcharges from taxis and for-hire-vehicles and make recommendations regarding NYC parking placards, authorize block the box cameras in New York City, and require NYC agencies to adopt updated rules in consideration of Fix NYC recommendations;**
 - **require New York City to provide funding for all capital costs of the New York City Transit Authority and half of the cost associated with any declared emergency;**
 - **increase thresholds at which the MTA must use a competitive bidding procurement process; and**
 - **authorize the MTA to institute value capture in New York City without the approval of New York City.**

Recommended Changes to the Executive Budget Urban Development Corporation

The Legislature provides an All Funds appropriation of \$1.37 billion, an increase of \$11.19 million over the Executive proposal.

State Operations

- **Not applicable.**

Aid to Localities

- **The Legislature restores support for the following programs:**
 - **\$3 million for Military Base Retention and Research Efforts;**
 - **\$1 million for the Beginning Farmers NY Fund;**
 - **\$900,000 in total support for the Bronx Overall Economic Development Corporation;**
 - **\$600,000 in total support for the Center State Corporation for Economic Opportunity;**
 - **\$500,000 for the Brooklyn Chamber of Commerce;**
 - **\$300,000 of additional support for the Community Development Financial Institutions, for a total appropriation of \$1.8 million;**
 - **\$250,000 for the Kingbridge-Riverdale Van Cortlandt Development Corporation;**
 - **\$200,000 for the Adirondack North County Association;**
 - **\$200,000 for Canisius College;**
 - **\$150,000 for the North Country Chamber of Commerce;**
 - **\$110,000 for Watkins Glen International;**
 - **\$100,000 for the New Bronx Chamber of Commerce;**
 - **\$75,000 for the Association of Community Employment programs for the Homeless;**
 - **\$75,000 for the Black Institute, Inc.; and**
 - **\$50,000 for the World Trade Center Buffalo Niagara.**

- **The Legislature also provides new support for the following programs:**
 - **\$670,000 for Stony Brook Medicine National Cancer Institute;**
 - **\$500,000 for Center State CEO Grants for Growth program;**
 - **\$500,000 for Queens Chamber of Commerce;**
 - **\$400,000 for Community Development Revolving Loan Fund;**

- \$365,000 for additional support for the MWBE Lending Program and MWBE Investment Fund;
- \$200,000 for the Manufacturer Association of Central New York Pre-Apprenticeship Program (MACNY);
- \$150,000 for the Staten Island Economic Development Corporation;
- \$125,000 for the DuBois Bunche Center for Policy at Medgar Evers;
- \$125,000 for the Chamber of Commerce of the Borough of Queens;
- \$125,000 for the New York Women's Chamber of Commerce;
- \$115,000 for the Bayside Business Association;
- \$100,000 for Wildcat Service Corp;
- \$50,000 for the Buffalo Niagara International Trade Gateway Organization;
- \$50,000 for the Auburn Welcome Center;
- \$50,000 for Caribbeing Inc.;
- \$25,000 for Sullivan Renaissance;
- \$25,000 for the Queens Borough Community College Auxiliary Enterprise;
- \$25,000 for the Sunset Park District Management Association;
- \$25,000 for the East River Development Alliance;
- \$25,000 for the Centro Civico Cultural Dominicano;
- \$20,000 for Inwood Art Works, Inc.; and
- \$10,000 for Care Center of New York, Inc.

Capital Projects

- The Legislature provides support for the following programs in the Executive proposal:
 - \$30 million for the Center for Bioelectric Medicine (CBEM) – Manhasset; and
 - \$12.29 million for the Great Neck Water Pollution Control District.

Article VII

- The Legislature accepts the Executive proposal to provide a one-year extension of the Urban Development Corporation's general loan powers.
- The Legislature accepts the Executive proposal to provide a one-year extension of the Urban Development Corporation's ability to administer the Economic Development Fund.
- The Legislature increases the Electric Generation Facility Cessation Mitigation Fund from \$45 million to \$69 million.
- The Legislature establishes the Community Development Revolving Loan Fund Program to provide aid to small businesses that have a significant unmet need for access to loans.

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

Greenway Heritage Conservancy for the Hudson River Valley

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

Hudson River Park Trust

- **The Legislature accepts the Executive proposal to provide \$50 million in capital funding to the Hudson River Park Trust and includes Article VII legislation to ensure that this funding will be matched by New York City.**

Hudson River Valley Greenway Communities Council

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

New York Power Authority

State Operations

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

Article VII

- **The Legislature rejects the Executive proposal to authorize NYPA to provide energy-related projects, programs and services to any of its power customers.**
- **The Legislature rejects the Executive proposal to authorize NYPA to develop renewable energy projects, and to procure and sell renewable products to public entities and NYPA customers.**

LEGISLATURE & JUDICIARY

By Agency

Recommended Changes to the Executive Budget Judiciary

The Legislature provides an All Funds appropriation of \$3.06 billion.

State Operations

- The Legislature accepts the Judiciary's proposal and recommends no changes.

Aid to Localities

- The Legislature accepts the Judiciary's proposal and recommends no changes.

Capital Projects

- The Legislature accepts the Judiciary's proposal and recommends no changes.

Article VII

- The Legislature rejects the Executive proposals to require trial court judges to provide certification of the number of hours worked each month. The Legislature acknowledges that the Chief Judge is vested with the authority to adopt such changes without a statutory directive from the Legislative branch.
- The Legislature includes language to establish five additional judicial positions, including one additional Supreme Court Judge in the 9th Judicial District (Dutchess, Orange, Putnam, Rockland, and Westchester Counties), 10th District (Nassau and Suffolk Counties), 11th District (Queens County), 12th District (Bronx County), and 13th District (Richmond County).

