

**Conference Committee Summary
State Fiscal Year 2012-13**

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PUBLIC PROTECTION & GENERAL GOVERNMENT

By Agency

**SFY 2012-13 Conference Committee Summary
Alcoholic Beverage Control**

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

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**SFY 2012-13 Conference Committee Summary
Department of Audit and Control**

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

State Operations

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

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**SFY 2012-13 Conference Committee Summary
Division of the Budget (DOB)**

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

State Operations

- A General Fund appropriation for personal and non-personal service under DOB contains four Interchange and Transfer Authority provisions which allow for the interchange, transfer and suballocation of state operations support between and within state agencies to more efficiently perform common administrative functions. Specifically this language provides for the following:
 - the Office of General Services (OGS) Interchange and Transfer Authority allows DOB to transfer funds in order to consolidate administrative functions such as procurement, human resources and facility, real estate and fleet management;
 - the IT (Information Technology) Interchange and Transfer Authority allows DOB to transfer funds to reduce outdated and duplicative IT infrastructure and processes;
 - the Call Center Interchange and Transfer Authority allows DOB to transfer funds to reduce the number of state call centers to no more that four;
 - and the Alignment Interchange and Transfer Authority allows DOB to transfer funds among the Office of Mental Health, the Office for People with Developmental Disabilities, the Office of Alcoholism and Substance Abuse Services, the Department of Health and the Office of Children and Family Services to consolidate functions including background checks and workforce training, auditing and certification, and the coordination of complaints and reports.
- The Legislature provides \$479,000 in additional funding for contractual services in the Budget Division Program for fees in membership organizations.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**SFY 2012-13 Conference Committee Summary
Department of Civil Service**

The Legislature provides an All Funds appropriation of \$56,671,000.

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

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

**SFY 2012-13 Conference Committee Summary
Department of Corrections and Community Supervision**

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

State Operations

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

Aid to Localities

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

Capital Projects

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

Article VII

The Legislature includes new Article VII legislation to:

- require the Department of Corrections and Community Supervision to provide an annual report to the Legislature on the capacity and population of the state prison system; and
- require the Department to transfer existing Facility Parole Officers to open positions in the field before hiring new employees.

**SFY 2012-13 Conference Committee Summary
State Commission of Correction**

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

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**SFY 2012-13 Conference Committee Summary
Division of Criminal Justice Services**

The Legislature provides an All Funds Appropriation of \$271,649,000.

State Operations

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

Aid to Localities

The Legislature:

- restores support for civil and criminal legal services programs, including domestic violence legal services, in the amount of \$3,900,000 with receipts from the Legal Services Assistance Fund and \$1,218,000 from the Criminal Justice Improvement Account;
- provides an additional \$3,400,000 to support costs of DNA Databank expansion;
- provides more flexibility for funding alternatives to incarceration and re-entry programs by allowing a \$3,100,000 appropriation allocated for Re-entry Task Forces to also be available for any program that helps to reduce the risk of re-offending;
- restores funding for the New York State Defenders Association at \$2,089,000, an increase of \$1,000,000 from the Executive proposal;
- provides a total of \$1,500,000 in funding for Prisoners Legal Services, a \$500,000 increase over the Executive proposal;
- increases funding for alternatives to incarceration programs by \$1,200,000;
- provides \$1,100,000 in support of Family Court domestic violence services and domestic violence prevention training for law enforcement and judges;
- restores a legislative share of the Edward Byrne Memorial/Justice Assistance Grants at \$1,560,000;
- provides \$700,000 in reimbursement for the full amount of county expenses associated with District Attorney salaries tied to judicial pay raises;
- provides \$450,000 for legal services for immigrant students and families;

- provides \$450,000 in support for law enforcement anti-violence, anti-drug, and crime control prevention programs;
- provides \$200,000 in funding to support non-profit programs that provide post-secondary educational programs in prison;
- provides \$250,000 for stab-resistant gloves for New York City Corrections Officers;
- provides \$200,000 for Common Justice, a restorative justice program operated by the Vera Institute of Justice; and
- provides \$150,000 for Greenpoint Outreach Domestic and Family Intervention Program.

Capital Projects

- Not applicable.

Article VII

The Legislature:

- changes the effective date of the recently enacted DNA Databank legislation by two months from October 1, 2012, to August 1, 2012. The new effective date applies to both the expansion of the DNA database and to the innocence provisions included in the legislation;
- rejects the Executive proposal to establish a new criminal forfeiture mechanism at the time of sentencing;
- extends for one year the provision of law that allows a District Attorney in New York City to retain a portion of funds recovered through settlements before the filing of an accusatory instrument. The remaining funds are distributed equally to New York City and the state;
- rejects the Executive proposal to provide flexibility in the options available to courts when sentencing an individual to a term of probation and the establishment of a probation detainer warrant program; and
- includes new legislation to provide reimbursement for county District Attorney salaries and include the Public Defense Backup Center as a permissible use of the Indigent Legal Services Fund.

**SFY 2012-13 Conference Committee Summary
State Board of Elections (SBOE)**

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

State Operations

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

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**SFY 2012-13 Conference Committee Summary
Office of Employee Relations**

The Legislature provides an All Funds appropriation of \$7,892,000.

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

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

**SFY 2012-13 Conference Committee Summary
Executive Chamber**

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

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**SFY 2012-13 Conference Committee Summary
Department of Financial Services**

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

State Operations

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

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

- The Legislature rejects the Executive proposal to establish a health care exchange.
- The Legislature modifies the Executive recommendation to allow the Hospital Excess Liability Pool to remain solvent while ensuring that the physicians and dentists who need additional liability coverage will still have access to the program. The Legislature also requires the Superintendent of Financial Services and the Commissioner of Health to review the Pool and make further recommendations.

**SFY 2012-13 Conference Committee Summary
Office of General Services (OGS)**

The Assembly provides an All Funds appropriation of \$1,066,351,000.

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

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

Article VII

- The Legislature makes the following amendments to the Executive proposal in regard to reforming the state's procurement practices by:
 - amending a provision to exempt centralized contracts from pre-audit by the Office of the State Comptroller (OSC);
 - adding a qualitative factor for MWBE and small businesses in the definition of "best value";
 - authorizing the Office of General Services (OGS) to initiate and enter centralized contracts without a request by an agency and to mandate that agencies procure services from a centralized contract if one is available, except for certain entities including: the State Education Department, the Office of the Attorney General and OSC;
 - expanding the ability of non-profit organizations to purchase from state contracts;
 - allowing OGS a limited number of electronic bidding and reverse auctions to purchase commodities and services for a period of three years;

- repealing existing procurement laws relating to printing of public documents and directs OGS to assume responsibility for centralized printing contracts and enables printing to be procured on the basis of lowest cost;
- increasing the dollar thresholds above which procurements must be advertised in the procurement newsletter from \$15,000 to \$50,000 for other state agencies and \$85,000 for OGS;
- adding publication requirements for sole and single source contracts in the procurement newsletter;
- giving the Commissioner of OGS broader authority to investigate procurement activities of other agencies, except for certain entities including the State Education Department, the Office of the Attorney General and the Office of the State Comptroller; and
- providing a four year sunset on the Procurement Stewardship Act.

**SFY 2012-13 Conference Committee Summary
Division of Homeland Security and Emergency Services**

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

State Operations

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

Aid to Localities

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

Capital Projects

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

Article VII

The Legislature:

- modifies the Executive proposal relating to the State's response to disasters pursuant to the Intrastate Mutual Aid Plan (IMAP). The Legislature requires the Commissioner of the Department of Homeland Security and Emergency Services, in consultation with the commissioner of the State Education Department, to evaluate the inclusion of school districts and Boards of Cooperative Educational Services (BOCES) in IMAP and to develop a plan or process to effectuate any recommendations made to the Legislature;
- clarifies that counties not eligible for grants from the local Public Safety Answering Points (PSAPs) grant program created in State Fiscal Year 2011-12 may be reimbursed for expenses relating to local PSAP operations; and
- accepts the Executive's proposal to eliminate the Statewide Wireless Network Advisory Council.

**SFY 2012-13 Conference Committee Summary
Office of Indigent Legal Services**

The Legislature provides an All Funds appropriation of \$82,500,000.

State Operations

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

Aid to Localities

- The Legislature provides an additional \$4,000,000 from the Indigent Legal Services Fund to help improve the quality of public defense services.

Capital Projects

- Not applicable.

