

Senate Resolution No. 4168

BY: Senator FLANAGAN

RESOLUTION in response to the 2018-2019 Executive Budget submission (Legislative Bills S7500B, S7503B, S7504B, S7505B, S7506A, S7507B, S7508B and S7509B) to be adopted as legislation expressing the position of the New York State Senate relating to the 2018-2019 New York State Budget

WHEREAS, It is the intent of the Legislature to effectuate the timely passage of a State Budget; and

WHEREAS, It is the intent of the Legislature to engage in the Budget Conference Committee process, which promotes increased participation by the members of the Legislature and the public; and

WHEREAS, The Senate Finance Committee has conducted an extensive study and review of the Governor's 2018-2019 Executive Budget submission and has recommended proposed amendments to such Budget submission in the above referenced Legislative Bills and Report on the Executive Budget; and

WHEREAS, Article VII of the New York State Constitution provides the framework under which the New York State Budget is submitted, amended and enacted. The New York State Courts have limited the Legislature in how it may change the appropriations bills submitted by the Governor.

The Legislature can delete or reduce items of appropriation contained in the several appropriation bills submitted by the Governor in conjunction with the Executive Budget, and it can add additional items of appropriation to those bills provided that such additions are stated separately and distinctly from the original items of the bill and refer each to a single object or purpose; and

WHEREAS, An extensive study and review of the Governor's 2018-2019 Executive Budget submission has revealed that the construction of the budget bills submitted to the Legislature by the Governor constrains the Legislature in its ability to fully effectuate its intent in amending the Governor's budget submission; and

WHEREAS, The 2018-2019 Executive Budget includes funds for new programs throughout various agencies which are direct aid and grant programs, have been drafted as lump sum appropriations and are proposed to be distributed at the sole discretion of the Executive. In addition, some of these proposed initiatives related to capital plans have no corresponding plan details, which is imperative for proper consideration of these proposals. New capital spending, distributed through regional economic development councils, is also included in the Executive proposal; and

WHEREAS, The Legislature has amended the Governor's 2018-2019 Executive Budget submission to the fullest extent possible within the authority provided to it pursuant to Section 4 of Article VII of the New York State Constitution; and

WHEREAS, The Senate, in addition to the Governor's 2018-2019 Executive Budget submission bills as amended by the Senate in the above referenced legislative bills, does hereby provide its recommendations as to provisions in the Governor's 2018-2019 Executive Budget submission which reflect those items the Senate is constrained from effectuating as amendments to the 2018-2019 Executive Budget appended hereto; and

WHEREAS, It is the intent of the Legislature that upon the passage of the Governor's 2018-2019 Executive Budget submission as amended by the Senate, and the incorporated Report on the Amended Executive Budget may provide a basis for both houses of the Legislature to convene Committees on Conference pursuant to Joint Rule III of the Senate and Assembly for the purpose of reconciling any differences between the amendments to the Governor's budget as proposed by each house of the Legislature; now, therefore, be it

RESOLVED, That, the above referenced legislative bills (S7500B, S7503B, S7504B, S7505B, S7506A, S7507B, S7508B and S7509B) be and are incorporated as part of this resolution and are hereby adopted as the New York State Legislature's budget proposal for the 2018-2019 New York State Budget.

REPORT ON THE AMENDED EXECUTIVE BUDGET

ALL STATE AGENCIES AND OPERATIONS

The Senate denies with prejudice the following new language contained within the body of various appropriations and Article VII language:

- * Language that would give the Executive unlimited transfer authority within the State Operations Budget. This is in addition to the transfer language already included in the State Operations Budget, and in the Division of the Budget (DOB) and affects most agencies.
- * Language that would prevent certain appropriations from becoming effective contingent upon the Legislature enacting other appropriations.
- * Language allowing the Executive to uniformly reduce funding for any programs if projected federal revenues to support Medicaid are not realized in fiscal years 2018-19 and 2019-20.
- * Language allowing the Executive to uniformly reduce funding for any programs if projected federal revenues to support Non-Medicaid programs are not realized in fiscal years 2018-19 and 2019-20.
- * Language allowing the Executive to uniformly reduce funding for local assistance programs if revenues projected to support those specific local assistance programs are not realized throughout the fiscal year.

The Senate has stricken this language from the appropriation bills because such language constitutes an impermissible and unconstitutional over-reach by the Executive, infringing upon the independent role of the Legislature. This objectionable language constitutes a direct violation of the fundamental principles governing the separation of powers and goes beyond any actions sanctioned by the Court of Appeals in *Silver v. Pataki*. The Senate has also denied Article VII language allowing similar unlimited funding reductions.

Adirondack Park Agency

State Operations (S.7500-B)

* The Senate concurs with the Executive recommendation of \$4.54 million.

Aging, Office for the

State Operations (S.7500-B)

* The Senate concurs with the Executive recommendation of \$11.3 million.

Aid to Localities (S.7503-B)

* The Senate provides \$20 million for increased Supplemental Security Income.

Article VII Proposal (S.7507-B)

* PART EE -- The Senate advances language to establish a statewide, toll free, 24/7 hotline to receive reports of allegations of reportable incidents of vulnerable adults and transmit notice of the report to any appropriate state agency or local social service office when appropriate, law enforcement. Information regarding the statewide hotline would be required to be part of a public education campaign.

Agriculture and Markets, Department of

State Operations (S.7500-B)

* The Senate modifies the Executive All Funds recommendation of \$114.3 million as follows:

- o Denies language authorizing the costs of the agency in relation to ratemaking proceedings to be eligible expenses under 18-a of the Public Service Law to avoid additional utility costs being passed on to customers.

Aid to Localities (S.7503-B)

* The Senate modifies the Executive All Funds recommendation of \$41.4 million as follows:

- o Restores more than \$10 million and adds \$5.5 million for:
 - \$1.7 million for a total of \$2.1 million for the Farm Viability Institute
 - \$1.06 million for a total of \$1.1 million for Cornell Rabies
 - \$1 million for a total of \$5.43 million for Cornell Diagnostic Lab
 - \$1 million for the Apple R&D Advisory Board
 - \$600,000 for Northern NY Agricultural Development
 - \$566,000 for a total of \$950,000 for Cornell Farm Net (Farm Family Assistance)
 - \$544,000 for a total of \$750,000 for the Apple Growers Association
 - \$537,000 for a total of \$1.25 million for the New York Wine & Grape Foundation
 - \$500,000 for the Farm-to-Seniors Program
 - \$500,000 for Cornell Concord Grape Research
 - \$480,000 for the Cornell Veterinary Diagnostic Lab-whole herd/bulk milk testing, eradicate salmonella dublin bacteria

- \$400,000 for Berry Growers Association
- \$378,000 for a total of \$1.2 million for Cornell Pro-Dairy
- \$300,000 for Cornell Hard Cider Research
- \$300,000 for Cornell Vegetable Research

- \$260,000 for Cornell Berry Research
- \$250,000 for a total of \$502,000 for Cornell Avian Disease
- \$250,000 for Tractor Rollover Prevention
- \$220,000 for Farm Viability Dairy Profit Teams
- \$215,000 for Maple Producers
- \$200,000 for a Cornell Hops Specialist
- \$200,000 for the Turfgrass Association
- \$200,000 for Suffolk County Deer Fencing
- \$200,000 for a total of \$1.37 million for the Cornell Quality Milk Program
- \$200,000 for the North Country Agricultural Academy-St. Lawrence-Lewis BOCES
- \$200,000 for a Cornell Labor Specialist to Assist Farmers with Labor Law Requirements
- \$200,000 for the AFT -- Farmland for a New Generation -- Resource Center
- \$200,000 for the AFT -- Farmland for a New Generation -- Regional Navigator
- \$200,000 for a One-stop hotline for farmers
- \$200,000 for the Cornell Apiary Research and Extension
- \$175,000 for Eastern Equine Encephalitis
- \$160,000 for a total of \$500,000 for Local Fair Assistance
- \$160,000 for a total of \$200,000 for Cornell Hops and

Barley-Born, Bred and Brewed

- \$150,000 for Christmas Tree Farmers
- \$150,000 for Corn & Soybean Growers Association
- \$125,000 for Cornell Maple Research
- \$115,000 for the Cornell Small Farms Veterans Program
- \$113,000 for a total of \$416,000 for Cornell Association of Ag Educators
- \$113,000 for a total of \$380,000 for Cornell Ag in the Classroom
- \$112,000 for a total of \$842,000 Future Farmers of America (FFA) programs, plus \$50,000 to create new FFA chapters
- \$100,000 for Genesee County Agricultural Academy
- \$100,000 for Long Island Farm Bureau/Grown on Long Island
- \$100,000 for the Wood Products Council
- \$100,000 for the Cornell Seeds of Success School Gardens Program
- \$100,000 for the New York State Brewers
- \$100,000 for the New York State Distillers Guild
- \$100,000 to develop a land inventory screening process
- \$100,000 for the New York State Cider Association
- \$50,000 for the Farm to Table Trail
- \$50,000 for Cornell Onion Research
- \$25,000 for North Country Low Cost Vaccines
- \$20,000 for Island Harvest

Capital Projects (S.7504-B)

* The Senate modifies the Executive All Funds recommendation of \$6.2 million as follows:

- o Adds \$5 million for local fair capital costs
- o Adds \$5 million for a competitive grant program for animal shelters
- o Adds \$5 million for the Cornell University College of Agriculture and Life Sciences

Article VII Proposal (S.7508-B)

- * PART Y -- The Senate modifies the Executive Article VII proposal that would make permanent the authority of the Empire State Development Corporation to administer agriculture and dairy marketing orders by extending the authority for three years
- * PART WW -- The Senate advances language authorizing industrial development agencies to provide assistance to agricultural producers
- * PART XX -- The Senate advances language that doubles the farm workforce retention credit through the 2021 taxable year
- * PART YY -- The Senate advances language that provides state aid for service costs and any fees associated with furnishing EBT technology at farmers' markets
- * PART ZZ -- The Senate advances language that authorizes farm breweries, cideries, distilleries, and wineries to cross promote each others' products
- * PART AAA -- The Senate advances language to make it state policy to encourage the development on solar array sites of landscapes that are beneficial to pollinators
- * PART BBB -- The Senate advances language to establish a tax credit for companies that purchase New York grown crops and use such crops in value added products

- * PART DDD -- The Senate advances language to authorize the expansion of the type of goods made and the methods of sale for home processors
- * PART EEE -- The Senate advances language that directs the Department of Agriculture to enhance access to viable agricultural land for new and beginning farmers
- * PART FFF -- The Senate advances language permitting access to and encourage the use of state land for the purpose of collecting sap for maple syrup production
- * PART GGG -- The Senate advances language to conduct a "Women in Farming" study to encourage and support women farmers
- * PART HHH -- The Senate advances language to authorize the construction of building and structures for bona fide agricultural production on agricultural lands
- * PART PPP -- The Senate advances language to establish a value added dairy investment tax credit

Alcoholic Beverage Control Board

State Operations (S.7500-B)

- * The Senate concurs with the Executive recommendation level of \$13.3 million, no change from FY 2018 levels.

Article VII Proposal (S.7505-B)

- * PART Q -- The Senate modifies the Executive proposal to remove the requirement that a hotel must operate a restaurant on its premises to receive an on-premises liquor license by adding provisions to allow bed and breakfasts to sell alcoholic beverages.

* PART R -- The Senate modifies the Executive proposal to create a new license for production and sale of mead and braggot in New York State by ensuring that meadaries enjoy the same privileges as farm breweries, farm wineries, and farm cideries.

* PART S -- The Senate denies the Executive proposal to create an exporter license for businesses that only purchase and export New York State alcoholic beverages and do not sell to wholesalers or retailers within the state.

Audit and Control, Department of

State Operations (S.7500-B)

* The Senate modifies the Executive All Funds recommendation of \$317.6 million as follows:

- o Denies the Executive recommendation of \$3.13 million for new maintenance undistributed personal service appropriations in the Administration, Abandoned Property, and Chief Information Office programs.

Aid to Localities (S.7503-B)

* The Senate concurs with the Executive recommendation of \$32 million.

Capital Projects (S.7504-B)

* The Senate denies the Executive recommendation of \$4.7 million for additional funds associated with the ongoing payroll system improvement project.

Budget, Division of the

State Operations (S.7500-B)

- * The Senate concurs with the Executive All Funds recommendation of \$49.2 million with the following modifications:
 - o Restores \$469,000 for fees for the Council of State Governments
 - o Provides \$300,000 for the Eastern Regional Conference and Policy Forum of the Council of State Governments in Rye Brook
 - o Restores \$81,000 for fees for the National Conference of State Legislatures
 - o Restores \$10,000 for fees for the National Conference of Insurance Legislators

Children and Family Services, Office of

State Operations (S.7500-B)

- * The Senate concurs with the Executive All Funds recommendation of \$474 million, with the following modification:
 - o Restores \$1.2 million to deny closure of the Ella McQueen Reception Center for Boys and Girls upon provision of 30-days' notice to the Legislature

Aid to Localities (S.7503-B)

- * The Senate concurs with the Executive All Funds recommendation of \$3.2 billion, with the following modifications:
 - o Denies the Executive proposal to remove the limitation that Community Optional Preventive Services (COPS) had been approved on or before October 1, 2008
 - o Provides funding for the following restorations:

- \$2.5 million in additional funding for Advantage Afterschool
- \$2.2 million in additional funding for Child Advocacy Centers
- \$1.5 million for Community Voices for Youth and Families
- \$1.4 million for United Way 2-1-1
- \$1 million for the New York State Alliance of Boys and Girls Clubs
- \$1 million for the New York State YMCA Foundation
- \$1 million for the child care facilitated enrollment demonstration project in Erie County
- \$849,000 for the Senate's share of additional funding for the Youth Development Program
- \$600,000 for New Alternatives for Children

- \$500,000 for the child care facilitated enrollment demonstration project in New York City
- \$500,000 for the child care facilitated enrollment demonstration project in Onondaga County
- \$300,000 for Hillside Children's Center Reinvesting in Youth program
- \$200,000 for the Center for Elder Law and Justice
- \$175,000 for Ohel Children's Home and Family Services
- \$175,000 for Yeled V'yalda Early Childhood Center
- \$150,000 for the American Legion Boys' State program
- \$150,000 for Citizens Committee for New York
- \$100,000 for Gateway Youth Outreach
- \$50,000 for Brooklyn Chinese-American Association
- \$50,000 for Hamaspik of Kings County

- \$50,000 for Helen Keller Services for the Blind
- \$50,000 for Masores Bais Yaakov
- \$50,000 for Pesach Tikvah-Hope Development
- \$35,000 for Young Mens' and Young Womens' Hebrew Association of Boro Park
- \$30,000 for the Schenectady Foundation Weekend Backpack Partnership
- \$25,000 for Boro Park Jewish Community Council
- \$25,000 for Metropolitan Council on Jewish Poverty
- \$25,000 for St. Athanasius School
- \$5,000 for Be Proud Foundation

The Senate accepts, with prejudice, the Executive proposals to eliminate state reimbursement to New York City for Close to Home related expenditures, and to cap reimbursement to New York City for child welfare services at \$320 million. The Senate expresses concern over the impact these actions will have on New York City's ability to provide these services and urges the Executive, in the strongest terms, to reconsider these misguided actions.

Miscellaneous Aid to Localities (S.7503-B)

- * The Senate modifies the Executive All Funds recommendation of \$100 million for Raise the Age related expenditures, as follows:
 - o Denies language allowing funds to be used for, transferred or suballocated to state operations or the courts
 - o Advances language to require that the Office of Children and Family Services and the Division of Criminal Justice Services, along with other relevant Executive agencies, develop model

comprehensive plans that clearly identify the specific costs
that are eligible for reimbursement

Capital Projects (S.7504-B)

- * The Senate concurs with the Executive All Funds recommendation of \$92.7 million

Article VII Proposal (S.7506-A)

- * PART G -- The Senate concurs with the Executive proposal to reauthorize the juvenile justice Close to Home initiative for an additional five years.
- * PART H -- The Senate denies the Executive proposal to authorize closure of the Ella McQueen Reception Center for Boys and Girls upon provision of 30-days' notice to the Legislature.
- * PART I -- The Senate concurs with the Executive proposal to reauthorize the Youth Development Program for an additional three years.
- * PART J -- The Senate concurs with the Executive proposal to extend the ability of the Office of Children and Family Services (OCFS) to contract with local Boards of Cooperative Education Services (BOCES) for an additional three years.
- * PART K -- The Senate concurs with the Executive proposal to authorize the Dormitory Authority of the State of New York (DASNY) to provide capital design and construction services to OCFS.
- * NEW PART RR -- The Senate advances language to provide 100 percent reimbursement to counties and New York City for raise the age related expenses.

Article VII Proposal (S.7505-B)

* PART LL -- The Senate concurs with the Executive proposal to authorize DASNY to provide capital design and construction services to authorized agencies for residential facilities, and county probation departments for detention facilities, that are required pursuant to raise the age.

City University of New York (CUNY)

State Operations (S.7500-B)

* The Senate modifies the Executive recommendation of \$2.7 billion as follows:

- o Denies \$4 million for open education resources
- o Restores \$50,000 for Community Legal Resource Network
- o Provides an additional \$40 million for operational support

Aid to Localities (S.7503-B)

* The Senate modifies the Executive recommendation of \$1.6 billion as follows:

- o Restores \$902,000 for child care centers
- o Restores \$200,000 for CUNY in the Heights
- o Provides an additional \$6.3 million for community college base aid

Capital Projects (S.7504-B)

* The Senate modifies the Executive recommendation of \$370 million as follows:

- o Denies language that would process bond transactions through the State Financial System
- o Provides an additional \$55 million in flexible capital for senior colleges

Article VII Proposal (S.7506-A)

- * PART U -- The Senate advances language amending the maintenance of effort provisions to expand State obligations to SUNY and CUNY
- * PART V -- The Senate advances language requiring five-year capital plans as part of the budget process
- * PART Z -- The Senate advances language allowing New York Firefighters to take up to two courses at CUNY, tuition-free

The Senate recognizes that the Accelerated Study and Associate Program (ASAP) program has been an important component in achieving success for students with remediation needs. The Senate supports the expansion of this program.

Civil Service, Department of

State Operations (S.7500-B)

- * The Senate concurs with the Executive recommendation of \$55.5 million.

Aid to Localities (S.7503-B)

- * The Senate concurs with the Executive recommendation of \$1 million.

Commission of Corrections, State

State Operations (S.7500-B)

- * The Senate concurs with the Executive recommendation of \$3 million.

Corrections and Community Supervision, Department of

State Operations (S.7500-B)

- * The Senate concurs with the Executive recommendation of \$2.8 billion with the following recommendations:

- o The Senate is committed to making state correctional facilities safe and secure for officers, staff, and inmates by providing funding of \$2.5 million. This funding would include, but would not be limited to, pepper spray, K-9 units, body cameras, fixed cameras, metal detectors, and body scanners. Investing in proven safety measures such as these will reduce the record number of assaults and contraband while also decreasing overtime and workers compensation costs.

