

**Summary of Conference Committee Agreements
State Fiscal Year 2011-12**

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**PUBLIC PROTECTION
&
GENERAL GOVERNMENT**

**Summary of Conference
Committee Agreements
By Agency**

**SFY 2011-12 Conference Committee Agreements
Office for the Prevention of Domestic Violence (OPDV)**

State Operations

- The Conference Committee agrees to add \$126,000 to restore funding levels to those in the SFY 2010-11 Enacted Budget.
- The Conference Committee agrees to move the Federal Violence Against Women Act account from OPDV to the Division of Criminal Justice Services, for a reduction of \$1.5 million.

Aid to Localities

- The Conference Committee agrees to move the Federal Violence Against Women Act account from OPDV to the Division of Criminal Justice Services, for a reduction of \$6.5 million.

Capital Projects

- The Conference Committee accepts the recommendations of the Executive proposal and recommends no changes.

Article VII

- The Conference Committee rejects the Executive proposal to merge OPDV into the Division of Criminal Justice Services.

**SFY 2011-12 Conference Committee Agreements
Alcoholic Beverage Control (ABC)**

State Operations

- The Legislature concurs with the Executive's recommendation.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

The Legislature accepts the Executive's proposal to modify the compensation structure for the Commissioners of the New York State Liquor Authority.

- Eliminates the annual salary of the Commissioners and replaces it with per diem reimbursement.
- The Chairman would be exempt from this provision.

**SFY 2011-12 Conference Committee Agreements
Department of Audit and Control (A&C)**

State Operations

- The Legislature concurs with the Executive's recommendation.

Aid to Localities

- The Legislature concurs with the Executive's recommendation.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**SFY 2011-12 Conference Committee Agreements
Banking Department**

State Operations

- The Legislature concurs with the Executive's recommendation.

Aid to Localities

- The Legislature concurs with the Executive's recommendation.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**SFY 2011-12 Conference Committee Agreements
Division of the Budget (DOB)**

State Operations

- The Legislature concurs with the Executive's recommendation.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**SFY 2011-12 Conference Committee Agreements
Department of Civil Service**

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 change the compensation for Commissioners of the State Civil Service Commission, other than the President, from an annual salary of \$90,800 to a \$250 per diem plus reimbursement for actual and necessary expenses, and recommends no changes.

**SFY 2011-12 Conference Committee Agreements
The State Commission of Correction (SCOC)**

State Operations

- The Conference Committee denies the consolidation of SCOC into the Division of Criminal Justice Services, and provides an additional \$270,000 to deny a State Operations reduction to the Commission.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- The Assembly and Senate deny the merger of SCOC into the Division of Criminal Justice Services, as noted above.

**SFY 2011-12 Conference Committee Agreements
Department of Corrections and Community Supervision (DCCS)**

State Operations

- The Legislature accepts a proposal to allow the Governor to close state correctional facilities in the upcoming State Fiscal Year once 60 days notice is provided.
- Under the Conference Committee agreement, the Division of Parole and Department of Correctional Services (DOCS) are merged into a new Department of Corrections and Community Supervision (DCCS). Legislation is included to ensure the Board of Parole maintains its independence, and preserves the Board's duties with respect to parole release determinations and revocations of supervision.

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 Division of Parole and Department of Correctional Services (DOCS) are merged into a new Department of Corrections and Community Supervision, as noted above.

**SFY 2011-12 Conference Committee Agreements
Division of Criminal Justice Services (DCJS)**

State Operations

- The proposed consolidation of the Office for the Prevention of Domestic Violence (OPDV), the Office of Victim Services (OVS), and the State Commission on Corrections (SCOC) under the Division of Criminal Justice Services (DCJS) is rejected. Under the joint agreement, the independence of each agency will be preserved to reflect the unique mission of each.