Article VII

- The Legislature includes the Public Defense Backup Center as a permissible use of the Indigent Legal Services Fund.

**SFY 2012-13 Conference Committee Summary
Office of the State Inspector General**

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

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**SFY 2012-13 Conference Committee Summary
Interest on Lawyers Account**

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

State Operations

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

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

- Not applicable.

SFY 2012-13 Conference Committee Summary Judicial Commissions

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

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**SFY 2012-13 Conference Committee Summary
Department of Law**

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

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**SFY 2012-13 Conference Committee Summary
Division of Military and Naval Affairs**

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

State Operations

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

Aid to Localities

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

Capital Projects

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

Article VII

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

**SFY 2012-13 Conference Committee Summary
Office for Prevention of Domestic Violence**

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

State Operations

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

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**SFY 2012-13 Conference Committee Summary
Public Employee Relations Board**

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

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**SFY 2012-13 Conference Committee Summary
Joint Commission on Public Ethics (JCOPE)**

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

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**SFY 2012-13 Conference Committee Summary
Division of State Police**

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

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

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

Article VII

- The Legislature accepts a proposal to require that a trial date for traffic infractions must be set for a date that is subsequent to initial appearance.
- The Legislature accepts the proposal to repeal the requirement that the state maintain an independent pistol and revolver ballistic identification database known as CoBIS.
- The Legislature accepts the Executive's proposal to eliminate the New York State Statewide Law Enforcement Telecommunications Committee.

**SFY 2012-13 Conference Committee Summary
Statewide Financial System (SFS)**

The Legislature provides an All Funds appropriation of \$55,000,000.

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**SFY 2012-13 Conference Committee Summary
Office for Technology**

The Assembly provides an All Funds appropriation of \$434,112,000.

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- The Legislature accepts the Executive proposal to rename the Office for Technology to the Office of Information Technology Services.

**SFY 2012-13 Conference Committee Summary
Division of Veteran Affairs**

The Legislature provides an All Funds appropriation of \$16,848,000.

State Operations

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

Aid to Localities

- The Legislature provides \$150,000 in additional support under the Veterans Counseling Services Program to restore support for following programs:
 - \$75,000 for the New York Veterans of Foreign Wars – New York City;
 - \$50,000 for the New York Veterans of Foreign Wars – Buffalo; and
 - \$25,000 for the Vietnam Veterans of America – NYS Council.

Capital Projects

- Not applicable.

Article VII

- The Legislature adopts a proposal to authorize and direct the Division of Veterans' Affairs to apply for a federal grant for the construction of a state veterans' cemetery and to contract with the County of Putnam to maintain such cemetery.

**SFY 2012-13 Conference Committee Summary
Office of Victims Services**

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

State Operations

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

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**SFY 2012-13 Conference Committee Summary
Workers' Compensation Board**

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

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- The Legislature modifies the Executive proposal to delay the repayment of certain assessments to the Uninsured Employers Fund until 2016. The Legislature instead extends such authority until 2015.

SFY 2012-13 Conference Committee Summary General State Charges

The Legislature provides an All Funds appropriation of \$2,723,186,000.

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- The Legislature modifies the Executive proposal to require employees and retirees of public authorities to contribute toward the cost of Medicare Part B premiums, as is the case with state employees and retirees. The Legislative proposal would clarify that all public authorities that are participants in the New York State Health Insurance Plan would be included under the proposal.
- The Legislature accepts the Executive's proposal to increase the payment in lieu of taxes (PILOT) made by the state to the City of Albany by \$7,850,000 for State Fiscal Year (SFY) 2012-13 and to decrease the PILOT made by the state to the City of Albany by \$7,850,000 for SFY 2032-33.
- The Legislature rejects language creating a new pension Tier VI because Tier VI legislation was signed into law on March 16, 2012.

SFY 2012-13 Conference Committee Summary Local Government Assistance

The Legislature provides an All Funds appropriation of \$855,216,000.

State Operations

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

Aid to Localities

- The Legislature adds \$40,000 to provide additional miscellaneous financial assistance to Madison and Oneida Counties.

Capital Projects

- Not applicable.

Article VII

- The Legislature modifies the Executive's proposal to authorize an accelerated payment (spin-up) of Aid and Incentives for Municipalities (AIM) for the City of Rochester to also include the twelve other eligible cities.
- The Legislature modifies the existing municipal Tax Increment Financing (TIF) program to authorize school districts to redirect a portion of their real property taxes to pay TIF bonds issued under the Municipal Redevelopment Law for designated blighted areas.
- The Legislature adds language to authorize both Nassau and Suffolk Counties to increase the number of "red light cameras" from 50 to 100 in each county.

EDUCATION, LABOR & FAMILY ASSISTANCE

By Agency

**SFY 2012-13 Conference Committee Summary
New York State Council on the Arts**

The Legislature provides an All Funds appropriation of \$41,683,000.

State Operations

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

Aid to Localities

- The Legislature provides \$4,000,000 for arts grants.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

SFY 2012-13 Conference Committee Summary City University of New York (CUNY)

The Legislature provides an All Funds appropriation of \$3,885,461,890.

State Operations

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

Aid to Localities

- The Legislature provides \$9,122,000 to increase base aid for CUNY Community Colleges, increasing support by \$150 per full-time equivalent student. This action represents the first increase to community college base aid since State Fiscal Year 2007-08.
- The Legislature restores \$544,000 in support to CUNY Child Care Centers, providing \$1,357,000 in total funding.

Capital Projects

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

Article VII

- The Legislature authorizes SUNY and CUNY to conduct a joint study regarding the issue of student remediation by November 1, 2012.
- The Legislature authorizes SUNY and CUNY to conduct a joint study examining the laws, regulations, and policies regarding community college charge back fees by September 1, 2012.

SFY 2012-13 Conference Committee Summary State Education Department

The Legislature provides an All Funds appropriation of \$50,341,613,000.

State Operations

- The Legislature accepts the Executive proposal with minor modifications to the appropriation that supports funding for the Education Law Section 3020-a (3020-a) hearing process.

Aid to Localities

- Education funding for General Support for Public Schools increases by \$805,000,000 in the aggregate.
- This additional funding will provide for a school aid increase of \$751,800,000 million in increased aid for the 2012-13 School Year (SY) over the 2011-12 SY, which includes:
 - an increase in Foundation Aid of \$111,500,000 million over the 2011-12 SY;
 - an increase in the Gap Elimination Adjustment restoration of \$400,000,000 for the 2012-13 SY; and
 - a full reimbursement of expense based aids, using revised and updated data of \$239,300,000 million for the 2012-13 SY over the 2011-12 SY.
- The Legislature reallocates \$200,000,000 million of additional Performance Grants for the State Fiscal Year (SFY) 2012-13. This funding will provide renewed support for the Foundation formula as well as an increased restoration of the Gap Elimination Adjustment.
- The Legislature accepts the Executive's proposal to provide \$50,000,000 in Performance Grants in SFY 2012-13. There is an additional \$75,000,000 for Management Efficiency and Performance Grants outside the Personal Income Growth Index that is being funded in SFY 2013-14.
- The Legislature restores \$10,220,000 to Teacher Resource and Computer Training Centers which was eliminated in the Executive budget.

- The Legislature increases Nonpublic School Aid by \$7,000,000, for a total of \$123,600,000. The Legislature also provides for a plan developed by the Commissioner of Education to meet multi-year costs.
- The Legislature increases Aid to Public Libraries by \$3,915,000, for a total of \$82,927,000.
- The Legislature increases Adult Literacy Education by \$1,000,000 in 2012-13 SY for a total of \$5,293,000.
- The Legislature provides \$3,000,000 for additional payments to the City of New York for costs relating to the transportation of students who remain at school until five o'clock in the afternoon or later for regularly scheduled academic programs.
- The Legislature increases funding for the Center for Autism and related disabilities at the State University of New York Albany by \$250,000 for a total of \$1,240,000. This includes \$500,000 in Federal IDEA funds.
- The Legislature increases the Consortium for Worker Education set aside by \$1,500,000 million to \$13,000,000.
- The Legislature provides \$450,000 for the Council for the Humanities.
- The Legislature provides \$100,000 for the New York State Historical Association for National History Day.
- The Legislature provides \$235,000 for the Just for Kids program.
- The Legislature provides \$100,000 for the North Country Cultural Center for the Arts.
- The Legislature provides \$350,000 for project community services.
- The Legislature provides \$1,000,000 for the Missing Children program.
- The Legislature provides \$750,000 for sports programs at the Yonkers City School District.
- The Legislature provides \$6,990,000 to higher education opportunity programs for a total \$55,800,000, as follows:
 - the Liberty Partnerships program is increased by \$1,700,000, providing a total appropriation of \$12,500,000;
 - the Higher Education Opportunity Program (HEOP) is increased by \$3,500,000, providing a total of \$24,300,000;

- the Science and Technology Entry Program (STEP) is increased by \$1,000,000 providing a total of \$10,800,000; and
- the Collegiate Science and Technology Entry Program (CSTEP) is increased by \$778,000, providing a total of \$8,200,000.