- o The Senate denies, without prejudice, the following recommendations:

- \$750,000 savings from the elimination of personal service reimbursement to counties for transporting state-ready inmates.

- \$305,000 increase for three Parole Board members.

- \$128,000 for the expansion of merit time and credit time allowance programs.

- o The Senate directs that by October 1, 2018, the Department reinstate a statewide secure vendor program that will diminish the flow of contraband that is pouring into facilities. On March

1 hereafter, the Commissioner of the Department shall provide an update to the Temporary Leader of the Senate and Chair of the Senate Committee on Crime Victims, Crime and Correction detailing the measures taken to reduce contraband infiltration, and statistics on the matter for the previous three years that include, but are not limited to, the number of inmate on inmate and inmate on staff assaults, number of individuals caught smuggling contraband, the types of contraband detected, and the manner in how the contraband was detected and smuggled.

Aid to Localities (S.7503-B)

* The Senate concurs with the Executive recommendation of \$29.5 million.

Capital Projects (S.7504-B)

* The Senate concurs with the Executive recommendation of \$427 million.

Article VII Proposal (S.7505-B)

* PART G -- The Senate denies the Executive proposal to eliminate personal service costs for transportation.

* PART H -- The Senate denies the Executive proposal to expand Limited Credit Time Allowance and merit time credit programs.

* PART I -- The Senate denies the Executive proposal to eliminate the parole supervision fee.

* PART J -- The Senate denies the Executive proposal to create temporary release pilot programs.

- * PART K -- The Senate denies the Executive proposal to remove prohibitions on employment licenses for certain professions.
- * PART L -- The Senate denies the Executive proposal to create a geriatric parole program.
- * PART XX -- The Senate advances the Executive proposal to restrict registered sex offenders from living within 1,000 feet of a school.
- * PART CCC -- The Senate advances the Executive proposal to direct the Commissioner of the Department of Corrections and Community Supervision to establish a contraband screening program at correctional facilities.
- * PART DDD -- The Senate advances the Executive proposal to allow the use of body imaging equipment in state correctional facilities with the intent to decrease the amount of smuggled contraband.

Council on the Arts

State Operations (S.7503-B)

- * The Senate concurs with the Executive recommendation of \$4.4 million.

Aid to Localities (S.7503-B)

- * The Senate concurs with the Executive recommendation of \$42.5 million, with the following modifications:
 - o \$100,000 for CNY Arts
 - o \$60,000 for Cayuga Arts

Criminal Justice Services, Division of

State Operations (S.7500-B)

- * The Senate concurs with the Executive recommendation of \$100 million

Aid to Localities (S.7503-B)

- * The Senate concurs with the Executive recommendation of \$181 million, with the following modifications:

- o Modifies the Executive recommendation, without prejudice, related to the Federal Edward Byrne Justice Assistance Grant (JAG) appropriation. Alternatively the Senate requests that the Byrne/JAG program be allocated as it has been in previous years

- o Modifies the Executive recommendations, without prejudice, related to the allocation of Operation S.N.U.G. funding, amended as follows:

- \$3 million for regional S.N.U.G. programs
- \$700,000 for S.N.U.G. programs in Bronx County
- \$450,000 for S.N.U.G. programs in Richmond County
- \$400,000 for S.N.U.G. programs in Onondaga County
- \$250,000 for S.N.U.G. programs in Brooklyn

- o Modifies the Executive recommendations, without prejudice, related to the Legal Services Assistance Account to restore Senate requests of:

- \$950,000 for Civil or Criminal Domestic Violence or Veteran Legal Services Programs
- \$600,000 for the Indigent Parolee Program

- o Modifies the Executive recommendation, without prejudice, related to MS-13 Gang Prevention efforts. Alternatively, the Senate directs that the program be used for Anti-Crime efforts

by Nassau and/or Suffolk County law enforcement agencies and not be subject to approval by the Division of the Budget.

* The Senate restores the following:

- o \$2.9 million for Law Enforcement, Anti-Drug, Anti-Violence, Crime Control and Treatment Programs
- o \$2 million for Westchester County Policing Program
- o \$1.6 million for Domestic Violence programs
- o \$1.5 million for Crime Prevention and Reduction initiatives
- o \$730,000 for Law Enforcement and Emergency Services equipment and technology upgrades
- o \$500,000 for Finger Lakes Law Enforcement
- o \$500,000 for Southern Tier Law Enforcement
- o \$300,000 for the New York Wing of the Civil Air Patrol
- o \$250,000 for Firemen's Association of the State of New York
- o \$147,000 for Rape Crisis Centers
- o \$126,000 for New York Prosecutors Training Institute

Article VII Proposal (S.7505-B)

- * PART A -- The Senate denies, without prejudice, the Executive proposal to amend speedy trial provisions.
- * PART C -- The Senate denies, without prejudice, the Executive proposal to amend bail provisions.
- * PART D -- The Senate modifies the Executive proposal relating to criminal discovery by accepting only the additional new offenses.
- * PART E -- The Senate denies, without prejudice, the Executive proposal to amend the provisions related to asset forfeiture.
- * PART F -- The Senate denies, without prejudice, the effective date of provisions related to settlements of certain district attorneys.

- * PART P -- The Senate will consider modifications to the Executive Article VII entitled "Child Victims Act." The Senate supports meaningful reforms of criminal and civil statutes of limitations for child sex crimes and associated claims. The Senate believes that prospective reforms to the criminal and civil statute of limitations would help prevent child sex abuse in the future. Further, the Senate remains committed to ensuring that law enforcement is provided with necessary resources to investigate and prosecute criminal sexual abuse of children.
- * PART HH -- The Senate denies, without prejudice, the Executive changes provisions of an extreme emotional disturbance defense to murder in the second degree.
- * PART II -- The Senate concurs with the Executive proposal that prohibits sex offender placement in shelters; amends conditions of parole or conditional release in certain situations; and requires reporting.
- * PART JJ -- The Senate concurs with adding provisions related to the definition of consent for the purposes of sexual conduct.
- * PART YY -- The Senate advances language to prohibit the sale of controlled substances at substance abuse treatment centers.
- * PART ZZ -- The Senate advances language relating to specifically adding substances containing heroin to possession of a controlled substance with the intent to sell.
- * PART AAA -- The Senate advances language that establishes specific weights for the possession of heroin.
- * PART BBB -- The Senate advances language that adds carfentanil to the crimes of criminal sale of a controlled substance in the first

and second degree.

* PART BBBB -- The Senate advances language that establishes the youth violence prevention task force.

* PART EEEE -- The Senate advances language that changes the definition of a gravity knife.

The Senate is open to further discussion of reforms to the state's criminal justice system in relation to Executive proposals on bail, speedy trial requirements, automatic disclosure of evidence, and changes to the civil asset forfeiture laws, provided that any enacted proposal seeks a fair criminal justice system for all participants while maintaining public safety.

Article VII Proposal (S.7511-B)

* PART E -- The Senate supports the protection of victims of domestic violence and will consider modifications to the Executive proposal.

* PART F -- The Senate modifies the Executive proposal to create new offenses related to sexual extortion and unlawful publication of sexual images.

* PART I -- The Senate modifies the Executive proposal on sexual harassment.

Deferred Compensation Board

State Operations (S.7500-B)

* The Senate concurs with the Executive recommendation of \$892,000.

Article VII Proposal (S.7505-B)

* PART X -- The Senate modifies the Executive proposal charging the New York State Deferred Compensation Board to Create a Voluntary Retirement Savings Program for Private-Sector Employees by accepting substantially similar legislation that creates an optional private sector retirement savings program.

Dormitory Authority of the State of New York

Article VII Proposal (S.7505-B)

* PART MM -- The Senate advances language to authorize the Dormitory Authority to finance projects, through the issuance of tax-exempt bonds, on behalf of the Cerebral Palsy Associations of New York State, and any of its not-for-profit members.

Economic Development, Department of

State Operations (S.7500-B)

* The Senate concurs with the Executive recommendation of \$26.2 million.

Aid to Localities (S.7503-B)

* The Senate concurs with the Executive recommendation of \$56.4 million

* The Senate provides an additional \$30.2 million, including the following restorations and additions:

- o \$10.2 million for Centers for Advanced Technology

- o \$8 million for additional funding for Centers of Excellence

- o \$4 million for New York State Incubators at NYU Tandon, R.I.T., and SUNY Oswego
- o \$3 million for the Broome County Community Charities related to the 2018 professional golf tournament in Broome County
- o \$1 million for the New York Medical College Center of Excellence in Precision Responses to Bioterrorism and Disaster
- o \$610,000 for Technology Development Organization Matching Grants
- o \$500,000 for the Albany center of excellence in data science in atmospheric and environmental prediction and innovation
- o \$300,000 for the Chautauqua Regional Economic Development Corporation related to the 2018 LECOM/PGA Health Challenge Golf Tournament
- o \$250,000 for the Finger Lakes Tourism Alliance
- o \$200,000 for the Regional Economic Gardening Program
- o \$150,000 for the North Country Chamber of Commerce related to the North American Center of Excellence for Transportation Equipment program
- o \$150,000 for Finger Lakes region wine tourism
- o \$100,000 for Thousand Islands and Lake Ontario Tourism
- o \$80,000 for Dream It Do It Western New York, Inc.

Article VII Proposal (S.7508-B)

* PART Q -- The Senate is firmly committed to reforms relating to minority and women's business development that will reduce barriers to the program, create meaningful opportunities for businesses and enhance the business climate of the state. The Senate will thoroughly examine the Executive proposal to extend for five years the provisions of the law relating to minority and women's business

development and consider modifications relating to the certification process and requirements, the personal net worth requirement, the availability of certified businesses in our state, enhancements in mentoring, agency reporting, and other issues to ensure its effectiveness.

Department of Education

State Operations (S.7500-B)

- * The Senate concurs with the Executive All Funds recommendation of \$601.9 million
 - o Maintains \$8.4 million for the release of standardized test questions and the reduction of field testing
 - o Maintains \$800,000 for the State Office of Religious and Independent Schools
 - o Maintains \$800,000 for the Office of Family and Community Engagement
 - o Maintains state monitors in the East Ramapo Central School District
 - o The Senate denies \$570,000 for the Institutional Accreditation Account

Aid to Localities (S.7503-B)

- * The Senate concurs with the Executive recommendation of \$35.06 billion, with the following modifications:
 - o Increases school aid by \$957 million or 3.8% above the 2017-2018 school year
 - o Increases Foundation Aid by \$717.2 million or 4 percent

- o Provides flexibility for Community Schools Funding

- o Fully funds expense base aids at \$240.4 million
- o Restores \$70 million in state aid for summer school special education

- * The Senate concurs with the Executive recommendation of:
 - o \$37 million for Empire State After School programs with \$2 million dedicated to Nassau and Suffolk county
 - o \$24.3 million for extended day/school violence prevention grants
 - o \$20.3 million for P-Tech and various early college high school programs
 - o \$17.2 million to support minimum wage
 - o \$15 million for Non-public school safety grants
 - o \$14 million for Public Broadcasting Aid
 - o \$10 million for school lunch reimbursement for food purchases from NYS farmers, growers, producers, and processors
 - o \$5.4 million increase for nonpublic schools for mandated services
 - o \$5 million for the Breakfast after the Bell Program
 - o \$5 million for STEM teachers in non-public schools
 - o \$2 million for Advanced Placement testing support
 - o \$2 million for Computer Science Master Teacher Awards
 - o \$1.87 million for small government assistance grants
 - o \$1.5 million for gang prevention education
 - o \$250,000 for mental health grants in community schools

- * The Senate denies the Executive recommendation of:
 - o \$18 million for My Brother's Keeper grants
 - o \$15 million increase for Expanded Pre-K for three and four year

olds

- o \$9 million increase to expand Early College High Schools
 - o \$8 million increase for Empire State After-School grants
 - o \$6 million for Smart Start grants
 - o \$2.5 million increase for Advanced Placement testing support
 - o \$1 million increase for Computer Science Master Teacher awards
- * The Senate modifies the Executive recommendation by providing:
- o \$25 million for BUNDY Aid
 - o \$8.2 million for a special act school district Hawthorne Knowles
 - o \$7 million in additional funding to non-public school
Immunization Programs
 - o \$5 million in additional funding to independent living centers
 - o \$4 million to 4201 schools
 - o \$1.5 million for Quality Stars
 - o \$1.5 million for Public Broadcasting Systems
 - o \$1 million in additional reimbursement to the East Ramapo
central school district
 - o \$903,000 for Henry Viscardi School
 - o \$600,000 For the Centers for Excellence for children with
special needs
 - o \$500,000 for Mill Neck Manor School for the Deaf
 - o \$500,000 for English Language Learner Reduction Pilot Program
 - o \$500,000 for the Consortium for Workers Education Enhanced
Credentials to Careers Initiative
- * The Senate modifies the Executive recommendation by restoring:
- o \$15 million in educational program grants
 - o \$4 million and adds \$2 million in additional funding to public
libraries

- o \$1 million for Supplemental Valuation grants
- o \$500,000 for the Center for Autism and Related Disabilities
- o \$125,000 for National History Day

Capital Projects (S.7504-B)

- * The Senate concurs with the All Funds recommendation of \$43.7 million with the following modification:
 - o Includes a \$10 million restoration and a \$40 million addition for library construction capital
 - o Modifies Breakfast after the Bell to allow school districts to receive building aid to implement capital portion of the program
 - o Denies the Executive recommendation of \$4.3 million to establish an e-licensing system

Article VII Proposals (S.7506-A) ELFA

- * PART A -- The Senate modifies the Executive proposal to:
 - o Require NYC schools to submit a contract for excellence
 - o Require Buffalo, Rochester, Syracuse, Yonkers and New York City to submit school level funding plans to the Commissioner of Education
 - o Deny the two percent cap on expense based aids
 - o Deny freezing school aid claims on the November data
 - o Deny the Executive proposal to reduce state aid for summer school students with disabilities
 - o Modifies the proposal for building aid to make such aid permanent
 - o Deny the kindergarten conversion aid proposal, and urges enactment of a five year phased out approach

- o Increase charter school facilities aid from 30 to 40 percent
- o Increase the allocation for Consortium for Workforce Education

* PART A-1 -- The Senate advances language to:

- o Modify the Executive foundation aid formula
- o Remove the statewide cap on charter schools
- o Increase the reimbursement for BOCES teachers providing career and technical education to \$35,000 per year
- o Provide flexibility on teacher certifications for implementing Part 154 regulations relating to English Language Learners
- o Apply prior year adjustments toward state aid recoveries
- o Provide amnesty for transportation aid penalties
- o Provide amnesty for building aid penalties
- o Provide mandate relief from internal audits
- o Accelerate state aid payments for special education students that enroll in school after the school year has begun
- o Ban unfunded mandates
- o Allow BOCES to share transportation services
- o Remove the limit on claims for the expense of STEM teachers in nonpublic schools beginning in 2019-20
- o Raise the cap for after 4pm busing of students from \$17.1 million to \$18.6 million
- o Provides an incentive to districts that enter into a shared superintendents program
- o Provide building aid for Charter Schools outside of New York City
- o Modify the calculation of charter school tuition
- o Increase the state aid limit for libraries from 75% to 90%

- o Require the Department of Education to establish student-specific tuition rate enhancements for the Centers of Excellence for children with Autism.

* PART A-2 -- The Senate advances language to:

- o Require the Commissioner of Education and Department of Health to create a program to prevent child sexual exploitation
- o Allow a spin up in building aid for the Mount Vernon School District
- o Create a Youth Violence Prevention Program overseen by the State Education Department
- o Change the chair of the Amistad Commission from the Secretary of State to the Commissioner of Education.
- o Establishes peace conflict resolution center program.

* PART A-3 -- The Senate advances School Safety language to:

- o SUBPART A -- Advance language to require that two of the four annual "Lock-Down Drills" conducted by schools be "active shooter drills", and provide that schools can request school safety improvement teams to provide recommendations on how to conduct lock down and active shooter drills
- o SUBPART B -- Advance language to:
 - Establish a new program to equip teachers and other school personnel with personal safety alarms to be used in cases of emergency
 - Require the commissioner of education to promulgate regulations to provide for the distribution of safety

buttons to teachers and such other personnel

- Provide that the cost of such safety alarms will be reimbursable.

o SUBPART C -- Advance language to:

- Define the term School Resource Officer to include a retired police officer, retired deputy sheriff, or retired state trooper, or an active duty police officer, deputy sheriff or state trooper
- Authorize school districts, charter schools, BOCES or non public schools, to hire school resource officers, or contract with the state, a county, city, town or village for their services
- Define the role of a school resource officer as providing improved public safety and/or security on school grounds
- Authorize school resource officers to carry and possess firearms during the course of their duties if licensed to do so
- Establish a school resource officer education aid program to reimburse school districts, charter schools, non public schools and Boards of Cooperative Educational Services for the hiring of a school resource officer.

o SUBPART D -- Advance language to:

- Expand the membership of the school safety improvement teams to include representatives of the Division of Homeland Security, State Police, DCJS, OGS and State Education Department
- Provide for a 120 day response timeline for such teams
- Provide for on-site examinations of the teams at the request

of the school district, BOCES, nonpublic school, or county vocational and educational board

- Allow for the provision of state education aid for the performance of school safety upgrades recommended by a team examination.

o SUBPART E -- Advance language to provide state education aid for school districts that expend resources to acquire safety technology and improve security of their facilities

o SUBPART F -- Advance language to:

- Direct the commissioner of education to conduct an investigation and submit a report, regarding school counselors, school social workers and school psychologists
- Require that such report detail the number of full and part-time school counselors, school social workers and school psychologists in each school, the ratio of students to the number of school counselors, the ratio of students to the number of school social workers, and the ratio of students to the number of school psychologists in each school, and whether the school counselor, school social worker or school psychologist is providing counseling assistance to more than one school
- Require that after such report is issued, the commissioner must prepare a proposal on how to increase the number of school counselors, school social workers and school psychologists to meet the nationally accepted ratios, taking into consideration the specific needs of individual school districts and the region in which such school district is

located

- Provide for education aid funding for school counselors, school social workers and school psychologists.

o SUBPART G -- Advance language to:

- Define the term "school mental health services program coordinator" to include a mental health services professional, with qualifications determined by regulation by the commissioner of education, whose role and responsibility shall be to work with students, faculty and other mental health and health care professionals to identify, report and address mental health issues of students, faculty and administration at any public or non-public school, that could pose a risk to public safety and
- Establish a mental health services program coordinator education aid program to reimburse school districts for the hiring of mental health services coordinators.

o SUBPART H -- Advance Language to:

- Authorize the Commissioner of the State Education Department to provide full funding for quick capacity smart sensor threat detection and security awareness.