DEBT SERVICE

Recommended Changes to the Executive Budget Debt Service and Capital Projects

The Legislature accepts an All Funds Debt Service appropriation of \$9.97 billion.

State Operations

- Not applicable.

Aid to Localities

- Not applicable.

Capital Projects

The Legislature provides an All Funds Capital appropriation of \$15 billion, an increase of \$1.34 billion over the Executive.

Transportation/Transit

- The Legislature accepts the following actions included in the Executive proposal:
 - \$4.88 billion for Year 4 of the DOT Capital Plan;
 - \$1.47 billion for Year 4 of the State Share of the MTA Capital Plan; and
 - \$174 million for the State Share of the MTA Subway Action Plan.
- The Legislature provides new support for the following:
 - \$122 million for the NYS Capital Assistance Program for Transportation, Infrastructure, and Economic Development;
 - \$65 million to Consolidated Highway Improvement Program (CHIPs), for a total of \$542.8 million; and
 - \$20 million for Non-MTA Transit Capital.

Economic Development

- The Legislature accepts the following actions included in the Executive proposal:
 - \$600 million for Life Sciences Lab/Public Health Initiatives;

- \$300 million for High Technology Initiatives;
 - \$200 million for New York Works Economic Development Fund;
 - \$150 million for Regional Economic Development Councils;
 - \$100 million for the Downtown Revitalization Initiative;
 - \$60 million for Olympic Regional Development Authority; and
 - \$8 million for Market NY.
- The Legislature provides new support for the following:
 - \$435 million for State and Municipal Facilities Program (SAM); and
 - \$40 million for Lake Ontario Flood Remediation.

Health and Mental Health

- The Legislature accepts the following actions included in the Executive proposal:
 - \$ 610.9 million for various Mental Health Programs;
 - \$51.3 million for Roswell Park capital; and
 - \$50 million for Health Care IT Initiatives.
- The Legislature provides new support for the following:
 - \$100 million for Statewide Health Care Transformation Grants, for a total of \$525 million;
 - \$10 million for Heroin/Opiates capital; and
 - \$10 million for Children’s Behavior Health Services capital.

Parks and Environment

- The Legislature accepts the following actions included in the Executive proposal:
 - \$300 million for the Environmental Protection Fund;
 - \$100 million for the Superfund;
 - \$90 million for Parks New York Works;
 - \$50 million for Hudson River Park; and
 - \$40 million for DEC New York Works.
- The Legislature provides new support for the following:
 - \$5 million for Local Fairs; and
 - \$5 million for Animal Shelters.

Education/Higher Education

- The Legislature accepts the following actions included in the Executive proposal:
 - \$284.2 million for CUNY Statewide Maintenance;
 - \$255.3 million for SUNY Hospitals;
 - \$87.1 million for Community College Projects;
 - \$30 million for Capital Matching Grants;
 - \$15 million for Anti-Hate Crime Safety and Security Projects; and
 - \$7 million for Breakfast after the Bell Program.

- The Legislature provides new support for the following:
 - \$200 million for SUNY Statewide Maintenance, for a total of \$550 million;
 - \$20 million for Library Construction, for a total of \$34 million.
 - \$20 million for SUNY Fashion Institute of Technology (FIT);
 - \$15 million for SUNY Nassau and Ulster Community Colleges;
 - \$10 million for Arts and Cultural Facilities Improvement; and
 - \$10 million for capital projects at Education Opportunity Centers.

General Government/Public Protection

- The Legislature accepts the following actions included in the Executive proposal:
 - \$427 million for maintenance and rehabilitation of Correctional Facilities;
 - \$85.7 million for IT Initiative Funding;
 - \$49 million for Preservation of State Facilities; and
 - \$25 million for OGS Office Optimization Funding.

- The Legislature provides new support for the following:
 - \$4 million for alterations and improvements in the State Capitol and Legislative Office Building.

Housing

- The Legislature provides new support for the following:
 - \$250 million for New York City Housing Authority (NYCHA).

All Other Capital Appropriations

- The Legislature accepts \$1.896 billion for All Other Capital Appropriations.

Article VII

- **The Legislature modifies the following bond caps:**
 - **SUNY Education Facilities Bond increases from \$12.95 billion to \$13.18 billion;**
 - **SUNY Upstate Community Colleges from \$953 million to \$969 million;**
 - **Library Facilities \$197 million to \$217 million;**
 - **Housing Capital Programs from \$5.69 billion to \$5.98 billion;**
 - **Economic Development Initiatives from \$8.16 billion to \$8.35 billion;**
 - **State and Municipal Facilities from \$1.94 billion to \$2.32 billion;**
 - **State Office Buildings from \$745 million to \$749 million;**
 - **Health Care from \$3.0 billion to \$3.05 billion;**
 - **Mental Health Services from \$8.76 billion to \$8.78 billion;**
 - **CHIPs Bond Caps from \$10.19 billion to \$10.25 billion; and**
 - **Transportation Initiatives from \$4.48 billion to \$4.5 billion.**

- **The Legislature rejects the Executive proposal to authorize Design Build for the Dormitory Authority, Urban Development Corporation, Office of General Services, Department of Health, and Olympic Regional Development Authority.**

- **The Legislature rejects the Executive proposal to authorize the deposit of 50 percent of General Fund Surplus to the Debt Reduction Reserve Fund (DRRF).**

- **The Legislature adds language to allow the Dormitory Authority to provide finance and construction services to the Cerebral Palsy Associations of New York State, Inc. and its non-profit affiliates.**