Capital Projects

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

Article VII

- The Legislature modifies the Executive proposal to provide that no school district is eligible to receive an increase in education funding for the 2012-13 SY unless the district has submitted documentation, approved by the Commissioner by January 17, 2013, that demonstrates full implementation of annual professional performance reviews (APPR) of teachers and principals consistent with the Education Law.
- The Legislature accepts the Executive proposal to continue the Contract for Excellence (C4E) program for certain school districts in the 2012-13 SY.
- The Legislature rejects the Executive proposal to require school districts to share in the growth above the county's share of 2011-12 SY pre-school special education program (4410) costs.
- The Legislature rejects the Executive proposal which prohibits children from receiving services from a 4410 provider if there is a "less than arms length" relationship between the provider and the child's evaluator.
- The Legislature rejects the Executive proposal to require justification when a more distant 4410 provider is chosen over a closer comparable provider.
- The Legislature accepts the Executive proposal to extend the time period for awarding Management Efficiency Grants by 120 days and award bonus points for full compliance with APPR by September 1, 2012.
- The Legislature rejects the Executive 3020-a proposal to:
 - shift the costs of the hearings to the school district and the employee's collective bargaining unit or the employee;

- authorize the Commissioner to remove hearing officers from the list of potential arbitrators for failure to comply with statutory timeliness for conducting a hearing;
 - provide a statute of limitations for hearing officers to submit claims for payment by the State Education Department;
 - authorize the Commissioner to limit the number of study hours that may be claimed; and
 - authorize the Commissioner to set maximum rates of compensation for hearing officers to provide that the rates are based on customary and reasonable fees.
- The Legislature provides that school district and employee must notify the Commissioner with their selection of a hearing officer within 15 days from receiving the list of arbitrators from the Commissioner.
 - The Legislature provides that all evidence for a 3020-a hearing must be submitted by all parties within 125 days of the filing of charges.
 - The Legislature amends the Executive 3020-a proposal relating to stenographers by requiring an accurate record of the proceedings be kept and authorizing the Department to utilize new technology to transcribe or record the hearings in an accurate, reliable, efficient and cost-effective manner.
 - The Legislature accepts the Executive proposal to regain Building Aid eligibility in cases where districts missed the final cost report filing deadline by providing for the payment through the prior year claims process and receiving traditional state aid reimbursement starting in 2013-14.
 - The Legislature provides a waiver provision which authorizes Building Aid payments in order to allow for greater flexibility for school district to begin to receive state aid on large building projects.
 - The Legislature rejects the Executive proposal to purchase school buses and equipment from a centralized state contract in order to become eligible for state reimbursement.
 - The Legislature rejects the Executive proposal to require approval by the Commissioner for school bus equipment purchases.
 - The Legislature accepts the Executive proposal to extend authorization for school districts to award contracts for the transportation of pupils pursuant to a request for proposal process for five years.

- The Legislature accepts the Executive proposal to extend a provision that mitigates the impact of federal military base closings on state aid for a period of five years.
- The Legislature continues a set aside within Employment Preparation Education (EPE) for students with high school diplomas that do not have basic skills.
- The Legislature provides authorization for school districts to use excess Employee Benefit Accrued Liability Reserve (EBALR) funds to maintain educational programming in the 2012-13 school year.
- The Legislature modifies the Executive proposal to continue the current teacher certification process for community-based organizations providing Universal Prekindergarten (UPK).
- The Legislature provides clarification of the UPK maintenance of effort provision as well as provides for the correction of certain data errors.
- The Legislature modifies the Executive proposal to continue the UPK program through 2013-14 school year.
- The Legislature requires school district to automatically enroll students in the school free meals program when a student's parents/guardians receive government food assistance.
- The Legislature provides that the school district of residence will pay student tuition to the schools for the blind and deaf beginning in the 2013-14 school year.
- The Legislature requires the New York City School District to provide transportation for students who remain at school in an instructional program until after 5:00 P.M.
- The Legislature provides school districts that did not receive transportation aid because of an inadvertent or minor error an opportunity to receive transportation aid if the district submits certain information to the Commissioner by December 31, 2012.
- The Legislature provides for APPR transition grants to pay for the cost of implementing the locally-developed components of a school district's approved plan under certain circumstances.
- The Legislature accepts the 1-year extender for:
 - Teachers for Tomorrow;
 - special education class size provisions;

- relating to conditional appointments;
 - No Child Left Behind provisions relating to supplemental educational services, safe public schools, and homeless children;
 - school bus driver training grants; and
 - Rochester City School District's authority to purchase certain health services from BOCES.
- The Legislature continues the Roosevelt Lottery Advance and requires the Roosevelt School District to submit certain financial information on a periodic basis.

SFY 2012-13 Conference Committee Summary Office of Children and Family Services

The Legislature provides an All Funds appropriation of \$3,816,626,450.

State Operations

- The Legislature agrees to modify the Executive's proposed appropriation language with regard to juvenile justice facility closures to include specific criteria to be considered in determining the closure of facilities, and to sunset the authorization to close facilities with sixty days notice on September 1, 2014.

Aid to Localities

- The Legislature agrees to provide funding for the following programs:
 - \$1,750,000 for Community Reinvestment;
 - \$1,285,544 for Youth Development and Delinquency Prevention/Special Delinquency Prevention Program (YDDP/SDPP);
 - \$1,500,000 for Safe Harbour;
 - \$757,200 for Caseload Ratio;
 - \$750,000 for 2-1-1 New York;
 - \$750,000 for Child Advocacy Centers;
 - \$750,000 for New York State Alliance of Boys & Girls Clubs;
 - \$450,000 for Settlement Houses;
 - \$214,456 for Runaway and Homeless Youth Program; and
 - \$200,000 for Center for Alternative Sentencing and Employment Services (CASES).

Capital Projects

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

Article VII

- The Legislature modifies the Executive proposal to extend Child Welfare Financing to remove all changes to reimbursement from statute.
- The Legislature accepts the Executive proposal to repeal a reporting requirement related to the Youth Center Facility Program.
- The Legislature modifies the Executive proposal to allow sharing of information related to the detention risk assessment instrument. Changes include enhancing confidentiality of such information, requiring consultation with experts on the effectiveness of the instrument and disparate impact on certain populations.
- The Legislature modifies the Executive proposal to allow OCFS to contract with BOCES to provide services in juvenile justice facilities. Changes include specifying that such contracts may only provide for special education services, and requiring a report detailing the cost effectiveness and programmatic impact of such contracts.
- The Legislature modifies the Executive proposed “Close to Home Initiative” to:
 - require additional public hearings to examine the plan for NYC to operate limited-secure facilities;
 - require notice of any transfers be provided to the attorney for the respondent and the parent;
 - retain judicial authority to order services upon placing a youth in NYC, and the authority to order specific placements in voluntary agencies outside of NYC;
 - retain judicial authority to order minimum placements of up to six months for youth placed in non-secure facilities who have committed a felony offense;
 - limit the time period under which a youth may be placed in a local detention facility pending his or her court proceeding;
 - require consultation of independent experts in the validation of the risk assessment instrument as well any disparate impact on certain populations; and,
 - require specific criteria be considered in determining the closure of facilities, and sunset such authorization to close facilities upon sixty days notice on September 1, 2014.

- The Legislature accepts the Executive proposal to repeal the Child Welfare Research Advisory Panel.
- The Legislature accepts with modifications the Executive proposal related to information regarding the Abandoned Information Protection Act provided by hospitals, so that the Office of Children and Family Services is still required to provide such information to hospitals.
- The Legislature accepts the Executive proposal to repeal the Board of Visitors.

SFY 2012-13 Conference Committee Summary Office of Temporary and Disability Assistance

The Legislature provides an All Funds appropriation of \$5,779,192,000.