* PART B -- The Senate modifies the Executive proposal in order to:

- o Ban lunch shaming in a less onerous manner on school districts
- o Provide a \$10 million increase in reimbursement when twenty-five percent of lunch products are purchased from NYS farmers, growers, producers, and processors
- o Accept the increase in the Farm-to-School Program from \$750,000

to \$1.5 million.

* PART C -- The Senate modifies the Executive proposal to allow school districts to purchase school bus stop arm cameras, to require such cameras be reimbursable through state aid, and add language to require the money be paid to the school district when pled down. The Senate concurs with the Executive proposal to increase fines for passing a stopped school bus.

* PART D -- The Senate concurs with the Executive proposal to allow non-component districts to participate in Recovery High School Programs operated by the Boards of Cooperative Educational Services.

* PART F -- The Senate concurs with the Executive proposal to allow minority ownership of accounting firms.

* Part H -- The Senate modifies the Executive proposal to change the definition of an "educational institution" under human rights law to cover public school students by including a cap on any damages awarded under such definition.

* Part J -- The Senate concurs with the Executive proposal to convene a workgroup on computer science education standards.

* Part K -- The Senate modifies the Executive proposal to create a healthy relationship program to give the State Education Department the flexibility to create a model program without more prescriptive requirements.

* Part L -- The Senate modifies the Executive proposal to provide feminine hygiene products in schools by:

- o Requiring such products be provided in the school building during the school day
- o Adding language to allow reimbursement when such products are purchased through a state contract.

* PART Y -- The Senate advances language requiring SED to provide accreditation services to New York institutions of higher education.

Article VII Proposal (S.7511-B)

* PART D -- The Senate modifies language requiring two new board members to be added to the State Board of Medicine who are experts in health disparities and women's health to make the requirement when practicable.

Elections, State Board of

State Operations (S.7500-B)

* The Senate concurs with the Executive recommendation of \$17.6 million.

Aid to Localities (S.7503-B)

* The Senate denies the Executive recommendation of \$7 million.

Empire State Development Corporation

Aid to Localities (S.7503-B)

* The Senate modifies the Executive recommendation of \$92.9 million as follows:

- o Denies without prejudice the Executive appropriation recommendation of \$44.5 million for Executive economic development initiatives, including advertising.
- o The Senate provides \$19.5 million in funding for the following restorations and additions:
 - \$5 million for Military Base Retention
 - \$2 million for the Center State Grants for Growth

 - \$2 million for the Cancer Research Center at SUNY Stony Brook
 - \$1.5 million for the Food Innovation Center at New York Experimental Agriculture Station at Geneva
 - \$1.5 million for Digital Media Gaming Hubs
 - \$1 million for the High Performance Computing Consortium
 - \$1 million for Off Track Betting Broadcasting
 - \$1 million for grants to Beginning Farmers
 - \$750,000 for the New York Wine and Culinary Center
 - \$550,000 for Bronx Overall Development Corp
 - \$500,000 for the New York Education and Research Network
 - \$400,000 for CenterState CEO
 - \$250,000 for the Orange County Partnership
 - \$250,000 for the Brooklyn Academy of Music
 - \$250,000 for the Adirondack North Country Inc.
 - \$250,000 for Watkins Glenn International
 - \$250,000 for Kingsbridge Riverdale Van Cortland Development

- \$200,000 for the Auburn Welcome Center
- \$200,000 for the Entrepreneurial Assistance Program
- \$150,000 for the Staten Island Economic Development Corporation
- \$100,000 for the New Bronx Chamber of Commerce
- \$100,000 for the Downtown Committee Festival in Onondaga County
- \$75,000 for the Black Institute Inc.
- \$75,000 for Asian Americans for Equality

Capital Projects (S.7504-B)

- * The Senate concurs with the proposal to provide funding for the following:
 - o \$200 million for NY Works
 - o \$8 million for Market NY
 - o \$5 million for the Clarkson-Trudeau Partnership
 - o \$2.3 million for the Retention of Football in Western NY
- * The Senate concurs with the funding of the following on the condition that a site for the project is publically announced prior to the passage of the Budget:
 - o \$600 million for a Capital Region Life Sciences Lab
- * The Senate denies without prejudice the proposal to provide funding of:
 - o \$300 million for High Technology Innovation and Development Infrastructure Project
 - o \$150 million for REDC Capital
- * The Senate provides funding for the following:
 - o \$100 million for the Build Now Shovel Ready Jobs Program

- o \$12 million for the Fort Drum Railhead
- o \$5.5 million for Tonawanda Industrial Stabilization
- o \$5 million for the Museum of Natural History
- o \$2 million for a cultural center in Catskill
- o \$750,000 for the renovation of the Newburgh Armory
- o \$250,000 for the renovation of the Yaddo Mansion

Article VII Proposal (S.7508-B)

- * PART O -- Senate concurs with the Executive proposal to extend for one year the authorization of UDC to administer the EDF
- * PART P -- Senate concurs with the Executive proposal to extend for one year the general loan powers of UDC
- * PART R -- The Senate denies the Executive recommendation to expand the use of Design/Build to additional agencies and expanded uses
- * PART X -- The Senate denies the Executive proposal to extend for two years the authorization of DASNY to form subsidiaries to take title to health care facilities who have defaulted on loan agreements or mortgages with DASNY
- * PART Y -- The Senate modifies the Executive proposal to make permanent the ESDC authority to administer agricultural and dairy marketing orders by extending such authorization for an additional three years
- * PART KKK -- The Senate advances language to reform the Regional Economic Development Council (REDC) process. It is critical that the REDC process-which annually awards approximately \$800 million-has basic statutory protections to ensure that taxpayer dollars are being spent equitably, effectively and efficiently. Under the Senate

proposal:

- o REDC members would be subject to the same conflict of interest/code of ethics as all public officers
 - o REDC members would complete same financial disclosure form as public officers, but not required to disclose: (1) the actual dollar amount of the financial interest; or (2) financial interests that will not in any way reasonably conflict with REDC decisions
 - o REDCs shall be subject to Open Meetings Law and FOIL
 - o All REDC and State agency scoring would be publicly available and posted prominently on ESDC website
 - o Total scoring would be based 50%-50% on REDC and State agency scores (instead of current REDC 20%/80% split)
 - o Final list of REDC awards would be reviewed and approved by PACB prior to announcement and release by the Executive
 - o ESDC would develop standardized scoring criteria for REDCs and standardized metrics for evaluating ongoing performance of award recipients
 - o REDC members would receive good governance training from the Authorities Budget Office
 - o ESDC would, in consultation with the Comptroller, obtain an annual cost benefit analysis of the overall effectiveness of the REDC program by an independent auditor.
- * PART LLLL -- The Senate advances language to create a new Database of Deals to improve State economic development transparency and accountability
- * PART MMMM -- The Senate advance language to shut down the START-UP program by closing the door to new applications on December 31, 2018

* PART NNNN -- The Senate advances language to require ESDC and other authorities to disclose job commitments, security interests and clawback penalties on proposed deals to the Public Authorities Control Board (PACB) prior to the review and approval of such deals, in order to improve State economic development transparency and accountability

* PART OOOO -- The Senate advances language to authorize industrial development agencies (IDAs) to issue loans, grants and early-stage equity funding

* PART PPPP -- The Senate advances language to provide small business assistance to: (1) small businesses developing innovative energy or environmental technologies (2) dry cleaners and nail salons for compliance with burdensome State regulations

* PART QQQQ -- The Senate advances language to create a community development revolving loan fund program to support loans for small

businesses and other entities in underserved areas. This fund will be supported by \$5 million of existing funds for economic development.

Employee Relations, Office of

State Operations (S.7500-B)

* The Senate concurs with the Executive recommendation of \$4.9 million.

Energy Research and Development Authority

Capital Projects (S.7504-B)

- * The Senate concurs with the Executive All Funds recommendation of \$17 million.

Article VII Proposal (S.7508-B)

- * PART EE -- The Senate denies the authorization for NYSERDA to finance a portion of its research, development and demonstration, and policy and planning programs, from assessments on gas and electric corporations pursuant to section 18-a of the Public Service Law and instead shifts those costs to the General Fund
- * PART MM -- The Senate advances language to require an annual examination of the Green Bank by the Superintendent of Financial Services using the same standards applicable to loans and investments by financial institutions
- * PART OO -- The Senate advances language to require the Public Service Commission and NYSERDA to provide that Green Bank funds include programs to assist building owners with installing energy efficient upgrades
- * PART RR -- The Senate advances language to enact the New York Microgrids Act
- * PART UU -- The Senate advances language to require NYSERDA to develop and maintain a mobile app to show locations of electric vehicle charging stations.

The Senate directs NYSERDA to maintain a program which would provide \$20 million over 3 years for private ski areas to invest in snow making efficiency projects.

The Senate supports granting sales tax exemptions to ski areas for the purchase of energy, efficient snow making equipment, ski lift equipment, and snow grooming equipment.

The Senate directs NYSEERDA to finance the workforce retraining programs for employees of Indian Point to gain specialized credentials and maximize their skill set in a new industry such as energy efficiency installations or clean energy production. Such training will take place in Westchester County.

Environmental Conservation, Department of

State Operations (S.7500-B)

* The Senate modifies the Executive All Funds recommendation of \$447.8 million as follows:

- o Denies language authorizing the costs of the agency in relation to ratemaking proceedings to be eligible expenses under 18-a of the Public Service Law to avoid additional utility costs being passed on to customers.

* The Senate supports additional funding to increase the number of parks police and environmental conservation officers.

Aid to Localities (S.7503-B)

* The Senate modifies the Executive recommendation as follows:

- o Adds over \$5 million in local assistance for:
 - \$1 million for Catskill Park personnel
 - \$1 million for the Department of Environmental Conservation

Climate Change Program

- \$1 million for the University of Rochester Laser Energetics program
- \$50,000 for the Chautauqua Lake Association
- \$95,000 for the Chautauqua Lake Partnership
- \$400,000 for North Elba/ORDA
- \$140,000 to provide for pesticide applicator (3A/3B) fee parity
- \$500,000 for a Suffolk County Tick Surveillance Management Program
- \$250,000 for the Adirondacks Lake Survey Corporation
- \$100,000 for the Atlantic States Marines Fisheries Commission
- \$100,000 for the Adirondack Diversity Initiative
- \$200,000 to the Town of Geneva for a Seneca Lake Watershed Manager
- \$41,000 for the Lime Lake Cottage Owners Association
- \$25,000 for the Staten Island Zoo

Capital Projects (S.7504-B)

* The Senate modifies the Executive All Funds recommendation of \$796.4 million as follows:

- o Allocates up to \$5 million of the \$2.5 billion Clean Water Infrastructure Act for an Emerging Contaminant Contingency Fund to address situations in which a public water system has confirmed one or more emerging contaminants in present at a concentration level above that required or established in Public Health Law and the public water supplier faces constraints in

providing clean and safe drinking water

o Amends the Environmental Protection Fund to provide funds for a number of new Senate environmental priorities including:

- \$250,000 to conduct a waste stream study through Cornell University. The study will determine the composition of the waste stream throughout the state and provide information that will help the State in deciding the best way to combat and limit future waste streams.
- \$2.5 million, for a total of \$15 million, for zoos, botanical gardens and aquaria
- \$500,000 to SUNY Stony Brook to provide for a new laboratory testing facility for PFOA and other chemicals
- \$125,000 for water quality monitoring of Manhasset Bay, Hempstead Harbor, Oyster Bay Harbor and Cold Spring Harbor
- \$400,000 for the Cornell Soil Health program

* The Senate supports funding for the Tonawanda Industrial Stabilization Project

* The Senate supports an additional \$20 million be provided for the lead service line replacement program

* The Senate supports a dedicated fund to address the issue of harmful algal blooms in the Finger Lakes

Article VII Proposal (S.7508-B)

* PART Z -- The Senate modifies the Executive proposal to establish the empire forests for the future initiative by including additional financial assistance for localities who experience reduced tax revenue from the current and proposed real property tax exemptions

for forested lands, ensuring a phase - in of new real property tax exemptions for landowners who have forests on their properties, and denies proposed timber harvest notifications

- * PART AA -- The Senate modifies the Executive proposal to make technical changes to the Environmental Protection Fund, the Clean Water Infrastructure Act of 2017 and the State Finance Law.
- * PART BB -- The Senate recognizes the need to reduce excess food waste entering the waste stream and supports proposals that incentivize recycling excess food waste and provide mechanisms for voluntary food waste reduction and recycling
- * PART CC -- The Senate modifies the Executive proposal that preserves open space on Long Island by expanding the Core Preservation Area of the Central Pine Barrens. The Senate proposes additional acreage be included in the Central Pine Barrens
- * PART CCC -- The Senate advances language to provide a fee structure allowing certain major oil storage facilities to remain competitive with out-of-state operators
- * PART III -- The Senate advances language to create a statewide paint stewardship program for the collection and recycling of post-consumer paint
- * PART JJJ -- The Senate advances language to provide fee parity to all categories of pesticide applicators
- * PART KKK -- The Senate advances language expanding the allowable use of crossbows
- * PART LLL -- The Senate advances language in relation to shoreline resiliency infrastructure regulations and tax credits to implement preventative measures that will mitigate the impact of future flooding

- * PART MMM -- The Senate advances language that authorizes soil and water conservation districts that have met performance standards to be eligible for an equal distribution of funds rather than funds being distributed on a competitive basis.
- * PART NNN -- The Senate advances language to encourage supermarkets to donate their excess food to qualifying charities
- * PART OOO -- The Senate advances language expanding the definition of allowable plastic beverage containers
- * PART QQQ -- The Senate advances language to establish a tax credit for grocery store donations to food pantries
- * PART RRR -- The Senate advances language requiring the Executive, the Legislature and the public to have access to the nominating process and Action Plans for the Executive's \$65 million 4-point initiative to combat harmful algal blooms
- * PART SSS -- The Senate advances language in relation to wildlife damage management

Executive Chamber

State Operations (S.7500-B)

- * The Senate concurs with the Executive recommendation of \$17.9 million.

Financial Services, Department of

State Operations (S.7500-B)

- * The Senate modifies the Executive All Funds recommendation of \$368.1 million by denying the proposed appropriation increase and reverting

appropriation to FY 2018 levels.

Aid to Localities (S.7503-B)

* The Senate modifies the Executive All Funds recommendation of \$65.2 million as follows:

- o Denies the shift \$13.15 of cost associated with family planning grants from the Department of Health to the Insurance suballocation program.

Article VII Proposal (S.7508-B)

* PART W -- The Senate denies the Executive proposal to expand the authority of the Superintendent of the Department of Financial Services to regulate federally contracted servicers of student loans, out of State student loan consultants, and to prohibit student loan defaults from being a suspendable regarding a professional license only

* PART HH -- The Senate modifies the Executive proposal on reverse mortgages to clarify that certain successors in interest and heirs of the borrower have the right to participate in a settlement conference for such mortgage prior to 2020.

* PART JJ -- The Senate advances language to clarify that the mere presence of common marketing activities absent a quid pro quo does not constitute an illegal inducement under Section 6409 (d) of the Insurance Law.

* PART RRRR -- The Senate advances language to require a pre-foreclosure notice to be provided by a reverse mortgagor ninety days prior to the commencement of a foreclosure action.

The Senate supports amendments to Section 7120 of the Insurance Law to expand New York law governing the redomestication of insurance companies to allow an insurance company the ability to relocate its state domicile. Further, this will improve and make more efficient the regulation and oversight of affiliated groups of insurance companies domiciled in multiple states and will help to preserve the continuation of state regulation of insurance. Forty-one states have adopted a version of the National Association of Insurance Commissioners (NAIC) Redomestication Model Act, which provides for a redomestication process which is effective and not unduly cumbersome. By adopting the provisions of the Model Act, it will remove a significant reason insurance companies have for not wanting to locate in New York State-the lack of a clear statutory path to relocate their state of domicile should they ever choose to do so.

Gaming Commission

State Operations (S.7500-B)

* The Senate concurs with the Executive recommendation of \$114 million.

Aid to Localities (S.7503-B)

* The Senate concurs with the Executive recommendation of \$246 million.

General Services, Office of

State Operations (S.7500-B)

* The Senate concurs with the Executive recommendation of \$1.028 billion, a decrease of \$4 million from FY 2018 levels.

Capital Projects (S.7504-B)

* The Senate concurs with the Executive recommendation of \$179 billion, a decrease of \$70.6 billion from SFY 2017-18 levels.

Article VII Proposals (S.7505-B)

* PART T -- The Senate concurs with the Executive proposal to extend for five years, until April 1, 2023, the authority and operations of the State Commission on the Restoration of the Capitol.

* PART U -- The Senate concurs with 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 surplus State land.

* PART V -- The Senate concurs with the Executive proposal to establish the Parking Services Account, Special Events Account, and Solid Waste Account as enterprise funds.

General State Charges

State Operations (S.7500-B)

* The Senate modifies the Executive recommendation of \$7.2 billion as follows:

- o Increase the fringe benefit escrow account offset by \$116.3 million

- o Restore \$2.7 million to deny the elimination of the Income Related Monthly Adjustment Amount (IRMAA) for retired state

employees

- o Provide \$13.4 million for death benefits for correction officers
- o Provide \$3 million for a deceased police officer, firefighter, and emergency medical services family housing fund
- o Provide \$2.52 million for 75 percent salary accidental disability retirement for members of the Department of Environmental Conservation, Forest Rangers, University Police Officers and the Regional State Park Police.
- o Provide \$372,000 for disability retirement benefits for sheriffs, deputy sheriffs, undersheriffs, and correction officers in Nassau County.
- o Provide \$21,000 in tax payments for the towns of McDonough and Preston in the County of Chenango, constituting a portion of Bowman Lake State Park.

Article VII Proposals (S.7505-B)

- * PART Z -- The Senate denies the Executive proposal to freeze the reimbursement of the Standard Medicare PART B premium paid to eligible NYSHIP retirees and their dependents at \$134 monthly.
- * PART AA -- The Senate denies the Executive proposal to eliminate reimbursement for Income Related Monthly Adjustment Amounts (IRMAA).
- * PART BB -- The Senate denies the Executive proposal to convert the current legal rate of interest, from nine percent per annum to a market rate of the weekly average one - year constant maturity treasury yield

- * PART LL -- The Senate advances language that would provide direct financial support to the spouse and/or dependents of deceased public

protection employees who have been killed in the line of duty.