Aid to Localities

- The joint agreement rejects the consolidation of several local assistance projects into a single grant pool and instead, provides discrete levels of funding for each entity that was supported last year. A \$3 million restoration is also provided to reduce year-to-year reductions by one-third. Among other things, these restorations include:
 - Operation IMPACT (\$15.2 million);
 - Local Probation Aid (\$44.1 million);
 - Westchester County Policing (\$2 million); and
 - Alternatives to Incarceration projects (\$13.5 million).
- Prior year allocations for criminal and civil legal services are fully restored to a level of \$2,886,000.
- Support for domestic violence legal services is restored to a level of \$2,468,000;
- An additional \$1 million is included to provide legal services to persons re-entering communities from state facilities.
- An additional \$250,000 is provided to the New York State Defenders Association.

Capital Projects

- Not applicable.

Article VII

- The joint agreement accepts an Executive proposal to extend various criminal justice programs for an additional three years.
- The agreement also modifies a proposal to allow district attorneys to retain certain amounts of pre-indictment settlement funds.

**SFY 2011-12 Conference Committee Agreements
State Board of Elections (SBOE)**

State Operations

- The Legislature concurs with the Executive's recommendation.

Aid to Localities

- The Legislature concurs with the Executive's recommendation.

Capital Projects

- Not applicable.

Article VII

- The Legislature rejects the Executive's proposal which repeals language requiring the State Board of Elections to annually compile revised election laws and transmit them, in hard-copy form, to each county board of election.
- The Legislature rejects the Executive's proposal, which substitutes digital for newspaper publication of certain pre- and post-election related information, such as the text of proposed ballot questions, constitutional amendments, and the results of general elections.

**SFY 2011-12 Conference Committee Agreements
Office of Employee Relations (OER)**

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 2011-12 Conference Committee Agreements
Executive Chamber**

State Operations

- The Legislature concurs with the Executive's recommendation.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

SFY 2011-12 Conference Committee Agreements Department of Financial Services (DFS)

State Operations

- The Executive recommends State Operations Special Revenue Funds – Other appropriation of \$329,430,823.
- The Legislature transfers funding and personnel for Consumer Services to the Department of State (DOS).

Aid to Localities

- The Executive recommends Aids to Localities Special Revenue Funds – Other appropriation of \$225,566,000.
- The Legislature concurs with the Executive's recommendation.

Capital Projects

- Not applicable.

Article VII

- The Agreement would, effective October 3, 2011, merge the operations of the Banking and Insurance Departments into a newly established Department of Financial Services (DFS). The Department would enforce the banking, insurance, and financial services law and have the authority to regulate certain existing and newly-created financial products and services. An Insurance Division and a Banking Division would be established within the Department, as well as a Financial Frauds and Consumer Protection Unit, which would be charged with investigating suspected financial fraud and bringing civil enforcement actions against violators. The Agreement also provides for the transfer of the functions, duties and staff of the Consumer Protection Board to the Department of State under a new Consumer Protection Division (effective April 1, 2011).

**SFY 2011-12 Conference Committee Agreements
Office of General Services (OGS)**

State Operations

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

Aid to Localities

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

Capital Projects

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

Article VII

- Not applicable.

**SFY 2011-12 Conference Committee Agreements
Division of Homeland Security and Emergency Services**

State Operations

- The Conference Committee accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Conference Committee reallocates \$9 million in existing funds to support the consolidations and operations of Public Safety Answering Points (PSAPs) in State Fiscal Year 2012-13.

Capital Projects

- The Conference Committee accepts the Executive proposal and recommends no changes.

Article VII

- The Conference Committee amends an Executive proposal to suspend an annual deposit of cellular surcharge revenue into the Emergency Services Revolving Loan Fund.

**SFY 2011-12 Conference Committee Agreements
Office of Indigent Legal Services**

State Operations

- The Conference Committee agrees to reduce support for the Office of Indigent Legal Services by \$1.5 million or half of the Executive proposed support for the Office.