State Operations

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

Aid to Localities

- The Legislature provides \$16,000,000 in funding to modify the Executive's proposed phase-in of the public assistance grant increase. The Legislature's restoration allows for a five percent increase on July 1, 2012 and an additional five percent increase on October 1, 2012, fulfilling the State's commitment to the full third and final phase of the public assistance grant increase.
- The Legislature provides \$1,500,000 in funding for the New York State Supportive Housing Program (NYSSHP) and \$1,500,000 in funding for the Solutions to End Homeless Program (STEHP).
- The Legislature provides \$250,000 in funding for the Disability Advocacy Program (DAP).
- The Legislature provides \$250,000 in funding for English as a Second Language/Adult Basic Education (ESL/ABE) classes.
- The Legislature provides \$102,000 in funding for the refugee resettlement program to be transferred to the new Office for New Americans in the Department of State.
- The Legislature provides \$16,681,000 for various Temporary Assistance to Needy Families (TANF) initiatives, including:
 - \$334,000 for Child Care SUNY/CUNY
 - Various Transportation programs:
 - \$112,000 for Community Solutions for Transportation
 - \$25,000 for Centro of Oneida
 - \$82,000 for RGRTA
 - \$144,000 for Wheels for Work

- \$102,000 for Bridge
- \$1,210,000 for Non-Residential Domestic Violence Services
- \$750,000 for Career Pathways
- \$546,000 for Displaced Homemakers
- \$500,000 for Advantage Schools
- \$950,000 for Wage Subsidy Program
- \$610,000 for Preventive Services
- \$3,000,000 for ATTAIN Technology Training
- \$800,000 for ACCESS-Welfare to Careers
- \$500,000 for Emergency Homeless Needs
- \$51,000 for Caretaker Relative/Kinship
- \$250,000 for Educational Resources
- \$200,000 for Strengthening Families through Stronger Fathers
- \$1,000,000 for Settlement Houses
- \$2,000,000 for Child Care Subsidies
- \$1,265,000 for Child Care Facilitated Enrollment
- \$250,000 for Food Pantry Initiative
- \$2,000,000 for Nurse Family Partnership

Capital Projects

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

Article VII

- The Legislature accepts the Executive proposal to implement a Social Security Income Cost of Living Adjustment beginning on or after January 1, 2013.
- The Legislature modifies the Executive proposal to phase-in the final ten percent increase to the public assistance grant over two years by providing for a five percent increase on July 1, 2012 and an additional five percent increase on October 1, 2012 to achieve full implementation within State Fiscal Year 2012-13.
- The Legislature accepts the Executive proposal for the state to administer the State Supplementation Program for Supplemental Security Income recipients.
- The Legislature accepts the Executive proposal to eliminate the Disability Advocacy Program Advisory Committee.

**SFY 2012-13 Conference Committee Summary
New York State Higher Education Services Corporation (HESC)**

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

State Operations

- The Assembly rejects an Executive proposal to move debt collection responsibilities for HESC to the Department of Taxation and Finance.

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

- Not applicable.

SFY 2012-13 Conference Committee Summary Division of Housing and Community Renewal

The Assembly provides an All Funds appropriation of \$312,937,000.

State Operations

- The Legislature reduces the Executive appropriation by \$4,795,000 for the Tenant Protection Unit. The Tenant Protection Unit will operate within existing agency resources.

Aid to Localities

The Legislature provides:

- \$10,072,000 for the Neighborhood Preservation Program;
- \$4,204,000 million for the Rural Preservation Program;
- \$4,000,000 for the Urban Initiatives Program;
- \$4,000,000 for the Rural Area Revitalization Program;
- \$3,000,000 for the Main Street Program; and
- \$742,000 for the New York City Housing Authority Tenant Pilot Program.

Capital Projects

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

Article VII

- The Legislature adds Article VII language to authorize the Housing Trust Fund to provide \$9,000,000 for mortgage foreclosure prevention services, which would be reimbursed by the Attorney General. Language would also authorize the Attorney General to provide \$6,000,000 to the Housing Trust Fund for housing and community development purposes.

**SFY 2012-13 Conference Committee Summary
Division of Human Rights**

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

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

SFY 2012-13 Conference Committee Summary Department of Labor

The Legislature provides an All Funds appropriation of \$7,479,361,000.

State Operations

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

Aid to Localities

The Legislature provides the following appropriations:

- An increase of \$2,250,000,000 for Unemployment Insurance benefits over the Executive's original submission due to the Federal extension of such benefits from March 2012 to December 2012;
- \$2,295,000 for the Workforce Development Institute;
- \$750,000 for the Chamber-On-The-Job training program;
- \$350,000 for the New York Committee on Occupational Safety and Health;
- \$300,000 for Project Referral, Information, Services, Employment (RISE);
- \$250,000 for the Summer of Opportunity Youth Employment Program-Rochester;
- \$200,000 for the Building Trades Pre-Apprenticeship program;
- \$155,000 for the Long Island office of the New York Committee on Occupational Safety and Health;
- \$100,000 for Hillside Works; and
- \$50,000 for the Rochester Tooling and Machining Institute.

Capital Projects

- Not applicable.

Article VII

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

**SFY 2012-13 Conference Committee Summary
State of New York Mortgage Agency**

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

State Operations

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

Aid to Localities

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

Capital Projects

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

Article VII

- Not applicable.

SFY 2012-13 Conference Committee Summary State University of New York (SUNY)

The Legislature provides an All Funds appropriation of \$10,208,081,800.

State Operations

- The Legislature increases support for SUNY Hospitals by \$27,756,000 to provide total funding of \$87,756,000 for State Fiscal Year (SFY) 2012-13.
- The Legislature modifies appropriation language for SUNY university-wide programs to remove several lump sum appropriations, and to provide \$250,000 to the Cornell Veterinary School. The following university-wide programs received increases from SFY 2011-12:
 - \$120,300 for Office of Diversity, Equity and Inclusion;
 - \$286,600 for Empire Innovation Program;
 - \$126,400 for College of Nanoscale Engineering; and
 - \$163,200 for High Needs Programs.
- The Legislature modifies the appropriation for Educational Opportunity Centers to allocate \$2,000,000 to ATTAIN Labs.

Aid to Localities

- The Legislature provides \$22,135,000 to increase base aid for SUNY Community Colleges, increasing support by \$150 per full-time equivalent student. This action represents the first increase to community college base aid since SFY 2007-08.
- The Legislature restores \$653,000 for SUNY Child Care Centers, providing a total of \$1,654,000 in funding.
- The Legislature provides \$300,000 for a pilot program at the Cornell Cooperative Extension.

Capital Projects

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

Article VII

- The Legislature provides language to clarify that a new round of SUNY Challenge Grants may be awarded to non-university center colleges.
- The Legislature authorizes a technical amendment to NY-SUNY 2020 (Chapter 260 of the Laws of 2011) to allow the tuition rates for non-resident undergraduate students at university centers to increase beginning with the semester following the approval of the center's master plan.
- The Legislature authorizes SUNY and CUNY to conduct a joint study regarding the issue of student remediation by November 1, 2012.
- The Legislature authorizes SUNY and CUNY to conduct a joint study examining the laws, regulations, and policies regarding community college charge back fees by September 1, 2012.

**SFY 2012-13 Conference Committee Summary
Office of Welfare Inspector General**

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

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**SFY 2012-13 Conference Committee Summary
National and Community Service**

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

State Operations

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

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

- Not applicable.

SFY 2012-13 Conference Committee Summary Higher Education

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

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- The Legislature accepts the Executive proposal to extend the Higher Education Capital Matching Grant Program until March 31, 2013.
- The Legislature modifies the Executive proposal to authorize the development of a master agreement, subject to the review and approval of the Comptroller, and the use of memoranda of understanding between state agencies and Cornell University, to facilitate the provision of services and technical assistance to the state.
- The Legislature modifies the Executive proposal to allow the Commissioner of Education, in consultation with the Commissioner of Health, to promulgate rules and regulations requiring certain pharmacies to provide translation and interpretation services to limited English proficient (LEP) individuals in order to ensure that they understand health and pharmaceutical information.

HEALTH & MENTAL HYGIENE

By Agency

SFY 2012-13 Conference Committee Summary Office for the Aging

The Legislature provides an All Funds appropriation of \$244,057,100.