- * PART NN -- The Senate advances language that provides a disability benefit of three - quarters of salary to forest rangers, environmental conservation officers, and park police.
- * PART PP -- The Senate advances language providing an enhanced death benefit for officers employed by the Department of Corrections and Community Supervision.
- * PART QQ -- The Senate advances language that would provide a sick leave benefit for 9/11 first responders.
- * PART RR -- The Senate advances language that would freeze a retiree's New York State Health Insurance Plan (NYSHIP) rate at the date of their retirement.
- * PART SS -- The Senate advances language that would extend the "heart presumption" to individuals employed as State University of New York police officers.
- * PART TT -- The Senate advances language to codify the State's obligation to fully reimburse Medicare Part B premiums for all public sector retirees.
- * PART KKK -- The Senate advances language to provide a death benefit for volunteer firefighters.
- * PART OOO -- The Senate advances language to make certain lands in Bowman Lake State Park subject to taxation.

Green Thumb

State Operations (S.7500-B)

- * The Senate concurs with the Executive recommendation of \$3.32 million.

Greenway Heritage Conservancy of the Hudson River Valley

State Operations (S.7500-B)

- * The Senate concurs with the Executive recommendation of \$166,000.

Health, Department of

State Operations (S.7500-B)

- * The Senate modifies the Executive recommendation of \$1.66 billion, to reduce by \$63 million.

- * The Senate denies the Executive recommendation to:

- o Establish a two-year Medicaid budget, and reduces appropriation authority for the Medicaid Administration program to reflect one year of spending.
- o Provide \$63 million for operations of the NY State of Health, the State's health benefit exchange, to adhere with Executive Order number 42 of 2012 which asserts no State or county taxpayer dollars be used for development or operation.
- o Allow for DOH to study regulated marihuana.

- * The Senate is sensitive to the State's desire to study the consequences to the State of New York resulting from the legalization of marihuana in surrounding states.

Aid to Localities (S.7503-B)

Public Health:

- * The Senate concurs with the Executive recommendation to:
 - o Increase funding for Stem Cell Research Grants by \$7 million.

- * The Senate denies the following Executive recommendations to:
 - o Consolidate 30 public health appropriations into four pools and reduce each pool by 20 percent.

- * The Senate restores funding as follows:
 - o \$9.2 million for 30 public health programs to preserve current year funding levels
 - o \$3.2 million for the Early Intervention Program services
 - o \$6.8 million for the Empire Clinical Research Investigator Program (ECRIP)
 - o \$1 million for the Comprehensive Care Centers for Eating Disorders (CCCED)
 - o \$725,000 for the New York Alliance for Donation
 - o \$475,000 for Women's Health Services, and provides an additional \$4,525,000
 - o \$400,000 for the Senate Task Force on Lyme and Tick, and provides an additional \$800,000
 - o \$200,000 for the Center for Liver Transplant
 - o \$225,000 for the Alzheimer's Disease Resource Center
 - o \$200,000 for the ALS Association

- * The Senate provides \$5,000,000 for recommendations of the Joint Senate Task Force on Heroin and Opioid Addiction focused on public

health

- * The Senate is open to discussions to explore ways to provide security should there be a shortfall in future healthcare funding due to a loss of federal funds.

Medicaid:

- * The Senate denies the Executive proposal to establish a two-year Medicaid budget, and reduces Medicaid appropriation authority to reflect one year of spending.
- * The Senate denies the Executive proposal to establish an enhanced Global Cap Savings Allocation Powers to account for potential changes in Federal Financial Participation or Federal eligibility.
- * The Senate denies the Executive proposal to extend the statutory authority that would allow a reduction in spending during the fiscal year in the event that Medicaid dollars or state operating funds from the federal government is reduced by \$850 million or more during FY 2019 or FY 2020.
- * The Senate reduces health home funding to ensure appropriate reimbursement for care management and requires that any spending on health homes must be transparent and only occur under the explicit health home appropriation authority.
- * The Senate provides \$7.5 million to providers of children's behavioral health services to contribute to expenses associated with the delay of the transition of children's behavioral health providers and services into managed care.
- * The Senate provides \$6.28 million to the rate paid to ambulance

providers.

- * The Senate authorizes the necessary funding level needed to support Community First Choice Option services that have been offered by the State as of January 1, 2018.
- * The Senate restores \$3.35 million for the New York Connects program and supports the Executive pursuit of \$5.6 million in federal funds and the use of state funds if the federal money does not materialize in order to ensure the program maintains adequate funding.
- * The Senate provides \$78.6 million for the Department of Health to make full Disproportionate Share Hospital (DSH) payments to SUNY hospitals.
- * The Senate provides language to require the Department to include geographic location and facility specific characteristics in allocating funds for safety net hospitals, which include critical access and sole community hospitals.

Capital Projects (S.7504-B)

- * The Senate modifies the Executive recommendation to provide \$425 million to the Health Care Facility Transformation Program to provide an additional \$75 million in funding, for a total of \$500 million.
- * The Senate concurs with the Executive proposal to maintain FY 2018 funding levels for the Statewide Health Information Network for New York (SHIN-NY) at \$30 million. and the All Payer Claims Database (APD) at \$10 million.
- * The Senate concurs with the Executive proposal shift \$15.3 million from Roswell Park Cancer Institutes (RPCI) local assistance account

to the existing capital appropriation, resulting in a capital appropriation total of \$51.3 million. RPCI's total support level is maintained at \$102.6 million.

Article VII Proposal (S.7507-B)

* PART A -- The Senate modifies the Executive proposal in regards to hospital-related Medicaid Redesign Team recommendations to:

- o Extend the Indigent Care Pool transition provisions through December 31, 2019, to extend through December 31, 2020.

- o The Senate modifies the Executive recommendation to increase the cap on the number of physical therapy visits to restore the cap on the number of visits for both OT and speech.

- o The Senate denies the Executive recommendation to:

- Cut the capital rate for hospitals and nursing homes.

- Create a penalty pool for hospitals to reduce potentially preventable emergency department visits and reducing the payment of rates to hospitals from Managed Care Organizations (MCOs) based upon the hospitals quality and safety score.

- o The Senate advances language to:

- Set the Critical Access Hospital (CAH) outpatient rates at 101 percent of reasonable costs.

- Clarify that Westchester Medical to enter into collaborative agreements without violation of any law to the contrary.

- Provide enhanced reimbursement rates for Crouse Community Center, a residential health care facility.

- Ensure adequate reimbursement for APG IV/Hydration bags.

- Prevent arbitrary cuts to providers in emergency department

settings and protecting patient safety.

o The Senate acknowledges the potential pressures that future cuts to the Disproportionate Share Hospital program would place on the State and its health care delivery systems.

o The Senate recognizes the value of early and inclusive engagement of stakeholders, including but not limited to both voluntary and public hospitals, in a process to help bring fiscal clarity to elements of the state's health care system that may be affected by these cuts.

* PART B -- The Senate modifies the Executive proposal in regards to long-term care (LTC) related Medicaid Redesign Team recommendations to:

o The Senate concurs with the Executive recommendation to:

- Increase the free-standing clinic rate for Medicare PART B beneficiaries in the Traumatic Brain Injury (TBI) waiver program.
- Create a voucher demonstration project to subsidize the cost of assisted living for persons with dementia who are not eligible for Medicaid.

o The Senate denies the Executive recommendation to:

- Impose a poor performing nursing home penalty.
- Place restrictions on MLTC eligibility to those with a UAS score of 9 or greater to those that require continuous 120 days of CBLTC.
- Require continuous MLTC Plan enrollment.
- Eliminate Spousal Refusal provisions.

- Reduce the community spouse resource amount.
- o The Senate modifies the Executive recommendation to:
 - Allows existing Assisted Living Program (ALP) providers to apply for additional beds, and authorizes the Commissioner of Health to award new ALP beds in high need areas.
 - Include the Rural Health Council in DOH's study of homes and community based services in rural areas preserve \$1.5 million for rate increases.
 - Transition nursing home residents from MLTC's at 3 months, instead of 6 months and provides Olmstead protections.
- o The Senate advances language to:
 - Establish managed care high need rate cells, require the Department of Health to seek appropriate federal approval, and extend the benchmark rate as a base line for Medicaid Managed Care reimbursed through March 31, 2019.
 - Ensure components included in the Medicaid managed care rates, including minimum wage, are adequate to insurers and appropriately passed on to providers, whether it be for reimbursement of home care services, hospice residences, nursing home services, clinic services, ambulette services or other important services for the state's most vulnerable populations.
 - Require DOH to provide oversight when individuals with high needs are transferred involuntarily between managed long term care plans. When such transition is due to a closure or acquisition, DOH must review and conduct audits to assure the services of the high needs individual are substantially comparable before and after the transition.

- Codify hospice reimbursement.
 - Implement a Public Health Priority Initiative to facilitate and promote the role of home care in addressing public health priorities in New York, including sepsis, asthma, falls, health disparities, medication management, and opioid overuse/misuse, and potential cost-savings/health improvement.
 - Provide reimbursement certainty for St. Mary's Hospital for Children.
 - Prohibit modifications to the nursing home case mix index.
 - Require the Department of Health and the Public Health Planning Council to conduct a review of Licensed Home Care Services Agencies (LHCSAs) that takes into account: considerations of access, availability of workforces, unique community needs, efficiency and affordability, regional needs and variations, and the average contracts per MLTC plan per region. The Department will be required to issue recommendations on incentives to encourage and facilitate consolidation, including regional financial assistance and changes in licensing/CON process. The Department will be required to implement a transition plan that will place various limits, including marketing, on LHCSAs and also issue a moratorium on approving new LHCSAs.
 - Permanently carve-out TBI from MLTC
- o The Senate encourage the utilization of pediatric day-respite centers as a cost saving alternative to pediatric hospital services and private duty nursing services in the State Medicaid

program and for Child Health Plus recipients.

* PART C -- The Senate modifies the Executive proposal in regards to Medicaid Managed Care related recommendations to:

o The Senate concurs the Executive recommendation to:

- Require criminal history record checks for health homes employees and subcontractors, or for entities that provides home and community based services to enrollees who are under 21 years of age or diagnosed with a developmental disability.
- Requires these same providers to report child abuse or maltreatment.

o The Senate denies the Executive recommendation to:

- Allow non-cash incentive payments to managed care enrollees, who are members of Health Homes, for participating in wellness activities and for avoiding unnecessary hospitalizations and Emergency Department (ED) visits.
- Create health home enrollment targets for special needs managed care plans. Penalties may be assessed upon plans who fail to meet such enrollment targets.
- Penalizes managed care plans with a 0.85 percent reduction in the monthly capitated reimbursement rate for failure to submit a performing provider system (PPS) partnership plan by July 1, 2018.

o The Senate advances language to:

- Affirmatively deny DOH's administrative cut to the Patient Centered Medical Home (PCMH) by freezing rates.

* PART D -- The Senate modifies the Executive proposal in regards to pharmaceutical-related Medicaid Redesign Team recommendations:

o The Senate concurs with the Executive recommendation to:

- Increase the fee paid to pharmacies for each prescription drug dispensed from \$10 to \$10.08 in order to comply with federal requirements for covered outpatient drug rules.

o The Senate denies the Executive recommendation to:

- Reduce coverage for Over the Counter Drugs and increase the co-payment for these drugs from .50 to \$1.00.
- Establish a Comprehensive Medication Management program.
- Eliminate "prescriber prevails" for Fee For Service (FFS) and Managed Care (MC) to only eliminate prescriber prevails for opioids.

o The Senate modifies the Executive recommendation to:

- Extends the Medicaid Drug Cap an additional year to exclude the Drug Cap from the Global Cap to increase transparency in drug spending.
- Prohibit Medicaid reimbursement for opioids if a patient has been treated with opioids for pain that has lasted for more than three months, unless their medical record contains a patient-prescriber written treatment plan agreed to by the patient to expand this requirement to all opioid prescriptions of 30 days or more and prohibit reimbursement under all insurance policies in the State. The Senate maintains the same exceptions as the Executives, which includes individuals with cancer, under hospice care or other end-of-life care, or palliative care.

o The Senate advances language to:

- Enact the "Drug Take Back Act" to get used and unneeded medication out of medicine cabinets.
- Require opioid prescriptions be affixed with a label warning consumers of the highly addictive potential of controlled substance medications.
- Reform prescribing practices, which includes:
 - * Require written consent from parents or guardians for the prescription of opioids to minors.
 - * Require providers to consider federal Centers for Disease Control recommendations for limiting the initial prescriptions to immediate release and low morphine equivalent dosages.
 - * Limiting Emergency Room opioid prescriptions to three days from five days.
 - * Limiting initial opioid prescriptions from three days to seven days.
 - * Require the Department of Health to develop guidance on the administration of opioid antagonists.
 - * Exempting individuals with cancer, under hospice care, and institutional dispensing from initial prescriptions for non-opioid pain medication requirements.
 - * Establish an Opioid Alternative Pilot Project to reduce the use of opioids in the emergency departments in at least five emergency departments in the state.
 - * Require DOH to develop guidance on the appropriate administration of naloxone, including but not limited to, when a patient has a pain management plan.
 - * Require hospitals and emergency room physicians to notify a patients' prescriber that the patient has been treated for a

controlled substance overdose.

- Provide support to expectant mothers with opioid use disorders, by establishing Children and Recovering Mothers (CHARM)- which includes:

- * A DOH demonstration program to assist providers caring for expectant mothers recovering from an opioid addiction and linking them to care.

- * Develop guidance for hospitals and midwifery birthing centers Neonatal Abstinence Syndrome (NAS).

- * Establish a workgroup to study and evaluate current barriers and challenges in identifying and treating expectant mothers, newborns, and new parents with substance use disorder.

- * Establishing four infant recovery centers in areas of need for infants suffering from drug withdrawal as a result of in utero exposure to drugs.

- Prohibit prior authorization for outpatient substance abuse treatment.

- Allow for the co-location of pharmacies within Mental Health and Substance Abuse Clinics.

- Impose limitations on Pharmacy Benefit Managers (PBMs) audits of pharmacies.

- Prohibit PBMs from imposing gag clauses on pharmacies which would prevent pharmacists from disclosing to individuals: the cost of the prescription, alternative medications, or more affordable methods, including paying by cash.

- * PART E -- The Senate modifies the Executive transportation related recommendations to:

- o Carve-out transportation from MLTC plans and Adult Day Health Care (ADHC) programs, to provide MLTC plans and ADHC programs the option to continue to arrange transportation directly and not utilize the State's transportation manager.
- o Increase the rate paid to ambulance providers by \$6.28 million, to codify in statute.
- o The Senate denies the Executive recommendation to:
 - Eliminate supplemental ambulance rate payments.

* PART F -- The Senate denies the Executive to authorize the Department of Health (DOH) to make capitated rate adjustments for not-for-profit managed care plans that have an accumulated a contingent reserve across all Medicaid lines of business that exceeds the minimum required contingent reserves.

* PART G -- The Senate modifies with the Executive recommendation to authorize retail practices to provide certain health care services within the main premises of a retail business operation, such as a pharmacy, grocery store, or shopping mall to remove various restrictions.

* PART H -- The Senate denies the Executive recommendation to expand the scope of practice for CRNAs and establish state certification requirements for CRNAs.

* PART I -- The Senate modifies the Executive recommendation to expand the OMIG's authority to allow recovery of improper Medicaid payments made by Managed Care Organizations (MCOs) to providers, require MCOs

to report fraud to the OMIG, and impose numerous penalties on providers and MCOs to:

- o Require contracts between the State and plans to specify the retention policy for the treatment of recoveries or overpayments due to fraud or abuse, the process for reporting overpayments.
- o Allow the plan and State to share the monies recovered.
- o Allow DOH to have some enforcement powers and ability to impose penalties and removes the penalties as proposed by the Executive.
- o Restricts the definition of public funds to prohibit the claw-back of reimbursement for administrative expenses and care management services of the plan.

* PART J -- The Senate modifies the Executive recommendation to align the state statute with the federal statute to automatically adjust the minimum and maximum penalty amounts to equal the federal penalty amounts. Penalties would increase from a range of \$6,000 to \$12,000 to \$10,781 to \$21,563 per false claim. The Senate advances language to require reporting on the expenditure of monies recovered pursuant to the false claims act in order to create transparency.

* PART K -- The Senate modifies the Executive recommendation on the Medicaid Global Cap and miscellaneous Medicaid-related proposal to:

- o Authorize the Department of Health to require any provider participating in the Medicaid program to report on costs incurred in rendering health care services to Medicaid beneficiaries in a frequency and format as determined by the Department, to limit to Licensed Home Case Service Agencies and

Fiscal Intermediaries.

- o Extend the Medicaid Global Cap through FY 2020 to extend for one-year and to clarify the methodology for purposes of determining the growth factor.
- o The Senate advances language to:
 - Establish the Kidney Disease Outreach and Education Program which will contract with the New York Center for Kidney Transplantation to provide education and outreach to assist patients with end stage renal disease and are awaiting a kidney transplantation in accessing Medicare coverage, if they are eligible, and establish education and outreach to create awareness for living kidney donation.
 - The Senate advances language to repeal last year's authority granted to DOH to contract with financial institutions for the sale of accounts receivable balances owed to the state by Medicaid providers as it is no longer necessary. DOH plans to administratively hire a collection agency to manage outstanding account receivable balances of providers that do not have a repayment agreement with the State.

* PART L -- The Senate modifies the Executive recommendation to authorize the Child Health Program (CHP) to contract with outside entities to recover third party liabilities, to require an RFP.

- o The Senate denies the Executive proposal to authorize the Division of the Budget (DOB), in consultation with the Department of Health (DOH), to make any necessary programmatic changes to CHP in order to continue the health coverage of eligible children within State-only funding levels should

funding be discontinued or reduced.

o The Senate advances language to:

- Revert the definition of "small group" in New York insurance law to 1-50 employees or members.
- Require the New York state health care quality and cost containment commission to convene and to study the impact on health insurance costs on Lyme and tick-borne diseases to waive any vacancies for the purposes of the first meeting.
- Modify existing law to clarify that Continuing Care Retirement Communities (CCRCs) are not subject to cybersecurity regulations under the Department of Financial Services purview; rather CCRCs would be subject to cybersecurity requirements from the Department of Health.
- Require DOH and the Department Of Financial Services (DFS) to examine the language of current state insurance laws, a

health insurance policies and contracts issued pursuant to such laws, to determine their efficacy in relation to fertility and in vitro fertilization coverage benefits. DFS in its examination, shall analyze how various suggested changes to statute would impact utilization, and the effect they may have on premium rates. The study shall be completed, and a report delivered to the Legislature by June 1, 2018.

* PART M -- The Senate concurs with the Executive recommendation to extend the Physicians Excess Medical Malpractice program for one year.

- o The Senate supports the concept of utilizing funds from malpractice company conversions to assist in stabilizing the medical malpractice insurance industry within New York State.

- * PART N -- The Senate concurs with the Executive recommendation to discontinue the cost of living adjustment (COLA) payments to certain Department of Health (DOH) providers.

- * PART O -- The Senate denies the Executive Early Intervention program recommendations.

- * PART P -- The Senate modifies the Executive proposal to:

- o The Senate denies the Executive recommendation to eliminate the Empire Clinical Research Investigator Program (ECRIP).