Aid to Localities

- The Conference Committee accepts the Executive proposal and recommends no changes.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**SFY 2011-12 Conference Committee Agreements
Office of the Inspector General (IG)**

State Operations

- The Legislature concurs with the Executive's recommendation.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**SFY 2011-12 Conference Committee Agreements
New York Interest on Lawyer Account**

State Operations

- The Conference Committee accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Conference Committee accepts the Executive proposal and recommends no changes.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

SFY 2011-12 Conference Committee Agreements Judicial Commissions

State Operations

- The Conference Committee accepts the Executive proposal and recommends no changes.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**SFY 2011-12 Conference Committee Agreements
Department of Law**

State Operations

- The Conference Committee accepts the Executive proposal and recommends no changes.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**SFY 2011-12 Conference Committee Agreements
Division of Military and Naval Affairs (DMNA)**

State Operations

- The Conference Committee accepts the Executive proposal and recommends no changes.

Aid to Localities

- Not applicable.

Capital Projects

- The Conference Committee accepts the Executive proposal and recommends no changes.

Article VII

- Not applicable.

**SFY 2011-12 Conference Committee Agreements
Public Employment Relations Board (PERB)**

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 2011-12 Conference Committee Agreements
Commission on Public Integrity (CPI)**

State Operations

- The Legislature concurs with the Executive's recommendation.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**SFY 2011-12 Conference Committee Agreements
Division of State Police**

State Operations

- The Conference Committee accepts the Executive proposal and recommends no changes.

Aid to Localities

- Not applicable.

Capital Projects

- The Conference Committee accepts the Executive proposal and recommends no changes.

Article VII

- Not applicable.

**SFY 2011-12 Conference Committee Agreements
Statewide Financial System (SFS)**

State Operations

- The Legislature concurs with the Executive's recommendation for funding.
- However, the Legislature makes changes to the appropriation to provide for coordination and joint implementation of the Statewide Financial System by the mutual agreement of the Director of the Division of the Budget and the State Comptroller.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**SFY 2011-12 Conference Committee Agreements
Office for Technology (OFT)**

State Operations

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

Aid to Localities

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

Capital Projects

- The Legislature eliminates reappropriated funding in the amount of \$99,000,000 intended for the development of a consolidated Data Center.

Article VII

- Not applicable.

**SFY 2011-12 Conference Committee Agreements
Division of Veteran Affairs (DVA)**

State Operations

- The Legislature adds \$500,000 in funding for services and expenses related to a federally funded State Veteran's cemetery, pursuant to a chapter of the laws of 2011, and pursuant to a project approved by the United States Department of Veterans Affairs.

Aid to Localities

- The Legislature adds \$352,600 in additional funding reflecting the following actions:
 - \$75,000 for services and expenses related to the NYS veterans of foreign wars – New York City Office;
 - \$50,000 for services and expenses related to the NYS veterans of foreign wars – Buffalo Service Office;
 - \$25,000 for services and expenses of the Vietnam Veterans of America – New York State Council; and
 - \$202,600 in Grants in Aid to Localities.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**SFY 2011-12 Conference Committee Agreements
Office of Victim Services (OVS)**

State Operations

- The Conference Committee denies the consolidation of OVS into the Division of Criminal Justice Services (DCJS). Instead, the Office is maintained as a stand-alone entity, funded at State Fiscal Year (SFY) 2010-11 levels.

Aid to Localities

- Support for the OVS is maintained at State Fiscal Year (SFY) 2010-11 levels.

Capital Projects

- Not applicable.

Article VII

- The Conference Committee denies the consolidation of OVS into DCJS, as noted above.

**SFY 2011-12 Conference Committee Agreements
Workers' Compensation Board**

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 Governor's proposal which implements the findings of the Task Force on Group Self Insurance. The Legislature accepts provisions to eliminate, except under limited circumstances, the provisions of workers' compensation coverage for private employers by group self-insured trusts and removes group self-insured trusts as a separate category for workers' compensation assessments. The Legislature amends provisions related to the repeal of certain assessments on funded trusts and provides mechanisms to encourage the settlement or payment of outstanding liabilities related to underfunded trusts.