State Operations

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

Aid to Localities

- The Legislature agrees to restore \$458,000 to the Naturally Occurring Retirement Communities (NORC) and Neighborhood NORC program.
- The Legislature provides an additional \$1,135,000 to support the Community Services for the Elderly (CSE) and Expanded In-home Services for the Elderly (EISEP) programs.

Capital Projects

- Not applicable.

Article VII

- The Legislature provides \$30,600,000 to restore Elderly Pharmaceutical Insurance Coverage (EPIC) for drugs on a participant's Part D formulary during the initial coverage and catastrophic phases of Medicare Part D. Participants, instead of paying the Part D co-payment which is a percentage of a drug's cost, will only be responsible for the EPIC co-payment that will be no higher than \$20.

**SFY 2012-13 Conference Committee Summary
Development Disabilities Planning Council**

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

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

SFY 2012-13 Conference Committee Summary Department of Health

The Assembly provides an All Funds appropriation of \$108,986,158,815.

State Operations

- The Legislature eliminates \$2,200,000 in appropriation authority related to the removal of language regarding the rejection of an Electronic Death Registration System.

Aid to Localities

Medicaid Global Cap

The Legislature provides:

- \$34,300,000 to reject the Executive proposal to eliminate spousal refusal;
- \$3,100,000 related to reinstating prescriber prevails for anti-psychotic drugs; and
- \$2,600,000 to restore the definition of “estate.”

The Legislature includes savings of:

- \$15,000,000 related to a reduction in supportive housing funding;
- \$12,500,000 related to federal limits on Medicaid clinic reimbursement;
- \$6,800,000 related to a reduction in vital access provider pool payments;
- \$4,300,000 related to eliminating funding for dentist tobacco cessation; and
- \$1,400,000 related to a delay in establishing facilitated enrollers for the elderly and disabled.

Public Health Program

The Legislature provides:

- \$30,600,000 for the Elderly Pharmaceutical Insurance Program for coverage of Medicare Part D co-payments;
- \$10,000,000 for Home and Personal Care Worker Benefits;

- \$5,000,000 to restore support for the Tobacco Prevention and Control Program to prior year funding levels;
- \$2,000,000 for the hospitals operated by the State University of New York;
- \$2,000,000 in additional funding for infertility programs;
- \$750,000 for Family Planning Services;
- \$557,000 for School Based Health Centers;
- \$525,000 for HIV/AIDS Community Service Programs (CSP);
- \$525,000 for HIV/AIDS Multi Service Agencies (MSA);
- \$500,000 for the Nurse Family Partnership;
- \$500,000 for Women’s Health Initiatives;
- \$452,000 for Public Education for Pain Management;
- \$372,000 for the Niagara Health Quality Coalition;
- \$300,000 for the Maternity and Early Childhood Foundation;
- \$250,000 for the Pluta Cancer Center;
- \$226,000 for Pain Management Continuing Education
- \$50,000 for the Breast Cancer Network; and
- \$50,000 for a Telehealth study.

The Legislature rejects the Child Health Plus insurance coverage for the Early Intervention program and eliminates a \$1.2 million appropriation for this purpose.

Capital Projects

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- The Legislature sets aside \$25,000,000 in Health Care Efficiency and Affordability Law of New Yorkers (HEAL-NY) funding for the Roswell Park Cancer Institute.

Article VII

PART A – Modify the Early Intervention (EI) Program

The Legislature accepts Article VII legislation that would:

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

The Legislature modifies Article VII legislation that would:

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

The Legislature rejects Article VII legislation that would:

- require EI program evaluators to belong to the provider network of the parents' HMO or other insurer;
- authorize representatives of third party payors to attend IFSP meetings;
- require children enrolled in EI that are covered under a third party payor plan that provides coverage for EI services to receive such services from an provider within such plan's network except under certain circumstances;

- allow New York State to increase the percentage of state aid reimbursement to municipalities for EI respite services at the discretion of DOH and with DOB approval;
- require an arms-length relationship between an evaluator, service coordinator, and EI provider;
- require all approved evaluators and EI providers to maintain contracts with a sufficient number of insurers;
- require the Child Health Plus program to cover EI services;
- require third party payors to make available an adequate number of EI service providers consistent with EI program enrollment and require third party payors to make the list of EI providers publicly available and to review it quarterly;
- require insurers to pay in-network provider rates negotiated between the provider and the insurer and require out-of-network providers to be reimbursed at rates set by DOH;
- prohibit third party payors from denying EI service claims; provide that covered EI services do not count toward an established maximum annual or lifetime monetary limit but be subject to an insurer's policy or visit limitations; and to require insurance providers to provide municipalities and service coordinators with information on the extent of benefits within 15 days.

Part B –Roswell Park Cancer Institute (RPCI)

- The Legislature recommends Article VII legislation that would modify the Executive proposal to require RPCI to become financially and operationally independent from the DOH by March 31, 2014, as a condition of receiving state funding authorized under the HCRA and HEAL-NY.

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

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

Part D – Implement Medicaid Redesign Team Recommendations

The Legislature accepts Article VII legislation that would:

- authorize assisted living programs (ALPs) to contract with multiple long-term home health care programs, certified home health agencies and/or other qualified providers;
- expand Medicaid program coverage to the following services: podiatry visits for adults with diabetes mellitus, services provided by certified lactation consultants to pregnant and postpartum women, harm reduction counseling and services, and services to promote care coordination and integration for individuals with hepatitis C;
- authorize enhanced Medicaid payments for dually enrolled (Medicaid/Medicare) patients receiving treatment in chemical dependence outpatient clinic and opioid treatment programs licensed by the Office of Alcoholism and Substance Abuse Services;
- authorize the Commission of Health (COH) to provide grants for coordination of services by community based organizations among providers and plans using health information technology and uniform screening criteria for prenatal risk;
- establish the Primary Care Service Corps Loan Repayment Program for non-physician practitioners who agree to practice full-time in an underserved area of the state;
- allow monies of the Medical Indemnity Fund that are not required for immediate use to be invested in obligations of or guaranteed by the United States, with the proceeds of any such investments to be retained by the Fund;
- eliminate the requirement that providers issue written notice to DOH for repair or maintenance projects under \$6 million;
- clarify that allocations for home care workforce recruitment and retention funds shall be made “up to” the amounts specified in existing language;
- expand beyond New York City the local school districts and social services districts with which the state will share a certain level of savings realized as a result of the use of certified public expenditures in relation to school supportive health services;
- reinstate mandatory generic substitution for drugs dispensed to Medicaid enrollees, except for brand name drugs that the COH may choose to exempt;

- limit the Medicaid co-insurance for Medicare covered Part B services when the total co-insurance amount would exceed the amount Medicaid would have paid using a Medicaid rate for all qualified individuals, not just persons who are dually eligible for Medicaid and Medicare;
- clarify the existing six-year statute of limitations on audits under the Health Care Reform Act (HCRA) and limit the time for providers to make amendments to their cost reports to the same six-year period;
- accept the Executive proposal to require electronic reporting and certification of reports by providers for the health facility cash assessment program and hospital quality contributions;
- accept the Executive proposal to permit licensed home care service agencies to contract with Medicaid managed care or managed long term care plans and to bill Medicaid directly in order to temporarily serve Medicaid recipients who transition to fee-for-service from managed care or managed long-term care;
- accept the Executive proposal to clarify provisions requiring managed care plans and managed long-term care plans to offer the consumer directed personal care program to their enrollees;
- extend for an additional year the authorization for the COH to implement a Medicaid Savings Allocation Plan to maintain spending within the Medicaid Spending Cap and allow the Director of Budget to modify the cap to reflect reductions in local district claiming for Medicaid administration, consistent with the phased takeover by the state of local government Medicaid administration;
- eliminate an across-the-board reduction in the Early Intervention Program payments, avoiding a duplicative rate reduction on such payments;
- modify the time frames for effective date of third party payor revocation of their decision to make payments on surcharges and assessments on an aggregated basis to be effective on a monthly rather than a quarterly basis; and
- prohibit local governments from claiming for expenses incurred prior to January 1, 2006, when the “local cap” statute that limited local contributions to Medicaid expenditures took effect.