- o The Senate concurs with the Executive recommendation to eliminate the requirement for hospital resident hour working audits to be performed annually.

- o The Senate advances language to expands the health care worker retraining program to allow hospitals and home care and long term care agencies to collaborative for cross-training and cross-utilization of direct care personnel.

- * PART Q -- The Senate modifies the Executive recommendation establishes a new \$425 million Health Care Facility Transformation Program: Statewide III to fund capital projects, debt retirement, working capital, and other non-capital projects to increase the amount available to \$500 million.

- o The Senate modifies the Executive language and would require

that of the \$500 million a minimum amount must be provided as follows:

- \$70 million for to community based health care providers, including diagnostic and treatment centers, mental health clinics, substance use disorder clinics, children's residential treatment facilities (newly added), or primary care providers.
- \$20 million for assisted living facilities (ALPs) and hospice.
- \$60 million for residential healthcare facilities.
- \$25 million for home care providers.

* PART R -- The Senate modifies the Executive recommendation to reduce the risk of exposure to lead paint in residential and non-residential settings to:

- o Expand identifying individual student blood lead level information beyond pre-school to include children in kindergarten. If a child has not been tested for lead, then parents would be referred to a primary care provider or the local health authority.
- o Require DOH to establish a statewide plan for lead service line replacement, including an analysis of lead service lines throughout the state, and guidance on replacement.
- o Authorize schools outside of New York City to access children's blood lead test results in the statewide immunization system, consistent with the policy followed by New York City DOE and DOHMH.

* PART S -- The Senate concurs with the Executive recommendation to:

- Allow providers licensed or certified by DOH, OHM and OASAS to provide integrated primary care, mental health, and/or substance abuse disorders services without needing additional licenses or certifications from one of the other agencies.

o The Senate modifies the Executive recommendation to:

- Authorize community paramedicine programs to address workforce shortages and advance training opportunities that allow emergency personnel to provide care within their certification, training, and experience in residential settings, and authorizes Medicaid reimbursement for community paramedicine services, subject to financial participation.

- Expand the Telehealth Program to provide that Medicaid services may be delivered through electronic communication technologies, to the same extent as now available under private health insurance; includes language to reduce barriers that limit the use of telehealth services by streamlining the rules and regulations across various state agencies to explicitly authorize the utilization of telehealth in residential health programs operated by OPWDD.

o The Senate supports exploring and implementing opportunities to utilize telehealth in nursing homes with special needs populations, pediatric nursing homes, and in worker's compensation to provide behavioral and other health care services to patients.

o The Senate supports including consideration of the utilization

of IT based medication management/compliance devices designed to reduce hospital admissions and support appropriate treatment regimens in the home.

* PART T -- The Senate modifies the Executive proposal to extend various provisions of the Public Health, and Social Services Laws:

o The Senate concurs with the Executive proposals to:

- Extend authorization for spousal budgeting in long-term care waiver programs through March 31, 2023.
- Extend authorization for the continuation of the Care at Home (CAH) I and II waivers through March 31, 2023.
- Make technical corrections to effectuate the elimination of a trend factor for general hospital reimbursement through December 31, 2019 enacted as part of the FY 2018 Enacted Budget.

o The Senate modifies the proposals to:

- Extend for one year authorization for the Commissioner to require that drug manufacturers provide rebates to the State when the price of generic drugs exceed 75 percent of the ceiling price set by the State's actuary.
- Extend for one year authorization for the statewide Medicaid integrity and efficiency initiative.

o The Senate advances language to:

- Extend authorization for the Committee for Physicians' Health (CPH), which refers physicians suffering from alcoholism, chemical dependency or mental illness to treatment through March 31, 2023.

- Extend statutory liability protections offered for physician participants in the CPH program through March 31, 2023.

- * PART AA -- The Senate concurs with the Executive recommendation to defer for one-year the Human Services "Cost-of-Living Adjustment" (COLA).

- * PART BB -- The Senate modifies the Executive proposal to add Synthetic Cannabinoids, Synthetic Fentanyl Derivatives and Analogs to the Controlled Substances Schedule:

- o The Senate concurs with the Executive proposal to:

- Add controlled substance analogs to schedule I of section 3306 of the public health law.

- Add controlled substance analogs to the definition of controlled substance in section 220.00 of the penal law.

- o The Senate modifies the Executive proposal to:

- Define a controlled substance analog under section 3302 of the public health law.

- Add W18 and Carfentanil to subdivision (b) of schedule I of section 3306 of the public health law.

- Repeal paragraph 6 of subdivision (c) of schedule II of section 3306 of the public health law.

- Make technical corrections to paragraph 11 of subdivision (d) of schedule I of section 3306 of the public health law.

- Add Thiafentanil to subdivision (c) of schedule II of section 3306 of the public health law.

- Add Xylazine to subdivision (c) of schedule III of section 3306 of the public health law.

* PART CC -- The Senate denies the Executive recommendation to authorize the Commissioner of the Department of Health (DOH) to order a physician to stop practicing if charged with a felony or in response to allegations of misconduct.

* PART DD -- The Senate modifies with the Executive recommendation to permanently extend the Collaborative Drug Therapy Management demonstration program and the authority of pharmacists to administer immunizing agents to adults, to extend through July 1, 2021 and for two years, respectively.

- o The Senate concurs with the Executive recommendation to extend for two-years, the authority of pharmacists to administer the Influenza Vaccine to children ages two to 18.

* PART EE -- The Senate advances language to establish a toll free, 24/7 hotline to receive reports of allegations of reportable incidents of vulnerable adults.

* PART SS -- The Senate advances initiatives to address water quality issues that pose a public health concern, which include:

- o Establishing a contingency fund for emerging contaminants to provide grants or loans to public water systems, that will

- consist of monies appropriated by the Clean Water Infrastructure Act of 2017.

- o Establish Public Water System Summits.

- o Require DOH to establish a statewide plan for lead service line replacement, which will include an analysis of lead service

lines, the actual cost to replace the lead service lines, and recommendations.

- o Establish a Voluntary Public Water System Consolidation Study to evaluate the feasibility of the joining of public water systems in order to improve water quality.
- o Lead Service Line Replacement Grants.

* PART TT -- The Senate advances language to:

- o Require full implementation of the Electronic Death Registry within sixty days of enactment to ensure compliance.
- o Establish a Court Ordered Guardianship Demonstration Program in Nassau County to provide guardianship services to incapacitated adults who lack financial resources and appropriate family support. In addition, the program will study the costs and savings associated with providing such guardianship services and the individual's ability to maintain independence in and connection to their community, the cost avoidance to the state medical assistance program, and other factors which examine the effectiveness of this program.
- o Restrict Alzheimer's grants for family intervention services, from DOH to not-for-profits that have demonstrated a capacity to provide these services within their respective geographic region and will endeavor to provide these services, statewide.
- o Direct the Department of Health to conduct a study of the high incidences of asthma in the boroughs of Brooklyn and Manhattan and prepare a remedial plan.
- o Require DOH to report to the Legislature by January 1, 2019 and biannually thereafter, on the Cancer Detection and Education

Program.

- o Convey the importance of accelerating the Superintendent of Financial Services' review of the potential insurance premium impacts of in vitro fertilization and fertility preservation coverage and to report on such findings by June 1, 2018.
 - o Require that public buildings contain a private and hygienic lactation room to be made available for use by a member of the public to breastfeed or express milk.
 - o Require insurance coverage of donor breast milk for inpatient use, ordered by a licensed medical practitioner for a high risk preterm infant who is unable to receive own mother's breast milk or the own mother is unable to provide.
 - o Establish a Sexual Assault Forensic Examiner (SAFE) Telehealth Pilot.
 - o Establish the Sexual Assault Bill of Rights.
 - o Ensure victims are never charged for rape kits.
- * The Senate modifies the Executive proposal to require the installation of diaper changing stations to be available for use by both male and female to be provided on at least one floor level containing a public toilet room. Further, public buildings are required to provide, at least one family restroom, to include a safe and sanitary diaper changing station, to accommodate an adult person with physical and/or cognitive disabilities.
- * The Senate supports the establishment of a maternal mortality review board that includes reporting requirements and the engagement of stakeholders.

The Senate notes Comprehensive Contraception Coverage exists in accordance with regulation (11 NYCRR 52).

The Senate encourages the utilization of pediatric day-respite centers as a cost saving alternative to pediatric hospital services and private duty nursing services in the State Medicaid program and for Child Health Plus recipients.

Medicaid Inspector General, Office of the

State Operations (S.7500-B)

* The Senate concurs with the Executive recommendation of \$48.04 million.

Higher Education Services Corporation (HESC)

State Operations (S.7500-B)

* The Senate concurs with the Executive recommendation of \$61.7 million

Aid to Localities (S.7503-B)

* The Senate modifies the Executive recommendation of \$1.2 billion as follows:

- o Denies language to allow undocumented individuals to access financial aid programs and associated \$27 million
- o Provides an additional \$3.5 million to expand the STEM scholarship to nonpublic schools

Article VII Proposal (S.7506-A)

- * PART E -- The Senate denies the Executive proposal that would allow undocumented individuals to access financial aid programs
- * PART R -- The Senate advances language that would allow for-profit schools to participate in the Enhanced Tuition Award program, tie tuition increases to the rate of the Higher Education Price Index, and provide an exemption for matching scholarship requirements
- * PART T -- The Senate advances language allowing private schools to participate in the STEM scholarship program
- * PART W -- The Senate advances language allowing for a restructuring of the HESC Board
- * PART X -- The Senate advances language to amend the Excelsior Scholarship by excluding private scholarships from the last-dollar requirement and to allow remedial courses to count towards credit requirements
- * PART BB -- The Senate advances language creating a student loan forgiveness program for teachers serving in underserved and needy areas.

Homeland Security and Emergency Services, Division of

State Operations (S.7500-B)

- * The Senate concurs with the Executive recommendation of \$78 million, with the following modification:
 - o Directs, without prejudice, that the Division of Homeland Security and Emergency Services submit a report by March 1st to the Temporary Leader of the Senate and Chair of the Senate

Committee on Veterans, Homeland Security, and Military Affairs that includes the titles, grades, and duties of any proposed new employees for the upcoming fiscal year.

Aid to Localities (S.7503-B)

- * The Senate concurs with the Executive recommendation of \$1.4 billion, with the following modification:
 - o \$2.7 million increase for the American Red Cross.

Capital Projects (S.7504-B)

- * The Senate concurs with the Executive recommendation of \$3 million with the following modification:
 - o \$10 million increase for the purchase of twenty-first century counter-terrorism technology that includes, but is not limited to, drones with offensive and defensive capabilities, and advanced weapon detection systems.
 - Of this allotment, \$4 million to be allocated to the New York City Police Department and \$6 million for law enforcement agencies outside of the city of New York.

Article VII Proposal (S.7505-B)

- * The Senate concurs with the Executive proposal to suspend the annual transfer of \$1.5 million from the Public Safety Communications Account to the Emergency Services Revolving Loan Fund.
- * The Senate advances language to cap the amount of revenue that can be transferred to the Division of Homeland Security and Emergency Services from the Public Safety Communications Account.

Housing and Community Renewal

State Operations (S.7500-B)

- * The Senate modifies the Executive All Funds recommendation of \$97.4 million as follows:
 - o Denies funding for the Tenant Protection Unit.

Aid to Localities (S.7503-B)

- * The Senate modifies the Executive All Funds recommendation of \$83.9 million as follows:
 - o Adds \$10 million for a Statewide Manufactured Home Park Preservation Loan Fund
 - o Adds \$10 million for an Affordable Independent Senior Housing and Resident Advisor Program
- * The Senate supports a timely roll-out to the Mobile and Manufactured Home Preservation Program

Article VII Proposal (S.7506-A)

- * PART N -- The Senate modifies the Executive proposal for transfers from the Mortgage Insurance Fund (MIF) by making transfers of \$58.5 million, an increase of \$14.5 million over the Executive proposal, as follows:
 - o An additional \$8.8 million to the Neighborhood Preservation Programs and the Rural Preservation Programs (NPP/RPP), with a carve-out for housing coalitions.
 - o Add \$4 million for the Access to Home Program.
 - o Add \$3.6 million for the Residential Emergency Services to offer Home Repairs to the Elderly Program (RESTORE).

- o Decrease funding to the Homeless Housing Assistance Corporation by \$1.8 million.

* PART O -- The Senate modifies the Executive proposal to add interchange language to allow for transfer between residential homeowner, small business and municipality grant programs under the 2017 Lake Ontario, St. Lawrence River grant program to:

- o SUBPART A -- Concur with the Executive to add interchange language to allow for transfer between residential homeowner, small business and municipality grant programs under the 2017 Lake Ontario, St. Lawrence River grant program and increases the cap on the residential program from \$15 million to \$90 million
- o SUBPART B -- Advance clarifying language to include docks within the definition of structures eligible for grants under the 2017 Lake Ontario, St. Lawrence River grant program
- o SUBPART C -- Advance language to establish a new Lake Ontario, St. Lawrence River Flood Prevention, Response and Recovery Program under the direction of the Adjutant General and the Division of Military and Naval Affairs
- o SUBPART D -- Advance language to authorize the Urban Development Corporation to issue bonds and notes for infrastructure projects performed in accordance with the new Lake Ontario, St. Lawrence River Flood Prevention, Response and Recovery Program
- o SUBPART E -- Advance language to establish the New York State Lake Ontario - St. Lawrence River Flood Prevention, Response, Recovery and Mitigation Task Force, to study and make recommendations on the flooding involving Lake Ontario and the St. Lawrence River.

- * PART CC -- The Senate advances language to create the affordable independent senior housing and assistance program.
- * PART DD -- The Senate advances language to create the residential emergency services to offer home repairs to the elderly program.
- * PART EE -- The Senate advances language to create the access to home for heroes program.
- * PART FF -- The Senate advances language to amend the multiple dwelling law, in relation to the floor area ratio (FAR) in the city of New York.
- * PART GG -- The Senate advances language to bifurcate the state low-income housing tax credit from the federal low-income housing tax credit.
- * PART HH -- The Senate advances language to create the tenant rent increase exemption program.
- * PART II -- The Senate advances language to create the New York City tax reform study commission.
- * PART JJ -- The Senate advances language to ensure rents are frozen at the level of an eligible tenant under either the Senior Citizens Rent Increase Exemption (SCRIE) or Disability Rent Increase Exemption (DRIE) programs, regardless of whether it is a preferential rent or the legal regulated rent.
- * PART KK -- The Senate advances language to expand the eligibility threshold for the J-51 program from \$30,000 to \$50,000.
- * PART LL -- The Senate advances language to remove the exemption for public housing in New York City, and requires licensed professionals are performing mold assessment, abatement, and remediation.
- * PART MM -- The Senate advances language to create a New York City Housing Authority repair certificate program.

* PART NN -- The Senate advances language to authorize New York City Council oversight of the New York City Housing Authority.

* PART OO -- The Senate advances language to create an independent monitor to oversee projects by the New York City Housing Authority.

* PART PP -- The Senate advances language to authorize tenants of the New York City Housing Authority to report housing violations and other complaints through the existing 311 citizens service center.

* PART QQ -- The Senate advances language to provide a two-year lookback window for seniors and individuals with disabilities to receive benefits under the Senior Citizens Rent Increase Exemption (SCRIE) and the Disability Rent Increase Exemption (DRIE) programs.

The Senate understands that the New York City Housing Authority is in crisis, tenants are faced with issues of long wait times to repair lead, mold, roofs and boilers. The Senate is open to discussing methods to reduce these long wait times including but not limited to expanding the use of alternative project delivery methods for the New York City Housing Authority for independently monitored project specific purposes, which may include the remediation and abatement of lead and mold as well as projects related to the repair, construction, or installation of roofs and boilers.

Hudson River Valley Greenway Communities Council

State Operations (S.7500-B)

* The Senate concurs with the Executive recommendation of \$185,000.

Aid to Localities (S.7503-B)

- * The Senate concurs with the Executive recommendation of \$136,000.

Hudson River Park Trust

Capital Projects (S.7504-B)

- * The Senate denies, without prejudice, the Executive recommendation of \$50 million for capital improvements for the Hudson River Park.

Human Rights, Division of

State Operations (S.7500-B)

- * The Senate concurs with the Executive All Funds recommendation of \$18.2 million

Article VII Proposal (S.7511-B)

- * PART H -- The Senate modifies the Executive proposal to change the definition of an "educational institution" under Human Rights Law to cover public school students by including a cap on any damages that can be awarded under such definition.

Indigent Legal Services, Office of

State Operations (S.7500-B)

- * The Senate concurs with the Executive recommendation of \$5.7 million

Aid to Localities (S.7503-B)

- * The Senate concurs with the Executive recommendation of \$156 million

Information Technology Services, Office For

State Operations (S.7500-B)

- * The Senate concurs with the Executive recommendation of \$768 million an increase of \$500,000 from FY 2018 levels.

Capital Projects (S.7504-B)

- * The Senate modifies the Executive appropriation of \$85.7 million to eliminate the \$157 million in reappropriations for various technology projects.

Data Analytics

State Operations (S.7500-B)

- * The Senate concurs with the Executive recommendation level of \$25 million, no change from FY 2018 levels.

Inspector General, Office of the State

State Operations (S.7500-B)

- * The Senate concurs with the Executive recommendation of \$7.4 million.

Interest on Lawyers Account

State Operations (S.7500-B)

* The Senate concurs with the Executive recommendation of \$2 million

Aid to Localities (S.7503-B)

* The Senate concurs with the Executive recommendation of \$45 million

Judiciary

Legislature and Judiciary (S.7501)

* The Senate modifies the Office of Court Administration recommendation as follows:

- o Denies \$25 million of appropriation authority.
- o Provides a \$25 million supplemental appropriation to provide funding for new court officers to be distributed in a geographically balanced manner for those areas experiencing increased gang-related workload.

Article VII Proposal (S.7505-B)

- * PART B -- The Senate denies the Executive proposal to require that each state-paid judge or justice certify every month that such judge or justice performed judicial duties at an assigned court location for the full daily period of at least eight hours.
- * PART CCCC -- The Senate advances language to allow the removal of an action pending in a local criminal court to a problem solving court, as designated by the chief administrator of the courts, in the same county.

Judicial Conduct, Commission on

State Operations (S.7500-B)

* The Senate concurs with the Executive recommendation of \$5.7 million.

Judicial Nomination, Commission on

State Operations (S.7500-B)

* The Senate concurs with the Executive recommendation of \$30,000.

Judicial Screening Committees

State Operations (S.7500-B)

* The Senate concurs with the Executive recommendation of \$38,000.

Good Government and Ethics Reform

Article VII Proposal (S.7510)

The Senate will consider modifications to the Executive Article VII entitled "Good Government and Ethics Reform."

The Senate and Assembly have already acted to amend the Constitution to strip a corrupt public official convicted of a felony of his or her pension. Voters approved this measure in November.