SFY 2011-12 Conference Committee Agreements General State Charges

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 that would authorize payments owed by the State for lands acquired by the Department of Environmental Conservation within the Hemlock and Canadice Lakes watershed to be made through appropriations for taxable state-owned lands pursuant to RPTL §§532 - 546 and recommends no changes.

SFY 2011-12 Conference Committee Agreements Local Government Assistance

State Operations

- The Assembly and Senate accept the Executive's proposal.

Aid to Localities

- The Assembly and Senate provided a partial restoration of \$6,267,000 for Video Lottery Terminal (VLT) aid to host municipalities. Municipalities that currently have VLT facilities will receive 45 percent of their base level aid provided in the State Fiscal Year (SFY) 2008-09 Enacted Budget.
- The Assembly and Senate restored \$1,960,000 for Miscellaneous Financial Assistance to Madison and Oneida Counties.
- The Assembly and Senate restored \$217,300 for Small Government Assistance to Essex, Franklin and Hamilton Counties.

Capital Projects

- Not applicable.

Article VII

- The Assembly and Senate modified the Executive's proposal for the Citizens Reorganization Empowerment Grants and the Citizens Empowerment Tax Credits to require that at least 70 percent of the aid be used for direct property tax relief.
- The Assembly and Senate modified the Executive's proposal for the Niagara Falls Tribal State compact by increasing the distribution of Niagara Tourism and Convention Center funds from six to seven percent, and modified the distribution splits to the City of Niagara from 75 percent/25 percent to 73.5 percent/26.5 percent.
- The Executive proposed to repeal the Industrial Development Agency (IDA) cost recovery assessment beginning April 1, 2011. The Assembly and Senate amended the proposal to retroactively repeal the assessment from April 1, 2009 and refund the annual \$5 million assessment.

**EDUCATION, LABOR
&
FAMILY ASSISTANCE**

**Summary of Conference
Committee Agreements
By Agency**

**SFY 2011-12 Conference Committee Agreements
New York State Council on the Arts**

State Operations

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

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

- The Legislature modifies the Executive's proposal to eliminate the statutory authority for the New York State Theatre Institute (NYSTI) and provide for the transfer of its rights and property to the Office of General Services (OGS). The Legislature authorizes the Commissioner of OGS to transfer all personal and real property previously owned by NYSTI to The Sage Colleges upon terms and conditions to be determined by the Commissioner.

SFY 2011-12 Conference Committee Agreements City University of New York

State Operations

- The Legislature removes \$40 million in appropriation authority from the Senior College Revenue Offset account relating to a five percent tuition increase authorized by the CUNY Board of Trustees in 2010-11.

Aid to Localities

- The Legislature restores 38 percent of the Executive Base Aid cut to CUNY Community Colleges. This results in a \$88 per FTE restoration from \$2,034 to \$2,122 providing an additional \$5.1 million.
- The Legislature adds \$544,000 for CUNY Child Care.

Capital Projects

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

Article VII

- The Legislature authorizes CUNY to: (1) purchase goods; (2) execute contracts for construction and construction-related services; and (3) execute printing contracts without prior approval of the Comptroller and Attorney General.
- The Legislature accepts authorizing the City University Construction Fund to: (1) purchase goods; and (2) execute contracts for services without prior approval of the Comptroller and Attorney General.