The Legislature modifies Article VII legislation that would:

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

The Legislature rejects Article VII legislation that would:

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

The Legislature adds Article VII legislation that would:

- repeal provisions of the 2011-12 state budget that expanded the definition of “estate” to include assets that normally bypass probate for the purposes of Medicaid recovery;
- restore prescriber prevails in Medicaid managed care for anti-psychotic drugs;
- require the COH to track and report on consumer experiences in the transition to managed long term care;
- require the COH to develop transition and continuity of care policies for participants in home and community based long-term care;
- allow certain Article 28 facilities currently operating a long-term home health care program to transition to providing certified home health care services;
- require DOH to consult with stakeholders to address concerns regarding nursing home capital financing in managed long-term care;
- require the Office of the Medicaid Inspector General to post administrative law judge decisions on the website;
- codify existing Enhances Quality of Adult Living (EQUAL) program regulations in statute;
- limit the use of specialty drug lists that require Medicaid managed care recipients to use mail order for certain prescriptions;
- establish a workgroup on Medicaid payment for services for medically fragile children to make recommendations on the adequacy of Medicaid payment rates to certain pediatric providers;
- require the COH to develop a program to facilitate the use of a triage system of care in Article 28 hospital emergency rooms;
- create a workgroup to streamline the Doctors Across New York application and funding process;
- require equitable distribution of HEAL-NY funds among economic regions of the state;
- require administrative decisions regarding certificate of need for certain capital projects of Article 28 clinic to be determined within 90 days;

- create a Prescription Pain Medication Awareness Program to educate health care workers and the public about the dangers of addiction to prescription drugs; and
- create a Telemedicine Demonstration Program in certain counties to study the cost effectiveness of telemedicine in regards to heart disease and diabetes.

Part E – Establish a New York State Health Benefit Exchange

- The Legislature removes Article VII legislation that would establish the New York Health Benefit Exchange.

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

The Legislature accepts Article VII legislation that would:

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

The Legislature modifies Article VII legislation that would:

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

Part G – Extend the authority for previously enacted Medicaid initiatives

- The Legislature accepts Article VII legislation that would extend certain hospital rate adjustments for potentially preventable re-admissions and negative outcomes until March 31, 2013.
- The Legislature modifies Article VII legislation that would extend certain provisions of the preferred Drug Program temporarily by providing for a permanent extension.

Part Elderly Pharmaceutical Insurance Coverage (EPIC) Program

- The Legislature restores EPIC coverage for drugs on a participant's Part D formulary during the initial coverage and catastrophic phases of Medicare Part D. In doing so, the participants, instead of paying the Part D co-payment which is a percentage of a drug's cost, will only be responsible for the EPIC co-payment that will be no higher than \$20.

Merge State Entities

- The Legislature accepts Article VII legislation that would merge the Breast and Cervical Cancer Detection and Education Program Advisory Committee and the Ovarian Cancer Information Advisory Committee to create the new Breast, Cervical, and Ovarian Cancer Detection and Education Program Advisory Council.
- The Legislature rejects Article VII legislation that would merge the four related emergency medical services boards: the State Emergency Medical Services Council, the State Trauma Advisory Committee, the Emergency Medical Services for Children Advisory Committee, and the State Emergency Medical Advisory Committee, to create the NYS Emergency Medical Services Advisory Board.

**SFY 2012-13 Conference Committee Summary
Office of the Medicaid Inspector General (OMIG)**

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

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- The Legislature requires OMIG to post on it's internet website all final determinations issued by administrative law judges in connection with any actions taken by the Office.

**SFY 2012-13 Conference Committee Summary
Department of Mental Hygiene**

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

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**SFY 2012-13 Conference Committee Summary
Office for Alcoholism and Substance Abuse Services (OASAS)**

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

State Operations

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

Aid to Localities

- The Legislature rejects the Executive proposal to transfer the Alcohol and Drug Rehabilitation Program from the Department of Motor Vehicles to OASAS.
- The Legislature provides a \$14,859,531 sub-allocation within school prevention funding to the New York City Department of Education for school district employees who work as Substance Abuse Prevention and Intervention Specialists.

Capital Projects

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

Article VII

- The Legislature modifies the Executive proposal by suspending the Human Services Cost of Living Adjustment for one year.
- The Legislature accepts the Executive proposal to facilitate the integration of physical and behavioral health services by enabling two or more of the Commissioners of the Department of Health, the Office of Mental Health, OASAS, the Office for People With Developmental Disabilities to waive duplicative regulatory requirements.
- The Legislature accepts the Executive proposal to create a Behavioral Health Services Advisory Council.

**SFY 2012-13 Conference Committee Summary
Office of Mental Health (OMH)**

The Enacted Budget provides an All Funds appropriation of \$3,536,366,000.

State Operations

- The Legislature makes \$3,900,000 in restorations to reflect the rejection of several Article VII actions pertaining to the Sex Offender Management Treatment Act (SOMTA).
- The Legislature provides \$1,100,000 to reject an Executive proposal to include local correctional facilities as appropriate institutions for incapacitated individuals awaiting trial.

Aid to Localities

- The Legislature provides \$800,000 for veteran's peer-to-peer pilot programs and \$500,000 for Veteran's Health Services.
- The Legislature provides \$800,000 for demonstration programs for counties impacted by facility closures in SFY 2011-12.
- The Legislature provides \$100,000 for the North Country Behavioral Health Network.

Capital Projects

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

Article VII

- The Legislature modifies the Executive proposal by suspending the Human Services Cost of Living Adjustment for one year.
- The Legislature accepts the Executive proposal to provide a four-year extension of the Comprehensive Psychiatric Emergency Program (CPEP).
- The Legislature accepts the Executive proposal to facilitate the integration of physical and behavioral health services by enabling two or more of the Commissioners of Department of Health, OMH, Office of Alcoholism and

Substance Abuse Services and Office for People With Developmental Disabilities to waive duplicative regulatory requirements.

- The Legislature modifies the Executive proposal to provide for educational services to children in OMH-operated psychiatric centers to ensure no additional costs are passed on to local school districts.
- The Legislature rejects the Executive proposal to remove Kingsboro Psychiatric Center from the list of OMH hospitals.
- The Legislature modifies language related to the consolidation of Bronx, Queens and Brooklyn Children's Psychiatric Centers to ensure the continuation of services as each site.
- The Legislature rejects the Executive proposal to permanently repeal the 12 month notice for mental health facility closures and includes a 45 day notice for facility restructuring and a 75 day notice for facility closures.
- The Legislature rejects the Executive proposal to allow OMH to contract with non-agency personnel for the care, treatment and provision of appropriate security services of persons civilly confined under SOMTA.
- The Legislature modifies the Executive proposal to allow offenders who have not yet reached their maximum expiration date of sentence to remain in prison despite their lawful release, but pending outcome of the civil commitment proceeding, to instead allow such offenders to be returned to prison from a secure treatment facility for up to six months upon a finding that the person has been significantly disruptive of the treatment program at a secure facility.
- The Legislature modifies the Executive proposal to allow all witnesses to testify by video teleconferencing in all SOMTA proceedings except trials, to instead allow psychiatric examiners to testify by video teleconferencing in probable cause hearings under certain circumstances.
- The Legislature rejects the Executive proposal to provide that a sex offender under strict and intensive supervision and treatment who violates a condition of such supervision would be guilty of a class E felony if such a violation was intentional.
- The Legislature rejects the Executive proposal to increase the criminal penalty for a civilly confined sex offender who intentionally causes physical injury to any other person by defining such behavior as assault in the second degree rather than assault in the third degree as is the existing law.
- The Legislature agrees to permit individuals who are deemed not competent to stand trial to receive restoration services on an outpatient basis or in OMH

licensed hospital wards but rejects the Executive proposal to allow restoration at local correctional facilities.

- The Legislature accepts the Executive proposal to permit OMH to recover exempt income from certain providers of services.

**SFY 2012-13 Conference Committee Summary
Office for People with Development Disabilities (OPWDD)**

The Enacted Budget provides an All Funds appropriation of \$4,783,399,000.

State Operations

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

Aid to Localities

- The Legislature provides \$250,000 for Statewide Regional Centers for Autism Spectrum Disorders, and provides \$50,000 for the Epilepsy Foundation of Northeastern New York.

Capital Projects

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

Article VII

- The Legislature modifies the Executive proposal by suspending the Human Services Cost of Living Adjustment for one year.
- The Legislature modifies the Executive's proposal to restructure OPWDD to ensure the continuation of Developmental Disabilities Services Offices (DDSO) and to provide improved transparency and reporting.
- The Legislature accepts the Executive proposal to facilitate the integration of physical and behavioral health services by enabling two or more of the Commissioners of Department of Health, Office of Mental Health, Office of Alcoholism and Substance Abuse Services and OPWDD to waive duplicative regulatory requirements.
- The Legislature removes language that would have allowed OPWDD to establish Medicaid waiver pilot programs without a competitive process.