The Senate is open to discussing proposals that increase access to voting while ensuring proper compliance with the election law. The

Senate believes any voter reform proposal must include adequate funding for counties.

In addition, the Senate and Assembly have already acted to require any member of the Legislature earning more than \$5,000 income through outside employment to submit a written request for an advisory opinion to the Legislative Ethics Commission to ensure the employment is consistent with the Public Officers Law.

The Senate remains opposed to taxpayer funded campaigns and does not believe that a full-time professional legislature best represents the State. The Senate is open to discussing proposals that increase access to voting while ensuring proper compliance with the election law. The Senate believes any voter reform proposal must include adequate funding for counties. Further, the Senate denies the Executive proposal to subject the legislature and the legislative ethics commission to the same freedom of information law provisions to which Executive agencies are subject. The legislative process is inherently open to the public for input, scrutiny and review. In contrast, the public is made aware of many Executive agency activities only after they occur. As such, for purposes of freedom of information law, these branches are treated differently. This differentiation is one that is recognized at the federal level as well. In addition, with respect to the legislative ethics commission, confidentiality encourages individuals to proactively seek ethics guidance.

Any ethics reform requires balanced and measured actions to ensure New Yorkers are best served by their public officials.

Labor, Department of

State Operations (S.7500-B)

* The Senate concurs with the Executive recommendation of \$570.1 million, with the following modification:

- o Denies new language in the reemployment services program appropriation allowing funds to be used for workforce development and employment training programs, and to be transferred or suballocated to any other state department, agency or public authority

Aid to Localities (S.7503-B)

* The Senate concurs with the Executive All Funds recommendation of \$3.05 billion, with the following modifications:

- o Provides the following restorations:
 - \$4 million for the Workforce Development Institute (WDI)
 - \$3 million for the WDI manufacturing initiative
 - \$1.25 million for the Manufacturing Intermediary Apprenticeship program
 - \$980,000 for the Chamber of Commerce On-the-Job Training program
 - \$900,000 for Youth Build programs across the state
 - \$805,000 for the Displaced Homemakers program
 - \$500,000 for The Solar Energy Consortium (TSEC)
 - \$400,000 for a logger job training program administered by WDI in partnership with the North American Logger Training

- School at Paul Smith's College and New York Logger Training
- \$350,000 for the Western New York Council on Safety and Health (WNYCOSH)
 - \$300,000 for the Domestic Violence Program at the Cornell University Institute of Industrial and Labor Relations (ILR)
 - \$300,000 for the Cornell ILR Worker Institute
 - \$300,000 for the Rochester Summer of Opportunity Youth Employment program
 - \$250,000 for the Building Trades Pre-Apprenticeship Program (BTPAP) in Western New York
 - \$200,000 for the Building Trades Pre-Apprenticeship Program (BTPAP) in Rochester
 - \$200,000 for the Building Trades Pre-Apprenticeship Program (BTPAP) in Nassau County
 - \$200,000 for the Cornell ILR Leadership Institute
 - \$200,000 for the New York Council on Safety and Health (NYCOSH), located on Long Island
 - \$200,000 for the New York State Pipe Trades Labor Management Cooperation Committee for a Solar Thermal training grant program
 - \$100,000 for Rochester Tooling and Machining Institute
 - \$100,000 for the LGBT Community Center
 - \$30,000 for the Office of Career Education Services (OACES)

The Senate denies with prejudice any actions by the Executive to administratively establish an Office of Workforce Development, to be led by a new Director of Workforce Development, within the Executive Chamber. Additionally, the Senate denies with prejudice any action by

the Executive to create a new Consolidated Funding Application through the Regional Economic Development Councils for various existing programs related to workforce development. The Senate strongly believes that additional investments in workforce development initiatives should be specifically directed by the Legislature to existing, proven programs, such as the New York State AFL-CIO Workforce Development Institute (WDI), the Chamber of Commerce On-the-Job Training Program, the Manufacturers Intermediary Apprenticeship Program, and the various Youth Build programs located across the state.

The Senate supports having a discussion about whether the definition of public work should be updated.

In addition, the Senate proposes that any new comprehensive workforce development budget actions should include the legislative reforms developed by the Senate Task Force on Workforce Development and proposed in the Senate's Gateway to Opportunity package.

Law, Department of

State Operations (S.7500-B)

* The Senate concurs with the Executive recommendation of \$263 million.

Capital Projects (S.7504-B)

* The Senate concurs with the Executive recommendation of \$1 million.

Lieutenant Governor, Office of the

State Operations (S.7500-B)

- * The Senate concurs with the Executive recommendation of \$630,000.

Local Government Assistance

State Operations (S.7500-B)

- * The Senate concurs with the Executive recommendation of \$2.5 million.

Aid to Localities (S.7503-B)

- * The Senate modifies the Executive proposed appropriation level as follows:

- o \$1.6 million for City of Niagara Falls
- o \$340,000 for Seneca County
- o \$310,000 for Franklin County
- o \$200,000 for City of Cortland
- o \$200,000 for City of Oneonta
- o \$100,000 for Village of Cobleskill
- o \$92,500 for Cayuga County
- o \$27,000 for Village of Woodbury
- o \$19,000 for Village of South Blooming Grove
- o \$2,000 for Village of Sagaponack

Miscellaneous Appropriation

- * The Senate modifies the Executive proposal by adding the following funding:
 - o \$14.3 million for additional funding for base level grants to

municipalities within the AIM Program

- o \$2 million for Small Business Assistance Program
- o \$500,000 for Town of Ashford
- o \$210,000 for Village of Brockport
- o \$200,000 for Village of Delhi
- o \$200,000 for Village of New Paltz
- o \$150,000 for Town of Vestel
- o \$50,000 for City of Binghamton.

Article VII Proposal (S.7505-A)

* PART CC -- The Senate concurs with the Executive proposal to amend the Citizen Empowerment Tax Credit, so as to limit its eligibility to the reorganization or dissolution of local governments, created prior to, or dissolved before, December 31, 2017. This proposal

would also limit aid provided under this program to the lesser of one million dollars, or the dissolving village's property tax levy.

* PART DD -- The Senate modifies the Executive proposal on shared services to advance language to allow non-adjoining towns within a county to join courts and to deny the Executive proposal to authorize counties to engage in planning and zoning.

* PART EE -- The Senate denies the Executive proposal to make the Shared Services Panels permanent and to end state shared services assistance aid.

* PART FF -- The Senate concurs with the Executive proposal to authorize the Town of Islip Resource Recovery Agency to select its own independent auditor, without requiring signoff from the director of the division of the budget.

- * NEW PART UU -- The Senate advances language to accelerate the start date for the already-approved town of Palm Tree, and to provide special state aid to the Monroe-Woodbury Central School District in order to offset the financial impact the new town will have on the school district's taxpayers.
- * NEW PART OOO -- The Senate advances language to allow school districts to collect school taxes, if the town is advised of this in writing no later than September 1 of each year.
- * NEW PART EEE -- The Senate advances language to allow a municipality to recoup the cost of sending a firefighter to training school from another municipality that hires that firefighter within three years of their training.
- * NEW PART NNN -- The Senate advances language to allow patrons to remove alcohol from a licensed premises in a leisure and recreation district.

Mental Health, Office of

State Operations (S.7500-B)

- * The Senate modifies the Executive recommendation of \$2.3 billion to provide additional funding of \$500,000 for salary enhancements for nurses working in state-operated psychiatric facilities.
- * The Senate denies the Executive proposal to reduce state operated inpatient beds, and restores \$5.5 million for this purpose.
- * The Senate denies without prejudice the Executive proposed appropriation language that would allow for restoration to

competency treatment in jail and prison based settings.

Aid to Localities (S.7503-B)

* The Senate modifies the Executive recommendation of \$1.5 billion to provide additional funding of:

- o \$5.5 million for increased community services
- o \$5 million increased residential services support
- o \$3.5 million for the Joseph P. Dwyer Veteran Peer to Peer Services Program
- o \$500,000 for Crisis Intervention Teams
- o \$500,000 for crisis services
- o \$450,000 for the Veterans Mental Health Training Initiative
- o \$400,000 for FarmNet
- o \$275,000 for Children's Prevention and Awareness Initiatives
- o \$175,000 for the South Fork Mental Health Initiative
- o \$100,000 for the North Country Behavioral Healthcare Network

- o \$100,000 for the Mental Health Association in New York State, Inc.

* The Senate modifies the Executive recommendation to provide increased support to residential services by delaying implementation until January 1, 2019.

Capital Projects (S.7504-B)

* The Senate modifies the Executive recommendation of \$424 million to provide an additional \$10 million for children's behavioral health facilities.

* The Senate modifies the Executive proposal to specify that \$10 million of the Executive recommendation of \$50 million for developing crisis programs be used for the creation of state operated services. Additionally, the Senate supports the creation of both children and adult crisis programs.

Article VII Proposal (S.7507-B)

* PART W -- The Senate denies without prejudice the Executive recommendation to allow for restoration to competency treatment in jail and prison based settings.

* The Senate advances language:

- o NEW PART FF -- Prohibiting sex offenders from being admitted into state operated psychiatric facilities that share facilities with children.

- o NEW PART GG -- Requiring Western New York Children's Psychiatric Center be maintained in Erie County as a separate and distinct entity, both organizationally and physically, from other facilities.

- o NEW PART HH -- Providing time frames for the expiration of notice of closures for state operated psychiatric facilities.

Alcoholism and Substance Abuse Services, Office of

State Operations (S.7500-B)

* The Senate concurs with the Executive recommendation of \$135 million.

Aid to Localities (S.7503-B)

- * The Senate modifies the Executive recommendation of \$561 million to provide an additional:
 - o \$15 million for prevention, treatment, and recovery services
 - o \$12.8 million for substance use disorder treatment in local jails

Capital Projects (S.7504-B)

- o The Senate modifies the Executive recommendation of \$90 million to provide an additional \$10 million for the expansion of heroin and opiate supports and services.

Article VII Proposal (S.7507-B)

- * NEW PART JJ -- The Senate advances language authorizing the Office to provide funding for substance use disorder and/or compulsive gambling programs operated by for-profit agencies.
- * NEW PART KK -- The Senate advances language codifying the peer engagement program.
- * NEW PART LL -- The Senate advances language making it a crime to offer or accept any kickback from an individual or entity that provides substance abuse services in exchange for patient referral and admission.
- * NEW PART MM -- The Senate advances language creating a Family Support and Recovery Services Demonstration Program.
- * NEW PART NN -- The Senate advances language allowing for the voluntary certification of sober homes.

- * NEW PART OO -- The Senate advances language creating mandatory Assisted Outpatient Treatment for substance abuse.
- * NEW PART PP -- The Senate advances language requiring the Office to assess the outcomes and effectiveness of current state supported services and include such information in the statewide comprehensive plan.
- * NEW PART QQ -- The Senate advances language creating an ombudsman within the Office to assist consumers and providers with insurance issues, including network adequacy.
- * NEW PART RR -- The Senate advances language establishing jail based substance use disorder treatment programs.

Mental Hygiene, Department of

State Operations (S.7500-B)

- * The Senate concurs with the Executive recommendation of \$600 million.

Article VII Proposal (S.7507-B)

- * PART Y -- The Senate modifies the Executive recommendation to clarify definitions pertaining to supervision, assessment, counseling, and assistance; creating a dispute resolution process between the State Education Department and other State agencies; and amending the effective date from July 1, 2020 to July 1, 2018.
- * PART AA -- The Senate modifies the Executive proposal to stipulate four years of salary enhancements for mental hygiene not for profit provider direct support, direct care, and clinical workers, effective April 1, 2019.

Developmental Disabilities Planning Council

State Operations (S.7500-B)

- * The Senate concurs with the Executive recommendation of \$4.8 million.

People with Developmental Disabilities, Office for

State Operations (S.7500-B)

- * The Senate modifies the Executive recommendation of \$2.2 billion.

Aid to Localities (S.7503-B)

- * The Senate modifies the Executive recommendation of \$2.4 billion to provide an additional:
 - o \$2 million for a managed care preparedness and assistance programs
 - o \$200,000 for New York Special Olympics, Inc.
 - o \$100,000 for Best Buddies International, Inc.
 - o \$100,000 for In the Driver's Seat
 - o \$55,000 for the Developmental Disabilities Alliance of Western New York

Capital Projects (S.7504-B)

- * The Senate modifies the Executive recommendation of \$96 million to provide an additional:
 - o \$10 million to assist providers with preparing for the transition to managed care

o \$5 million to assist in the implementation of telemedicine services for the developmentally disabled.

Article VII Proposal (S.7507-B)

* PART Z -- The Senate modifies the Executive proposal by amending the expiration date for developmental disability managed care authority to September 30, 2020.

* NEW PART II -- The Senate advances language amending notice requirements for the closure of state operated Individualized Residential Alternatives.

The Senate supports the resolution of reimbursement issues regarding Independent Practitioner Services for Individual with Developmental Disabilities program.

Justice Center for the Protection of People with Special Needs

State Operations (S.7500-B)

* The Senate concurs with the Executive recommendation of \$55.8 million.

Aid to Localities (S.7503-B)

* The Senate concurs with the Executive recommendation of \$649,000.

Metropolitan Transportation Authority

Aid to Localities (S.7503-B)

* The Senate concurs with the Executive All Funds recommendation of

\$944 million

Capital Projects (S.7504-B)

- * The Senate concurs with the Executive All Funds recommendation of \$414 million

Article VII Proposal (S.7508-B)

- * PART K -- The Senate modifies the Executive proposal as follows:
 - o Modifies the Executive proposal to allow monies accrued through the Payroll Mobility Tax (PMT) to flow directly to the MTA, without needing appropriation, provided that such funds may not be securitized
 - o Denies the Executive proposal to transfer a portion of Department of Transportation (DOT) and Department of Motor Vehicles (DMV) programs and associated revenues from the Dedicated Highway and Bridge Trust Fund to the General Fund
- * PART L -- The Senate denies the Executive proposal to create value capture districts in the City of New York
 - o The Senate supports continued discussion on the use of value capture as an additional revenue stream for MTA capital projects that provide significant enhanced value to surrounding properties
- * PART M -- The Senate modifies the Executive proposal relating to capital needs of the City's subway system, as follows:
 - o Denies the Executive proposal to require all New York City Transit Authority capital costs be borne by the City of New York
 - o Concurs with the Executive proposal to require, when the

Executive declares a subway emergency and the State authorizes funds to address such emergency, the City of New York provide matching funds

* PART N -- The Senate denies the Executive proposal to enact certain changes to the MTA procurement process.

* PART II -- The Senate denies the Executive proposal relating to congestion in Lower Manhattan

o The Senate supports continuing the discussion on developing means to decrease congestion in Lower Manhattan and providing additional and stable revenue streams for the MTA

* NEW PART TTTT -- The Senate advances language that authorizes the state of New York to collect the sum of \$428 million in New York City sales tax revenue for the purpose of funding the MTA Subway Action Plan.

Military and Naval Affairs, Division of

State Operations (S.7500-B)

* The Senate concurs with the Executive recommendation of \$85 million

Aid to Localities (S.7503-B)

* The Senate concurs with the Executive recommendation of \$900,000

Capital Projects (S.7504-B)

* The Senate concurs with the Executive recommendation of \$70 million

Article VII Proposal (S.7505)

* The Senate modifies the Executive proposal to establish an armory

rental enterprise fund for the Division by advancing language to require an annual report on the use and maintenance status of the state's armories.

Mortgage Agency (SONYMA)

State Operations (S.7500-B)

- * The Senate concurs with the Executive All Funds recommendation of \$76.8 million.

Aid to Localities (S.7503-B)

- * The Senate concurs with the Executive All Funds recommendation of \$145.9 million.

Motor Vehicles, Department of

State Operations (S.7500-B)

- * The Senate modifies the Executive All Funds recommendation of \$105.8 million, as follows:
 - o Denies the Executive proposal to transfer a portion of Department of Motor Vehicles (DMV) programs and associated revenues from the Dedicated Highway and Bridge Trust Fund to the General Fund

Aid to Localities (S.7503-B)

- * The Senate concurs with the Executive All Funds recommendation of \$22 million

Capital Projects (S.7504-B)

- * The Senate modifies the Executive All Funds recommendation of \$234.4 million, as follows:
 - o Denies the Executive proposal of 89 new full time equivalent positions

Article VII Proposal (S.7508-B)

- * PART G -- The Senate modifies the Executive proposal for various driving provisions and grade crossing safety provisions, as follows:
 - o Denies the various driving provisions
 - o Modifies the grade crossing safety provisions
- * PART H -- The Senate modifies the Executive proposal to extend the authorization of autonomous vehicle testing in the State to repeal the requirement that drivers must have one hand on the wheel effective immediately
- * PART I -- The Senate concurs with the Executive proposal to make a technical correction to allow DMV to report on behalf of New York City for traffic adjudication data
- * PART J -- The Senate concurs with the Executive proposal to create an internet pre-licensing course pilot program that will provide a reduced cost for students to complete drivers' license requirements
- * NEW PART TTT -- The Senate advances language to allow for the mailing of parking violation notices
- * NEW PART UUU -- The Senate advances language to prohibit the issuance of drivers licenses and non-driver ID's that are not Federal REAL ID compliant
- * NEW PART VVV --The Senate advances language to provide increased penalties for moving violations that result in serious bodily injury

or death to another person

- * NEW PART XXX -- The Senate advances language to amend the definition of all-terrain vehicle (ATV) to reflect a weight increase to 1,500 pounds
- * NEW PART YYY -- The Senate advances language related to the distribution of certain mandatory surcharges imposed for alcohol-related traffic convictions and provides adequate funding for the implementation of the ignition interlock provisions of Leandra's Law (Impaired Driving Safety program)
- * NEW PART AAAA -- The Senate advances language to clarify DMV authority to sell or offer for sale certain information for federally approved purposes
- * NEW PART DDDD -- The Senate advances language to provide a ten percent discount on senior citizen driver's license fees
- * NEW PART GGGG -- The Senate advances language to increase penalties for school zone speeding violations
- * NEW PART HHHH -- The Senate advances language to create a "Guardians for Schools" license plate and create a Guardians for Schools fund
- * NEW PART JJJJ -- The Senate advances language to classify human organ delivery vehicles as emergency vehicles

National And Community Service

State Operations (S.7500-B)

- * The Senate concurs with the Executive All Funds recommendation of \$30.3 million

Aid to Localities (S.7503-B)

* The Senate concurs with the Executive All Funds recommendation of \$350,000

New York State 2020 Complete Count Commission

Article VII Proposal (S.7505-B)

* NEW PART DDDD -- The Senate advances language to establish the New York State 2020 complete count commission, and provide for its powers and duties, with a purpose to help ensure an accurate count during the 2020 US Census.

Power Authority

State Operations (S.7500-B)

* The Senate concurs with the Executive All Funds recommendation of \$215 million.