SFY 2011-12 Conference Committee Agreements State Education Department (SED)

Aid to Localities

- The Legislature increases education funding by \$272 million on a State Fiscal Year basis. This brings the year-to-year reduction in school aid from approximately \$929 million to \$697 million.
- The Legislature restores \$230 million for overall funding of General Support for Public Schools (GSPS) for a total of \$19.6 billion in School Year (SY) 2011-12. The Legislature provides for a two-year appropriation consistent with the Executive's proposal.
 - The restoration provides for adjustments based on need, enrollment increases, students with Limited English Proficiency, and decreases to both the minimum and maximum cuts.
- The Legislature includes a two-year appropriation for school aid which provides for an \$800 million increase in SY 2012-13. This will allow for a phase in of the Foundation Aid formula as well as a reduction in the Gap Elimination Adjustment along with the normal increase of reimbursable aids and other GSPS programs within a personal income growth cap.
- The Legislature rejects the Executive's proposal to reclassify State Supported Schools for the Blind and Deaf as approved private schools for students with disabilities, as well as changes to the funding structure and the student appointment and evaluation process. The State will fully reimburse school districts who will pay these schools in the first instance; at least 50 percent of this reimbursement would be within the same school year as districts incur the costs.
- The Legislature rejects the Executive's proposal to shift costs to school districts for the Summer School Special Education (4408) program. The Legislature restores \$57 million in SFY 2011-12 to the program which reflects an \$86 million restoration to school districts on a School Year basis.
- The Legislature restores SY \$20,440,000 to Teacher Resource and Computer Training Centers.
- The Legislature restores \$3,000,000 for Aid to Public Libraries for a total of \$79,012,000.
- The Legislature restores \$3,000,000 for Nonpublic School Aid for a total of \$103,377,000.

- The Legislature restores \$500,000 to Educational Television and Radio for a total of \$14,002,000.
- The Legislature eliminates the Executive's Local Competitive Grant program of \$1,730,000 and would restore funding for the following:
 - Primary Mental Health Project at \$894,000;
 - The National Board for Professional Teaching Standards Certification at \$368,000;
 - Mentoring and Tutoring Program at \$490,000;
 - The High Needs Nursing Program at \$941,000; and
 - The Teacher Opportunity Corp Program at \$450,000.
- The Legislature increases the Consortium for Worker Education (CWE) set aside by \$1,500,000 to \$13,000,000.
- The Legislature provides \$7,000,000 to the State Education Department (SED) for services and expenses relating to state assessments.
- The Legislature provides \$700,000 to the State Education Department (SED) for services and expenses relating to GED.

Competitive Grants

- The Legislature accepts the Executive's creation of two new competitive grant programs: the School District Management Efficiency Awards Program and the School District Performance Improvement Awards Grant, totaling \$500,000,000, and modifies the programs to be multi-year. SFY 2012-13 would mark the first year of disbursements for this program, and \$50,000,000 would be disbursed in SFY 2012-13.
 - The Legislature modifies the School District Management Efficiency Awards Program to also include school districts that have implemented efficiencies within the last three years.
 - The Legislature modifies the School District Performance Improvement Awards Grant in the following manner:
 - Includes a focus on school districts that implemented strategies for narrowing student achievement gaps and increasing academic performance in traditionally underserved student groups.
 - Grants priority for grant eligibility to districts with programs that benefit students having the greatest educational needs, including but not limited to, students in traditionally underserved student groups, students with limited English proficiency and who are

English language learners, students in poverty, students with disabilities, and students with low academic achievement.

- Expands the eligibility to include all school districts.

Capital Projects

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

Article VII

- The Legislature rejects the Executive proposal to put a statute of limitation on the calculation of the Foundation Aid base. The Legislature accepts the Executive recommendation to maintain Foundation Aid at its existing funding level in the 2011-12 School Year. However, the Legislature would allow for the phase in of Foundation Aid beginning in 2012-13. The growth in School Aid would be determined by the growth of personal income in the State.
- The Legislature would continue the Gap Elimination Adjustment (GEA) in 2012-13 at its current level and would have the opportunity to reduce the GEA in SY 2012-13 within the personal income growth cap.
- The Legislature rejects the Executive proposal to transform Building Aid from a reimbursable aid to a competitive grant program. The Legislature also rejects the Executive proposal to eliminate the use of the Select Building Aid Ratio.
- The Legislature modifies the Executive proposal to allow interchange among textbook, hardware and software aid. The Legislature would not allow school districts to spend Library Materials Aid on any of these other uses.
- The Legislature rejects the Executive proposal to change the BOCES Aid ratio beginning in the 2012-13 School Year.
- The Legislature rejects the Executive proposal to eliminate reimbursement for certain non-instructional services within BOCES.
- The Legislature rejects the Executive proposal limit the eligibility for school districts to enter into school bus leases.
- The Legislature rejects the Executive proposal to alter the eligibility for the purchase of school buses to replace an existing bus.