**SFY 2012-13 Conference Committee Summary
Commission on Quality of Care and Advocacy for Persons with Disabilities**

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

State Operations

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

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**TRANSPORTATION,
ECONOMIC DEVELOPMENT
& ENVIRONMENTAL
CONSERVATION**

By Agency

**SFY 2012-13 Conference Committee Summary
Adirondack Park Agency**

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

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

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

Article VII

- Not applicable.

SFY 2012-13 Conference Committee Summary Department of Agriculture and Markets

The Legislature provides an All Funds appropriation of \$164,246,000.

State Operations

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

Aid to Localities

- The Legislature restored funding for the following programs:
 - \$821,000 for the Farm Viability Institute;
 - \$100,000 for Long Island Rabies;
 - \$100,000 for Farm Family Assistance (Farm Net);
 - \$500,000 for Northern NY Agriculture Development;
 - \$150,000 for Equine Encephalitis;
 - \$100,000 for the Tractor Rollover Program;
 - \$100,000 for Cornell Rabies; and
 - \$100,000 for the Maple Producers.
- The Legislature adds \$3,000,000 in funding for Agricultural Economic Development.

Capital Projects

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

Article VII

- The Legislature accepts the proposal to eliminate the mandate that the NYS Agricultural Experiment Station at Cornell be the State's exclusive seed testing entity.
- The Legislature modifies the proposal to extend the Commissioner of Agriculture and Markets ability to enter into certain contracts and charge for services; the modification would limit the billing authority to federal and out-of-state entities.
- The Legislature rejects the proposal to authorize the Commissioner of Agriculture and Markets to issue a dairy research and education order.

- The Legislature accepts the proposal to redirect food safety expenses and licensing revenues currently deposited into a special revenue account into the General Fund in order to maintain existing levels of food safety inspection and oversight.
- The Legislature accepts eliminating the following boards and commissions: the Agricultural Transportation Review Panel, the Hudson Valley Agricultural Advisory Council, the Organic Food Advisory Committee, and the Animal Health Issues Committee.

SFY 2012-13 Conference Committee Summary Department of Economic Development (DED)

The Legislature provides an All Funds appropriation of \$76,050,000.

State Operations

- The Legislature provides \$1 million in operating support for Regional Economic Development Councils.
- The Legislature provides \$330,000 in support for the I Love NY Tourism and Marketing Program for a total appropriation of \$2.83 million.

Aid to Localities

- The Legislature provides support for the following programs:
 - \$3,000,000 for Tourism Marketing efforts;
 - \$775,000 for the College of Nanoscale Science and Engineering (CNSE) Institute for Nanoelectronics Discovery and Exploration;
 - \$713,000 for the Center for Advanced Interconnect System Technologies at CNSE;
 - \$500,000 for an additional Center of Excellence in Advanced Energy Research at SUNY Stony Brook;
 - \$250,000 for a Center of Excellence in Sustainable Manufacturing at the Rochester Institute of Technology;
 - \$200,000 for the newly designated Center of Excellence in Materials Informatics at the University at Buffalo; and
 - \$170,000 for Local Tourism Matching Grants.

Capital Projects

- Not applicable.

Article VII

- The Legislature accepts the Executive proposal to authorize the Linked Deposit Program to provide a three percent interest rate reduction for agricultural projects and purposes.
- The Legislature accepts the Executive proposal to eliminate the Upstate and Downstate Tourism Councils.

**SFY 2012-13 Conference Committee Summary
New York State Energy Research and Development Authority (NYSERDA)**

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

State Operations

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

Aid to Localities

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

Capital Projects

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

Article VII

- The Legislature accepts the Executive proposal to transfer \$913,000 from NYSERDA to the General Fund to fund New York's debt service obligations associated with the West Valley nuclear facility.
- The Legislature accepts the Executive proposal to continue the utility assessment pursuant to Section 18-a of the Public Service Law used to fund NYSERDA's Research, Development and Demonstration Program, as well as its Policy and Planning Program.
- The Legislature accepts the Executive proposal to authorize the Department of Health to continue financing public service education activities with revenues generated from an assessment on cable companies.
- The Legislature accepts the Executive proposal requiring NYSERDA to file a declaration of charges with local recording officers for each Green Jobs-Green New York loan repaid through an On-Bill Recovery charge.
- The Legislature establishes the Western New York Power Proceeds Allocation Board. This legislation is intended to assist qualifying businesses and non-profits within a 30-mile radius of the Niagara Power Project, by awarding New York Power Authority proceeds for infrastructure, transportation, and tourism marketing projects.

SFY 2012-13 Conference Committee Summary Department of Environmental Conservation

The Legislature provides an All Funds appropriation of \$1,046,660,000.

State Operations

- The Legislature provides \$775,000 in additional funding for the Invasive Species program, and adds \$500,000 in additional funding for Fish Stocking and Game Farms.

Aid to Localities

- The Legislature includes \$400,000 in additional funding for Cornell Integrated Pest Management, and \$500,000 in additional funding for Invasive Species.

Capital Projects

- The Legislature modifies the funding for various categories within the Environmental Protection Fund (EPF), but does not change the overall funding level.
- The Legislature rejects the Executive appropriation language that would allow the Commissioner of Agriculture and Markets to set aside up to 25 percent of Non-Point Source Abatement appropriations for significant regional or statewide projects.
- The Legislature modifies the Urban Forestry Land Acquisition requirements to allow towns with populations of 65,000 or more to access funding.

Article VII

- The Legislature accepts the Executive proposal to modify the exemption for fees related to recycled hazardous waste.
- The Legislature amends the Executive's proposal to modify various fishing and hunting provisions to increase disclosure and to remove the authorization for an extension of the surf clam and quahog fee.
- The Legislature authorizes the Department of Environmental Conservation to offer gift cards for hunting and fishing licenses and stamps.

- The Legislature extends the New York State Diesel Emissions Reduction Act compliance deadline until December 31, 2013.
- The Legislature accepts the Executive proposal to repeal various boards, commissions and advisory committees.

**SFY 2012-13 Conference Committee Summary
Environmental Facilities Corporation**

The Legislature accepts the Executive recommendation to move support for this entity off-budget.

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

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

Article VII

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

**SFY 2012-13 Conference Committee Summary
Hudson River Park Trust**

The Legislature does not provide any new appropriations for the Hudson River Park Trust.

State Operations

- Not applicable.

Aid to Localities

- Not applicable.

Capital Projects

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

Article VII

- Not applicable.

SFY 2012-13 Conference Committee Summary Division of Lottery

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

State Operations

- The Legislature accepts the Executive proposal to merge the Division of Lottery with the State Racing and Wagering Board. As such, authorization is provided to allow all appropriations, incumbrances, liabilities and obligations to be transferred to the new State Gaming Commission effective October 1, 2012.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- The Legislature modifies the Executive Budget proposal to merge the Division of Lottery with the New York State Racing Board and delays the implementation of the merger until October 1, 2012.
- The Legislature removes restrictions related to the game of Quick Draw for establishments that sell alcoholic beverages for on premises consumption. Specifically, the Legislature proposes to eliminate the requirement that such establishments have a minimum of twenty-five percent of their gross sales from the sale of food in order to qualify as a Quick Draw vendor. The enactment of this proposal is estimated to generate an additional \$11,000,000 in revenue in State Fiscal Year 2012-13 and \$22,000,000 annually thereafter.

**SFY 2012-13 Conference Committee Summary
Department of Motor Vehicles (DMV)**

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

State Operations

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

Aid to Localities

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

Capital Projects

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

Article VII

- The Legislature modifies the Executive proposal relating to commercial vehicle operators to ensure the continued receipt of \$36,000,000 in federal highway aid this year.
- The Legislature accepts the Executive proposal to authorize county clerk retention fees for DMV internet transactions.

SFY 2012-13 Conference Committee Summary Olympic Regional Development Authority

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

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.
- The Legislature allows for the operations of the Belleayre Mountain Ski Center to the Olympic Regional Development Authority (ORDA).

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

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

**SFY 2012-13 Conference Committee Summary
Office of Parks, Recreation and Historic Preservation**

The Legislature provides an All Funds appropriation of \$382,394,500.

State Operations

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

Aid to Localities

- The Legislature adds \$100,000 for the Natural Heritage Trust Program, and \$3,000,000 for parks, recreation and historic preservation projects.