Article VII Proposal (S.7508-B)

* PART FF -- The Senate denies the Executive proposal to substantially expand the New York Power Authority's ability to provide "energy-related projects, programs, and services" to any of its power customers, not just those who purchase power under specific enumerated programs.

* PART GG -- The Senate denies the Executive proposal to allow the New York Power Authority to develop renewable energy projects and procure and sell renewable products to public entities and NYPA customers.

* PART TT -- The Senate advances language to update the Recharge New

York program and increase its effectiveness

Olympic Regional Development Authority

State Operations (S.7500-B)

- * The Senate concurs with the Executive recommendation of \$10.2 million.

Capital Projects (S.7504-B)

- * The Senate concurs with the Executive recommendation of \$60 million, which includes additional capital spending at ORDA facilities for energy efficiency upgrades and renovation projects.

Parks, Recreation and Historic Preservation

State Operations (S.7500-B)

- * The Senate modifies the Executive recommendation of \$225.8 million as follows:
 - o Denies language authorizing the costs of the agency in relation to general ratemaking proceedings to be eligible expenses under 18-a of the Public Service Law to avoid additional utility costs being passed on to customers.

Aid to Localities (S.7503-B)

- * The Senate modifies the Executive proposed appropriation level of \$9.3 million as follows:
 - o \$1,279,000 for building renovation and capital improvements at Camp Morty in the County of Westchester.

- o \$300,000 for park access improvements for shared areas of Catskill Park.

Capital Projects (S.7504-B)

* The Senate modifies the Executive recommendation of \$200 million as follows:

- o Denies, without prejudice, \$92.5 million in New York Works capital Parks appropriation.

The Senate supports eliminating park deserts, enhancing open space, and recreational opportunities in Brooklyn through the revitalization of idle lands.

Prevention of Domestic Violence, Office of

State Operations (S.7500-B)

* The Senate concurs with the Executive recommendation of \$3.8 million

Aid to Localities (S.7503-B)

* The Senate concurs with the Executive recommendation of \$1.8 million, and restores language omitted by the Executive related to the Women's Rights Clinic at SUNY Buffalo Law School within the appropriation.

Public Employment Relations Board

State Operations (S.7500-B)

* The Senate concurs the Executive recommendation of \$4 million.

Public Ethics, Joint Commission On

State Operations (S.7500-B)

* The Senate concurs with the Executive recommendation of \$5.6 million.

Public Service

State Operations (S.7500-B)

* The Senate modifies the Executive recommendation of \$89.7 million as follows:

- o Denies language authorizing the costs of the agency in relation to ratemaking proceedings to be eligible expenses under 18-a of the Public Service Law to avoid additional utility costs being passed on to customers.

Aid to Localities (S.7503-B)

* The Senate concurs with the Executive All Funds recommendation of \$5.75 million.

Article VII Proposal (S.7508-B)

* PART DD -- The Senate denies the Executive proposal to allow the Department of Public Service to reimburse the Office of Parks, Recreation and Historic Preservation and the Departments of Agriculture and Markets, Environmental Conservation, Health and State for costs expended relative to public health campaigns and

utility oversight from statutory assessments levied on cable television companies and public utilities and instead moves those costs to the General Fund

* PART KK -- The Senate advances language creating an Indian Point tax stabilization fund to ease the financial impact of the closure of Indian Point on affected municipalities and supports a multi-year approach to solving this issue.

* PART LL -- The Senate advances language to require the PSC to retain an independent auditor to conduct audits of private water utility companies prior to and after rate changes are approved

* PART NN -- The Senate advances language to permit consumer choice when choosing an electric or natural gas supplier. The New York State Public Service Commission announced a moratorium on energy service companies (ESCOs) selling electricity and natural gas to low-income consumers across the state. The decision was in response to some bad actors taking advantage of New York's most vulnerable low-income customers. The Senate recommends legislatively codifying ESCOs in order to provide oversight and accountability, which would include penalties for violations of consumer protection provisions.

* PART PP -- The Senate advances language to encourage the installation of combined heat and power generating systems by extending to those systems eligibility for certain existing real property tax exemptions.

* PART QQ -- The Senate advances language to direct the Public Service Commission (PSC) to establish a self-direct program for its industrial, commercial and large users.

* PART SS -- The Senate advances language relating to setting the rate

of credit per kilowatt hour for farm waste generating equipment customer generators, which includes the anaerobic digestion of agricultural waste.

* PART VV -- The Senate advances language to require PSC to issue a report detailing time-of-use plans offered by utilities.

The Senate supports hiring an independent consultant to examine the bill impacts of the Clean Energy Standard and make recommendations on improving its cost effectiveness and overall performance. Such consultant will be selected by a majority of the Senate Energy Committee.

Racing Reform Program

State Operations (S.7500-B)

* The Senate concurs with the Executive reappropriation of \$2 million proposal.

State, Department of

Aid to Localities (S.7503-B)

* The Senate concurs with the Executive recommendation level of \$77 million a decrease of \$8 million from FY 2018 levels.

State Operations (S.7500-B)

* The Senate modifies the Executive recommendation level of \$70 million by \$1.1 million to reflect a shift from Special Revenue Other Fund to General Fund.

Capital Projects (S.7504-B)

- * The Senate denies the Executive recommendation to fund the Downtown Revitalization initiative of \$100 million.
- * The Senate adds \$1 million capital funding for the Irish Cultural and Historical Society of the Mohawk Valley.

Article VII Proposal (S.7505-B)

- * PART T -- The Senate denies the Executive proposal to amend the procedure for service of process upon corporations, which has been the tested practice since 1847, by requiring plaintiffs to serve a copy upon the defendant corporation rather than merely serving the secretary of state.
- * PART V -- The Senate concurs with the Executive proposal to eliminate the twenty-five percent match for Community Block grants, thereby relieving localities of this maintenance of effort cost.
- * PART W -- The Senate concurs with the Executive proposal to provide enhancements to the Brownfield Opportunity Areas program.
- * PART U -- The Senate concurs with the Executive proposal to eliminate the 25 percent match requirement for localities utilizing federal Community Service Block Grant funds.

The Senate advances several regulatory reform proposals to help reduce unnecessary red tape, improve the regulatory practices of State agencies, and give more New York businesses the opportunity to succeed:

- * PART RRR -- curtailing agency overuse of the emergency regulation process

- * PART SSS -- improving regulatory "job impact" statements
- * PART TTT -- creating a Task Force to review the State Administrative Procedure Act (SAPA) and make further recommendations for reform
- * PART UUU -- providing small businesses with appropriate guidance after their first regulatory violation, instead of imposing a civil penalty
- * PART VVV -- establishing a small business liaison in each State agency
- * PART WWW -- creating a process for the filing of official objections to proposed regulations by the Administrative Regulations Review Commission (ARRC) and detailed responses by the State agency
- * PART XXX -- increasing the amount of time to comment upon and comply with proposed regulations
- * PART YYY -- creating a new process for negotiated rulemaking
- * PART ZZZ -- providing for review of unfunded mandates on localities, and authorizing additional options for local governments to identify alternative methods to regulatory compliance.

State Police, Division of

State Operations (S.7500-B)

- * The Senate concurs with the Executive recommendation of \$878 million.

Capital Projects (S.7504-B)

- * The Senate concurs with the Executive recommendation of \$116.5 million

Article VII Proposal (S.7505)

- * PART N -- The Senate concurs with the Executive proposal to allow the Superintendent of the State Police to have administrative subpoena authority for cases of online sexual abuse of children.
- * NEW PART GGG -- The Senate advances language for a new part on School Safety to:
 - o SUBPART A -- Advance language to:
 - Include individuals who knowingly, unlawfully, discharge a firearm within 1000 feet of a school, a place of worship, or a mass gathering of 25 or more people, or in a business of one or more employees, within the definition of committing an act of terrorism
 - Clarify that a "school, house of worship, business or mass gathering" are protected sites under counter terrorism laws
 - Codify the operations of the New York State Intelligence Center, so as to establish such within the Division of State Police
 - Provide that such center would be responsible for the collection, integration, receipt, processing, evaluation, analysis, fusing, dissemination, sharing, and maintenance of intelligence information to aid in detecting, preventing, investigating and responding to acts of terrorism (including school shootings)
 - Require the center to cooperate with the state division of homeland security and emergency services, and other expressly named state, local, and federal government agencies, subject to applicable state and federal laws

- Provide, for the first time, that schools and the state department of education, be participating parties at the intelligence center
- Require the addition of a new Buffalo office to the current fusion centers in Albany and New York City
- o SUBPART B -- The Senate advances language to provide retired police officers, who are hired by a school district or a board of cooperative educational services, with peace officer status when they are employed as a school resource officer
- o SUBPART C -- The Senate advances language to include all threats of intentional acts or continuing course of actions that would cause serious physical harm to ten or more people upon school grounds in the definition of falsely reporting an incident in the first degree, a class D felony
- o SUBPART D -- The Senate advances language to provide for an elevated Penalty for crimes committed on school grounds.

State University of New York (SUNY)

State Operations (S.7500-B)

- * The Senate modifies the Executive recommendation of \$9.2 billion as follows:
 - o Transfers \$202 million in hospital revenues to an off-budget escrow account
 - o Restores \$78.6 million for hospital operating subsidy
 - o Restores \$1.5 million for Small Business Development Centers
 - o Provides an additional \$1.4 million in revenue authority to the Long Island Veteran's Home

- o Restores \$300,000 for the Student Telecounseling Network
- o Provides an additional \$64 million for operating aid
- o Provides an additional \$500,000 for the Central New York Cord Blood Center

Aid to Localities (S.7503-B)

* The Senate modifies the Executive recommendation of \$468 million as follows:

- o Restores \$1.5 million for the Graduate Achievement and Placement Program
- o Restores \$1.1 million for childcare centers
- o Restores \$600,000 for the Harvest NY Program
- o Restores \$100,000 for the SUNY Orange Community College BRIDGE Program

- o Provides an additional \$12.1 million for community college base aid support

Capital Projects (S.7504-B)

* The Senate modifies the Executive recommendation of \$981 million as follows:

- o Denies language that would process bond transactions through the State Financial System
- o Denies \$78.6 million in capital for hospitals
- o Provides \$255 million in flexible capital for senior colleges
- o Provides \$20.4 million for a new academic building at Fashion Institute of Technology
- o Provides \$13 million for various projects at Nassau County

Community College

- o Provides \$2.3 million for a Public Safety Facility at Ulster County Community College

Article VII Proposal (S.7506-A)

- * PART P -- The Senate advances language repealing a statute that would implement a new chargeback methodology
- * PART Q -- The Senate advances language allowing Stony Brook Hospital to create an escrow account to expand its affiliations
- * PART S -- The Senate advances language requiring a progress report on the implementation of career pathways language passed in 2016
- * PART U -- The Senate advances language amending the maintenance of effort provisions to expand State obligations to SUNY and CUNY
- * PART V -- The Senate advances language requiring five-year capital plans as part of the budget process
- * PART AA -- The Senate advances language allowing SUNY hospitals to spend up to an additional \$281 million in revenues

Statewide Financial System

State Operations (S.7500-B)

- * The Senate concurs with the Executive recommendation level of \$30.4 million, no change from FY 2018 levels.

Tax Appeals

State Operations (S.7500-B)

- * The Senate concurs with the Executive recommendation of \$3 million.

Taxation and Finance

State Operations (S.7500-B)

- * The Senate concurs with the Executive recommendation of \$456.6 million.

Aid to Localities (S.7503-B)

- * The Senate concurs with the Executive recommendation of \$4.9 million.

Article VII Proposal (S.7509-B)

- * PART N -- The Senate denies the Executive proposal to allow the Commissioner of the Department of Taxation and Finance to seek judicial review of decisions of the Division of Tax Appeals Tribunal.

Temporary and Disability Assistance, Office of

State Operations (S.7500-B)

- * The Senate concurs with the Executive All Funds recommendation of \$434.8 million

Aid to Localities (S.7503-B)

- * The Senate concurs with the Executive All Funds recommendation of \$5.2 billion, with the following modifications:
 - o Denies new public assistance appropriation language allowing the Office of Temporary and Disability Assistance to withhold

- funding or deny reimbursements to local Social Services Districts that fail to develop, submit or implement a homeless outreach or services plan, or homeless services outcome reports.
- o Denies, without prejudice, public assistance appropriation language relating to a 30 percent rent cap and emergency shelter payments for persons living with medically diagnosed HIV infection, as defined by the AIDS Institute
 - o Provides the following restorations of General Fund programs:
 - \$750,000 in additional funding for the Disability Advocacy Program (DAP)
 - \$200,000 for the Council of Jewish Organizations of Flatbush
 - \$150,000 for Association of Community Employment Programs for the Homeless
 - \$25,000 for Housing and Family Services of Greater New York
 - o Provides the following restorations of Temporary Assistance for Needy Families (TANF) programs:
 - \$2.3 million for the child care facilitated enrollment demonstration project in Monroe County
 - \$1.3 million for the child care facilitated enrollment demonstration project in the Capital District and Oneida County
 - \$400,000 for the Welfare to Careers program
 - o Provides funding for the following:
 - \$20 million to increase the state Supplemental Security Income (SSI) share allowance for Adult Care Facilities
 - \$15 million to establish Home Stability Support to provide additional rental subsidies to those eligible for public assistance who are facing eviction, experiencing or at risk

of homelessness, or those facing loss of housing due to domestic violence or hazardous housing conditions

Capital Projects (S.7504-B)

- * The Senate concurs with the Executive All Funds recommendation of \$64 million

Article VII Proposal (S.7506-A)

- * PART L -- The Senate concurs with the Executive proposal to authorize the pass-through of any federal SSI COLA that becomes effective in 2019, and advances language to increase the state SSI share allowance for Adult Care facilities by \$4 per day per year, over five years.
- * PART M -- The Senate denies without prejudice the Executive proposal to authorize counties outside of New York City to provide a rental subsidy to public assistance recipients who have medically diagnosed HIV infection as defined by the AIDS Institute.

Thruway Authority

Article VII Proposal (S.7508-B)

- * PART D -- The Senate denies without prejudice the Executive proposal to allow the New York State Thruway Authority to directly administer its fiber optic network and charge fees for usage
- * NEW PART BBBB -- The Senate advances language to institute the Toll Payer Protection Act which would provide basic protections for motorist toll payers in New York State
- * NEW PART CCCC -- The Senate advances language to create a Toll

Advisory Task Force to review current toll rates and discount programs

The Senate supports maintaining one cash lane at every toll plaza along the New York State Thruway.

Transportation, Department of

Aid to Localities (S.7503-B)

- * The Senate concurs with the Executive recommendation of \$4.8 billion in State operating assistance for the Metropolitan Transportation Authority (MTA), with the following modification:
 - o Restores \$3.5 million for the Verrazano-Narrows Bridge toll rebate program to cover the \$0.24 toll increase for Staten Island residents and commercial vehicles and proposes a similar discount for Brooklyn residents
- * The Senate concurs with the Executive recommendation of \$525 million for non-MTA Downstate and Upstate transit systems, with the following modification:
 - o Provide an additional \$27 million in State operating assistance for non-MTA transit systems (\$552 million total), a five percent increase over the Executive Budget and a six percent increase over last year
- * The Senate restores the \$4 million for rural public transportation systems negatively impacted by changes in Medicaid reimbursements under the Department of Health (DOH)

State Operations (S.7500-B)

* The Senate modifies the Executive All Funds recommendation of \$386.5 million, as follows:

- o Denies the Executive proposal to transfer a portion of Department of Transportation (DOT) programs and associated revenues from the Dedicated Highway and Bridge Trust Fund to the General Fund
- o Denies the Executive proposal of 70 new full time equivalent positions

Capital Projects (S.7504-B)

* The Senate concurs with the Executive All Funds recommendation of \$5.4 billion, with the following modifications:

- o The Senate restores:
 - \$50 million for the Local Bridge NY program, including \$500,000 for a pilot program for load-testing sensors on lift bridges, for a total of \$150 million
 - \$20 million for non-MTA capital, for a total of \$104.5 million
 - \$10 million for aviation capital for the Aviation Capital Grant Program, for a total of \$27 million
- o The Senate adds:
 - \$65 million for the Consolidated Local Street and Highway Program (CHIPS) to be added to the base (\$438 million), for a total of \$503 million in CHIPS funding
 - \$11.9 million to increase the reimbursement rate to cities for maintaining State highways running through them from \$0.85 per square yard to \$1.80 per square yard

- \$1 million to conduct a statewide study to determine the number of X-Lite guardrails currently in use on local highways
- \$1 million to conduct a study on a proposed extension of the Long Island Motor Parkway in the County of Queens to extend the existing bike and walking path

Article VII Proposal (S.7508-B)

- * PART A -- The Senate denies without prejudice the Executive proposal to strengthen the State's authority to enforce Federal Motor Carrier Safety regulations and increased motor carrier penalties pending further documentation from the Executive
- * PART B -- The Senate denies the Executive proposal to authorize the State to place commercial facilities at the State's roadside rest areas
- * PART C -- The Senate modifies the Executive proposal to enhance Public Transportation Safety Board (PTSB) enforcement power in compliance with federal requirements to only encompass law created prior to April 1, 2019
- * PART E -- The Senate denies the Executive proposal to authorize DOT to collect a \$120 fee for semi - annual inspections of certain for-profit vehicles
- * PART F -- The Senate denies the Executive proposal to authorize DOT to charge for use and occupancy of fiber optic lines on DOT right of ways and to establish a uniform process for the siting of small cell wireless facilities
 - o The Senate supports making the State accessible for the installation of small cell wireless facilities with proper local

authority

- * NEW PART WWW -- The Senate advances language to allow Brooklyn residents to receive a discount under the Verrazano-Narrows Bridge toll rebate program
- * NEW PART ZZZ -- The Senate advances language to modify the composition of the Interagency Coordinating Committee on Rural Public Transportation and to require the Committee to meet and report on rural transportation in the State
- * NEW PART EEEE -- The Senate advances statutory language to increase the reimbursement rate for local governments that enter agreements with the State for the maintenance and repair of arterial highways passing through cities from \$.85 per square yard to \$1.80 per square yard
- * NEW PART FFFF -- The Senate advances language to require DOT to conduct a study on a proposed extension of the Long Island Motor Parkway in the County of Queens to extend the existing bike and walking path
- * NEW PART IIII -- The Senate advances language to require DOT to conduct a statewide study to determine the number of X-Lite guardrails currently in use on local highways

The Senate supports ensuring affordable transportation for hard working New Yorkers by creating a revenue stream with the fines collected from traffic violations in the City of New York in order to provide necessary

rider relief through fair fares for NYC transit riders, decreased express bus fares, and providing funds to freeze the next fare hike.