Capital Projects

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

Article VII

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

**SFY 2012-13 Conference Committee Summary
Department of Public Service**

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

State Operations

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

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

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

SFY 2012-13 Conference Committee Summary New York State Racing and Wagering Board

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

State Operations

- The Legislature accepts the Executive proposal to merge the Racing and Wagering Board with the Division of Lottery to allow all appropriations, incumbrances, liabilities and obligations to be transferred to the new State Gaming Commission effective October 1, 2012.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- The Legislature accepts the Executive proposal to shift two per diem employees from the State Racing and Wagering Board to the licensed harness track to which they are assigned.
- The Legislature rejects the Executive proposal to provide that uncashed pari-mutuel vouchers would escheat to the state.
- The Legislature modifies the Executive proposal to merge the operations and regulatory functions of the Division of Lottery and Racing and Wagering Board into the New York State Gaming Commission.
- The Legislature adds a provision to allow regional off-track betting corporations to file for bankruptcy if proven financially insolvent and authorized by a majority of the participating counties in the off-track betting corporation's region; authorize off-track betting corporations to access capital acquisition funds to pay for operations; and require the Racing and Wagering Board to study the effects of advance deposit wagering on New York State horse racing and pari-mutuel handle on New York State residents.

SFY 2012-13 Conference Committee Summary Department of State

The Legislature provides an All Funds appropriation of \$139,584,828.

State Operations

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

Aid to Localities

- The Legislature provides \$4,000,000 for the Local Waterfront Revitalization program.
- The Legislature provides \$505,000 for the Public Utilities Law Project, and \$102,000 for the refugee resettlement program within the Office of New Americans.

Capital Projects

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

Article VII

- The Legislature rejects the Executive proposal to extend the licensing period for real estate brokers and security guards.
- The Legislature rejects the Executive proposal to eliminate the classification system for not for profit corporations and to reform the Department of State's role in executing service of process.

**SFY 2012-13 Conference Committee Summary
Department of Taxation and Finance**

The Legislature provides an All Funds appropriation of \$486,013,000

State Operations

- The Legislature recommends the addition of a new “New York State is Open for Business” office with an appropriation of \$250,000. Appropriations made for a range of State Operations appropriations are reduced by \$250,000 to support this new office.

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

- The Legislature amends the Executive’s proposal to authorize the Department to suspend a taxpayer’s School Tax Relief (STAR) benefits if the taxpayer owes an outstanding tax liability. The amendments require this suspension to only apply to those taxpayers owing more than \$4,500 in unpaid tax liability, and this amount would be offset by the amount by which the taxpayer’s property taxes increase as a result of the suspension of the STAR benefit.
- The Legislature recommends extending electronic filing requirements through December 31, 2013, increasing from five documents to 10 taxpayers the threshold for the activation of e-filing mandates for preparers, and repealing penalties for individuals who fail to electronically file or electronically pay personal income tax documents and liabilities. This proposal also provides that the e-filing requirements do not apply to any document that cannot be filed electronically.

**SFY 2012-13 Conference Committee Summary
Division of Tax Appeals**

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

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**SFY 2012-13 Conference Committee Summary
Thruway Authority**

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

State Operations

- Not applicable.

Aid to Localities

- Not applicable.

Capital Projects

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

Article VII

- Not applicable.

SFY 2012-13 Conference Committee Summary Department of Transportation

The Legislature provides an All Funds appropriation of \$9,617,298,700.

State Operations

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

Aid to Localities

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

Capital Projects

- The Legislature rejects the Executive proposal to reduce bus inspection requirements and maintains a biennial inspection schedule by restoring \$665,000 in funding for this purpose. An additional \$335,000 is provided to implement a performance-based inspection program to enhance bus safety.
- The Legislature rejects the insertion of interchange language allowing the Department of Transportation (DOT) to incur costs on behalf of the Thruway Authority under shared service agreements.

Article VII

- The Legislature accepts the Executive's proposal to provide \$39,700,000 in Marchiselli funding, and \$363,100,000 for the Consolidated Local Street and Highway Improvement Program (CHIPs) program and modifies the Executive proposal to authorize the use of CHIPs funds on specified road resurfacing work types by making this authorization permanent.
- The Legislature modifies the Executive proposal relating to transmission tax revenue distribution by authorizing this distribution for one year.
- The Legislature modifies the Executive proposal amending provisions of law relating to safety, hours of service and hazardous material transportation requirements for commercial motor vehicles and carriers to ensure the continued receipt of \$4,000,000 in federal grants.
- The Legislature agrees to draft a Memorandum of Understanding for the DOT State Fiscal Year 2012-13 State Highway and Bridge Program.

SFY 2012-13 Conference Committee Summary Empire State Development Corporation (ESDC)

The Legislature provides an All Funds appropriation of \$794,615,000.

State Operations

- Not applicable.

Aid to Localities

- The Legislature provides \$50,400,000 for the Empire State Economic Development Fund and \$16,200,000 for the Jobs Now Program.
- The Legislature provides support for the following:
 - \$5,000,000 for Military Base Retention efforts;
 - an additional \$4,000,000 for the Urban and Community Development Program for a total appropriation of \$7,404,000;
 - \$1,012,000 for The College of Nanoscale Science and Engineering (CNSE) Institute for Nanoelectronics Discovery and Exploration;
 - \$1,000,000 for Center State CEO;
 - an additional \$600,000 for Military Base Redevelopment;
 - an additional \$365,000 for the Minority- and Women-owned Business Development and Loan Program for a total appropriation of \$1,000,000;
 - \$350,000 for the Brooklyn Chamber of Commerce;
 - \$200,000 for the Rochester Technology and Manufacturing Association;
 - \$100,000 for the Adirondack North Country Association;
 - \$100,000 for the Women's Business Center at Canisius College; and
 - \$50,000 for a study on the redevelopment of facilities at Belmont Park.

Capital Projects

- The Legislature provides support for the following programs:
 - \$250,000,000 for the University at Albany's CNSE;
 - \$110,000,000 for the NY-SUNY 2020 Challenge Grant Program;
 - \$75,000,000 for the Buffalo Regional Innovation Cluster;
 - \$75,000,000 for the New York Works Economic Development Fund as a part of the New York Works initiative;
 - \$20,000,000 for Regional Economic Development Councils for a total appropriation of \$150,000,000; and
 - \$20,000,000 for the Empire State Economic Development Fund.
- The Legislature accepts the revival of prior year funding for the Aqueduct Racetrack.

Article VII

- The Legislature accepts with modifications the Executive proposal to permanently extend the general loan powers of the Urban Development Corporation by extending those powers for one year.
- The Legislature accepts with modifications the Executive proposal to reauthorize the Economic Development Fund; the authorization would be retroactive to State Fiscal Year 2009 and sunset in 2013.
- The Legislature rejects the Executive proposal to provide general grant powers to the Urban Development Corporation and modifies proposed appropriation language to reflect this rejection.
- The Legislature rejects the Executive proposal to eliminate the Minority and Women-owned Business Enterprise Advisory Board.
- The Legislature rejects the Executive proposal to enable the Empire State Development Corporation to sell portions of property adjacent to the Jacob K. Javits Convention Center site and to dedicate the proceeds to the General Fund.

**SFY 2012-13 Conference Committee Summary
Tribal State Compact Revenue**

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

State Operations

- Not applicable.

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**SFY 2012-13 Conference Committee Summary
Metropolitan Transportation Authority (MTA)**

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

State Operations

- Not applicable.

Aid to Localities

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

Capital Projects

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

Article VII

- The Legislature modifies the Executive proposal to increase the MTA's bond limit ceiling by \$7,000,000,000 by spreading the increase evenly over three years, bringing the bond limit to \$41,877,000,000 in 2014.
- The Legislature accepts the Executive proposal that provides funding to the MTA to reimburse Cross Bay Veterans Memorial Bridge E-Z Pass tolls paid by residents of Broad Channel and the Rockaway Peninsula.

**SFY 2012-13 Conference Committee Summary
Greenway Heritage Conservancy For The Hudson River Valley**

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

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**SFY 2012-13 Conference Committee Summary
Hudson River Valley Greenway Communities Council**

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

State Operations

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

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**SFY 2012-13 Conference Committee Summary
New York Works Task Force**

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

State Operations

- The Legislature provides \$1,000,000 for a new “New York Works Task Force.”

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

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