Veterans' Affairs, Division of

State Operations (S.7500-B)

- * The Senate concurs with the Executive All Funds recommendation of \$8.5 million

Aid to Localities (S.7503-B)

- * The Senate concurs with the Executive All Funds recommendation of \$10.7 million, with the following modifications:

- o Modifies the \$1 million appropriation related to veteran-to-veteran support services to require that \$750,000 be made available, no later than October 1, 2018, to support field service operations conducted by Congressionally Chartered Veterans' Service Organizations
- o Provides funding for the following programs:
 - \$300,000 for Warrior Salute
 - \$250,000 for the New York State Defenders' Association Veterans' Defense Program
 - \$250,000 for Legal Services of the Hudson Valley's (LSHV) Veterans and Military Families Advocacy Project
 - \$250,000 in additional funding for the Veterans' Outreach Center in Monroe County
 - \$125,000 for the Veterans of Foreign Wars Department of New York
 - \$100,000 to expand the LSHV Veterans and Military Families Advocacy Project into Westchester County
 - \$100,000 for SAGE Vets Program
 - \$50,000 for Vietnam Veterans of America New York State

Chapter

Victim Services, Office of

State Operations (S.7500-B)

- * The Senate concurs with the Executive recommendation of \$13 million

Aid to Localities (S.7503-B)

- * The Senate concurs with the Executive recommendation of \$106.7 million

Workers' Compensation Board

State Operations (S.7500-B)

- * The Senate concurs with the Executive recommendation of \$196.5 million.

Capital Projects (S.7504-B)

- * The Senate concurs with the Executive recommendation of \$20 million.

Article VII Proposal (S.7505-B)

- * PART Y -- The Senate modifies the Executive proposal to stabilize the State Insurance Fund's investment portfolio, by accepting similar legislation that would virtually accomplish the Executive intent.

Welfare Inspector General, Office of

State Operations (S.7500-B)

- * The Senate concurs with the Executive All Funds recommendation of \$1.4 million

Women's Agenda - (S.7511-B)

- * PART J -- The Senate concurs with the Executive proposal to convene a workgroup on computer science education standards.
- * PART K -- The Senate modifies the Executive proposal to create a healthy relationship program to give the State Education Department the flexibility to create a model program without more prescriptive requirements.
- * PART L -- The Senate modifies the Executive proposal to provide feminine hygiene products in schools by:
 - o Requiring such products be provided in the school building during the school day
 - o Allowing reimbursement when such products are purchased through a state contract.

Miscellaneous Items

State Operations (S.7500-B)

- * The Senate concurs with the Executive All Funds recommendation for the following reserves:
 - o \$1.6 billion for Insurance and Securities Reserve Guarantee
 - o \$500 million for Reserve for Federal Audit Disallowances
 - o \$685.5 million for Health Insurance Contingency Reserve
 - o \$192.4 million for Health Insurance Reserve Receipts Fund
 - o \$11.2 million Workers' Compensation Reserve

- * The Senate concurs with the Executive recommendation of \$1 billion for Special Federal Emergency Appropriation.
- * The Senate concurs with the Executive recommendation of \$500 million for Special Emergency Appropriation.
- * The Senate concurs with the Executive recommendation of \$200 million for Public Security and Emergency Response

Aid to Localities (S.7503-B)

- * The Senate modifies the Executive All Funds recommendation of \$69 million for the Pay for Success contingency reserve to deny new language relating to workforce development initiatives.

Article VII Proposal (S.7508-B)

- * NEW PART SSSS -- The Senate advances language to provide design-build authority for the Brooklyn-Queens Expressway project in New York City and require the placement of a police officer at every New York City school during school hours

Labor Management Committees

State Operations (S.7500-B)

- * The Senate concurs with the Executive recommendation of \$68.7 million

Revenue

The Senate denies over \$500 million of tax and fee increases proposed by the Executive for FY 2019.

The Senate will work diligently to find effective incentives to ensure changes to tax policy comport with the principles of fairness for taxpayers and fiscal prudence by taxing jurisdictions within New York State.

The Senate remains committed to discussing ways to alleviate the impact on New York State taxpayers from federal tax law changes. While the Senate denies the Executive proposal to create charitable funds, that the Executive asserts will provide relief to taxpayers whose real property tax liability exceeds \$10,000 annually, the Senate is committed to exploring proposals that would provide relief to taxpayers with higher real property tax burdens. Allowing donations to school and social services districts to lower tax liability, in light of changing federal tax policy, risks the money that participating taxpayers expend through such a proposal.

While the Senate denies the Executive proposal to create a payroll tax because it could result in lower paychecks for many hardworking New Yorkers and imposes a more complicated tax structure on employers, the Senate is willing to consider proposals that provide New York's residents opportunities to methods for mitigating their heavy tax burdens directly instead of through a system that involves a patchwork of employers across the state and could have a negative consequence on both participating employers and employees should the federal government disallow such a system.

The Senate is committed to ensuring that no individuals or businesses

are negatively impacted at the State taxation level by changes to the Federal Code.

Article VII Proposal (S.7509-B)

- * PART A -- The Senate denies the Executive proposal to cap the annual growth of STAR at zero percent.
- * PART B -- The Senate denies the Executive proposal to make participation in the Income Verification Program (IVP) mandatory.
- * PART C -- The Senate denies the Executive proposal to require the filing of RP-5217 for Co-Ops and Co-Op Shares.
- * PART D -- The Senate denies the Executive proposal to require additional reporting requirements for mobile home park owners.
- * PART E -- The Senate concurs with the Executive proposal to make various technical amendments to the Real Property Tax Law.
- * PART F -- The Senate denies the Executive proposal to alter the payment of taxes on State-owned lands.
- * PART G -- The Senate concurs with the Executive proposal to extend the telecommunications mass real property assessment program.
- * PART H -- The Senate modifies the Executive proposal to extend the statute of limitations on amended tax returns to three years by extending for one year.
- * PART I -- The Senate concurs with the Executive proposal to change yearly reporting requirements on employee wage and withholding information to quarterly reporting requirements.
- * PART J -- The Senate concurs with the Executive proposal to change the sales tax credit on food and alcoholic beverages sold for resale to an exemption.
- * PART K -- The Senate concurs with the Executive proposal to

authorize the Commissioner of Tax and Finance to release to the Comptroller information regarding fixed and final, unwarranted debts of taxpayers who have unclaimed funds with the Comptroller.

- * PART L -- The Senate denies the Executive proposal to add the Commissioner of Taxation and Finance to the list of agency heads who can access day care subsidy information for verification of child and dependent care credit claims.
- * PART M -- The Senate denies the Executive proposal to impose a 17 percent fairness fee on the difference in value between the partner's or shareholder's distributive share for performing investment services and that share when the person did not perform such services.
- * PART N -- The Senate denies the Executive proposal to allow the Commissioner of the Department of Taxation and Finance to seek judicial review of decisions of the Division of Tax Appeals Tribunal.
- * PART O -- The Senate denies the Executive proposal to amend the definition of resident individual for income tax purposes to count the days a person is present in New York while maintaining a place of abode in the state, regardless of whether or not they are domiciled in the state.
- * PART P -- The Senate concurs with the Executive proposal to decouple the calculation of New York State Empire State Child Tax Credit benefits from the federal tax code provisions in use prior to 2017.
- * PART Q -- The Senate concurs with the Executive proposal to extend the Hire-A-Vet tax credit for two years, through 2020.
- * PART R -- The Senate modifies the Executive proposal to provide a

50% increase in the amount of tax credits available for employers who hire and employ at-risk youth on a full-time or part-time basis to remove the ability to promulgate regulations on an emergency basis.

* PART S -- The Senate denies the Executive proposal to require business taxpayers who receive over an aggregate of \$2 million in certain tax credits to defer using such credits from 2018 to 2021.

* PART T -- The Senate denies the Executive proposal to extend the statute of limitations to apply for an erroneous payment of the real estate transfer tax (RETT) from two years to three years, and establishing joint and several tax liability for the grantor and grantee of a property subject to the mansion tax when the grantee failed to pay such tax.

* PART U -- The Senate denies the Executive proposal to amend the definition of "wholesale price", from the established price of the tobacco product, to the invoice price when such manufacturer or other person sells the product to a distributor by repealing the statutory presumption that in the absence of an established price of such tobacco products the wholesale price is the invoice price. And also amend the tax base to include the Federal excise tax paid by the manufacturer.

* PART V -- The Senate denies the Executive proposal to repeal the sales tax exemption on the transportation and delivery of gas and electricity sold separately from the energy commodity when sold to commercial purchasers from energy service companies.

* PART W -- The Senate concurs with the Executive proposal to replace the sales tax credit for drugs or medicine sold to or used by a veterinarian or farmer for treating livestock or poultry with a

sales tax exemption for such items.

* PART X -- The Senate concurs with the Executive proposal to allow limited partners of a limited partnership or member of an LLC to apply for an exemption from being personally and jointly and severally liable for the partnership's or the LLC's unpaid sales and use taxes.

* PART Y -- The Senate denies the Executive proposal to expand the current sales tax exemption for certain foods and drinks sold for a \$1.50 or less in vending machines, regardless of form of payment, to exempting those items sold for \$1.50 or less from machines that accept currency only, and those items sold for \$2.00 or less from machines that accept any form of payment, and to sunset the current and proposed exemption on May 31, 2020.

* PART Z -- The Senate concurs with the Executive proposal to extend the sunset date for revenue distribution provisions for Genesee, Monroe, Onondaga, and Orange counties from November 30, 2019 to November 30, 2020, to correspond with the sunset date for the local sales tax authority in those counties.

* PART AA -- The Senate denies the Executive proposal to require marketplace providers to collect sales tax on all sales of tangible personal property facilitated by the provider regardless whether the seller has nexus in New York, and to require sellers and marketplace providers who do not collect such sales tax to file information returns with the Department of Taxation and Finance regarding sales of tangible personal property delivered to purchasers in New York, and to provide an annual statement of purchase to each New York purchaser who receives such purchases in the state.

- * PART BB -- The Senate denies the Executive proposal to impose an excise tax on vapor products, regardless of the presence of nicotine in such products.
- * PART CC -- The Senate denies the Executive proposal to impose a surcharge on opioids of two cents per morphine milligram, charged on the first sale in the state, and charged to the establishment making the first sale in the state.
- * PART DD -- The Senate denies the Executive proposal to impose a 14 percent surcharge on the net underwriting gain for the sale of health insurance in New York State beginning in tax years after December 31, 2017.
- * PART EE -- The Senate modifies the Executive proposal as follows:
 - o Accepts the proposal to conduct night racing at Belmont Park racetrack
 - o Modifies the proposal to authorize New York Racing Association to retain up to 90 days of operating expenses in a reserve fund (up from 45 days in current law), by increasing the proposal to 365 days
 - o Modifies the proposal to create an Advisory Committee of interested stakeholders in horse racing to "review the present structure, operations and funding of equine drug testing and research" by adding specific industry representatives to serve on the Advisory Committee.
- * PART FF -- The Senate modifies the Executive proposal to allow breeding funds to be used for equine aftercare by specifying that up to three (3) percent of such funds may be utilized for such purposes.
- * PART GG -- The Senate concurs with the Executive proposal to extend

tax rates and certain simulcasting provisions for one year.

* PART HH -- The Senate denies the Executive proposal to eliminate the Video Lottery Gaming (VLG) hold harmless transfer provision.

* PART II -- The Senate modifies the Executive VLG rate proposal as follows:

- o Increases the VLG rate for Batavia Downs by an additional five (5) percent to create parity with the other similarly situated VLG facilities in Upstate

- o Denies the Executive proposal to retroactively eliminate the "tax parity" provisions in current law for Finger Lakes Gaming & Racetrack, Saratoga Casino and Monticello Casino & Raceway

- o Advances a new proposal to provide "hold harmless" protection to Vernon Downs, Hamburg Downs and Batavia Downs.

* PART JJ -- The Senate concurs with the Executive proposal to decouple New York State and New York City itemized deductions from the federal deductions allowable prior to 2017, to remove the federal itemization prerequisite for state itemization, and to amend the adjusted gross income calculations regarding child support and alimony payments and qualified moving expenses.

* PART KK -- The Senate modifies the Executive proposal to amend the definition of controlled foreign corporation (CFC) income to reflect changes to the new Federal Tax treatment of CFC income by making conforming changes to the New York City Administrative Code, adding language addressing Global Intangible Low-Taxed Income (GILTI), business interests deductions, and FDIC Premiums.

* PART LL -- The Senate denies without prejudice the Executive proposal to create State charitable funds for education and health

care.

- * PART MM -- The Senate denies without prejudice the Executive proposal to create a payroll tax, the Employer Compensation Expense Tax.
- * PART NN -- The Senate advances language to freeze the school property taxes of senior citizens, and subsequently phase out school property taxes for seniors over a ten year period, while also increasing the property tax relief check for qualified taxpayers by 25 percent.
- * PART OO -- The Senate advances language to make the New York state property tax cap permanent.
- * PART PP -- The Senate advances language to eliminate the two percent gross receipts tax on utilities.
- * PART QQ -- The Senate advances language to have the functions of the Public Service Commission funded exclusively by the General Fund and eliminate the 18-a assessment.
- * PART RR -- The Senate advances language to increase the private pension and retirement income exclusion from \$20,000 to \$40,000 over three years.
- * PART SS -- The Senate advances language to require an affirmative vote of two-thirds of each house of the legislature on any bill that enacts or increases a tax revenue.
- * PART TT -- The Senate advances language to establish a state spending cap and increase the state's rainy day fund from five percent of General Fund spending to ten percent.
- * PART UU -- The Senate advances language to provide certain customers of private water companies in Nassau County with a personal income tax credit for increases in water bills attributable to the private

water company's increased real property tax liability. The Senate also advances language to conduct a feasibility study on shifting service of these affected private water customers to a public utility water supplier.

* PART VV -- The Senate advances language to raise the current Personal Income Tax exemption from 5% to 20% for farms and 15% for small businesses and raises the threshold from \$250,000 to \$500,000, and expands eligibility to LLCs and all other forms of business. Lowers the corporate tax rate from 6.5% to 2.5% over a two year period, and raises the threshold from \$390,000 to \$500,000.

* PART WW -- The Senate advances language to allow real property owned by a small business to be eligible for the STAR property tax relief program.

* PART XX -- The Senate advances language to expand the scope of the minimum wage reimbursement tax credit to include wages that do not exceed fifty cents above the applicable minimum wage.

* PART YY -- The Senate advances language to expand the scope of the minimum wage tax credit to include seasonal employees who are temporarily employed by an eligible employer for a period of less than ninety days in a calendar year.

* PART ZZ -- The Senate advances language to extend the zero percent corporate franchise tax parity to all manufacturers located in New York State, regardless of how the corporate entity is organized.

* PART AAA -- The Senate advances language to provide a real property tax exemption for security cameras installed on real property owned by a public utility.

* PART BBB -- The Senate advances language to provide a sales tax

exemption for tangible personal property and services sold by a cemetery.

- * PART CCC -- The Senate advances language to extend the historic properties tax credit from January 1, 2020 to January 1, 2025, and to decouple the state credit from federal law.
- * PART DDD -- The Senate advances language to establish a clinical preceptorship personal income tax credit for health care professionals who provide preceptor instruction to students.
- * PART EEE -- The Senate advances language to establish a television writers' and directors' fees and salaries diversity credit out of the existing credit pool.
- * PART FFF -- The Senate advances language to eliminate the addback for purposes of the New York State income tax for residents of the federal depletion allowance for mining-related businesses.
- * PART GGG --- The Senate advances language to allow the spouse of a human organ donor to claim a deduction related to transportation expenses, lost wages, and lodging expenses related to the donor's transplant, and to include child care costs within the \$10,000 deduction when such costs are incurred by the organ donor and spouse of the organ donor in relation to the transplant procedure.
- * PART HHH - The Senate advances language to extend the musical and theatrical production credit and to increase the maximum amount of credits available from \$4 million to \$6 million annually.
- * PART III -- The Senate advances language to establish a college debt freedom pilot program.
- * PART JJJ -- The Senate advances language to reduce a taxpayer's federal adjusted gross income, for state personal income tax purposes, for student loan interest payments.

- * PART KKK -- The Senate advances language to establish a residential fuel oil storage tank credit.
- * PART LLL -- The Senate advances language to expand the use of life insurance for long term care.
- * PART MMM -- The Senate advances language to provide insurance corporations with a tax credit for investments made in rural business growth funds.
- * PART NNN -- The Senate advances language to provide a sales tax exemption for school buses and certain school bus related equipment.
- * PART OOO -- The Senate advances language to enact the Education Investment Tax Credit.

- * PART PPP -- The Senate advances language to authorize dealer-controlled electronic table games and establish a tax rate of ten percent for such table games.
- * PART QQQ -- The Senate advances language to provide free play parity to Upstate VLG facilities with their nearest commercial casino.
- * PART RRR -- The Senate advances language to authorize Online Poker.
- * PART SSS -- The Senate advances language to authorize minors to play charitable bingo "if accompanied by an adult".
- * PART TTT -- The Senate advances language to eliminate the stipulation that Nassau and Suffolk OTB funds in excess of the required payment to Aqueduct, Belmont and Saratoga are taken by the State, in order to provide funding for purses, horsemen and NYRA.
- * PART UUU -- The Senate advances language authorizing OTBs to distribute profits on an annual or bi-annual basis, instead of quarterly, if approved by their Board.
- * PART VVV -- The Senate advances language to codify the Racing Fan

Advisory Council in statute.

- * PART WWW -- The Senate advances language to establish the Advisory Council on Retired Racehorses.
- * PART XXX -- The Senate advances language to authorize expanded Sports Betting, including mobile wagering online.
- * PART YYY -- The Senate advances language to authorize the Jockey Injury Compensation Fund to pledge as collateral up to 10 percent year from the NYRA purse account to obtain a letter of credit to be used to obtain workers' compensation self insurance, and permit the Fund to continue to use up to \$2 million from the unpaid purse cushion account to pay for the cost of such insurance.
- * PART ZZZ -- The Senate advances language to exempt coin-operated tire inflation equipment from sales and use taxes.
- * PART AAAA -- The Senate advances language to extend the time newly constructed farm buildings can qualify for a real property tax exemption by ten years, until January 1, 2029.
- * PART BBBB -- The Senate advances language to align the New York State 529 Plan program with changes made at the Federal level.
- * PART CCCC -- The Senate advances language to bring combat sports into tax parity with boxing.
- * PART DDDD -- The Senate advances language to establish a tax checkoff to the General Fund for individuals who do not feel that New York State taxes are high enough.
- * PART EEEE -- The Senate advances language to create the empire state digital gaming media production tax credit.
- * PART FFFF -- The Senate advances language to establish an appeals bond cap for companies participating in the Master Settlement Agreement.

* PART GGGG -- The Senate advances language to provide that a portion of the local hotel occupancy tax in a city having a population of one million or more shall be dedicated to promoting tourism within each individual borough of such city.