- The Legislature rejects the Executive proposal to penalize school districts for not adopting certain required transportation efficiencies beginning in the 2012-13 School Year.
- The Legislature rejects the Executive proposal to create a new \$1.7 million Competitive Education Improvement Performance grant.
- The Legislature continues a set aside within Employment Preparation Education (EPE) for students with high school diplomas who do not have basic skills.
- The Legislature would continue the authority of the Commissioner of Education to award discretionary grants to public educational entities pursuant to streamlined contracting procedures developed in conjunction with the Office of the State Comptroller.

**SFY 2011-12 Conference Committee Agreements
Office of Children and Family Services (OCFS)**

State Operations

- The Legislature rejects the Executive proposal to permanently repeal the 12 month notification requirement prior to the closure of OCFS operated facilities. The Legislature agrees to notwithstanding the 12 month notification requirement for this fiscal year only, and provides language that would require 60 days notice prior to facility closure. The Legislature also provides a list of criteria that must be considered by OCFS in determining facility closures.
- The Legislature agrees to modify the Executive proposal that would increase the fee for the SCR Background Check from \$5 to \$60. The Legislature provides for a more modest fee increase, from \$5 to \$25, and restores \$7.1 million for this purpose.

Aid to Localities

- The Legislature agrees to a full restoration of discretionary Title XX funding, and provide \$22.4 million for this purpose.
- The Legislature agrees to provide a \$34.6 million restoration for 18.4 percent State support for both in-state and out-of-state CSE placements.
- The Legislature agrees to reject the Executive's proposed Primary Prevention Incentive Program block grant and provides a total restoration of \$44.1 million for nine discrete prevention programs at the following appropriation levels:
 - Home Visiting - \$23,288,200, which allows New York State to maintain eligibility for federal funding from the health care reform package;
 - COPS - \$12,124,750;
 - YDDP/SDPP - \$14,121,700;
 - Runaway and Homeless Youth - \$2,355,800;
 - Settlement Houses - \$450,000;
 - Kinship - \$338,750;
 - Caseload Reduction - \$757,200;

- Hoyt Family Trust Fund - \$621,850; and
- Post-Placement Services - \$311,700.
- The Legislature agrees to provide funding for the Kinship Guardianship Assistance program out of the Foster Care Block Grant on a one-year pilot basis.
- The Legislature agrees to provide a capped appropriation of \$76.3 million for 49 percent state reimbursement for local secure and non-secure detention expenditures or 62 percent state reimbursement for local alternatives to detention expenditures.
- The Legislature agrees to provide \$8.2 million in a separate appropriation to fund the Executive's proposed Supervision and Treatment Services for Juveniles Program, effective April 1, 2011. The Legislature eliminates the 38 percent local match requirement for this fiscal year only.

Capital Projects

- The Conference Committee accepts the recommendations of the Executive proposal and recommends no changes.

Article VII

- The Legislature agrees to modify the Executive's proposal to increase the fee for the SCR Background Check from \$5 to \$60. The Legislature provides for a more modest fee increase, from \$5 to \$25, and provides \$7.1 million for this purpose.
- The Legislature rejects the Executive's proposed Primary Prevention Incentive Program.
- The Legislature agrees to provide 18.4 percent state support for both in-state and out-of-state Committee on Special Education placements.
- The Legislature agrees to modify the Executive's proposal to increase the SCR fee from \$5 to \$60, for a more modest increase to a \$25 fee.
- The Legislature agrees to modification of the Executive's proposed capped appropriation for detention expenditures.
- The Legislature rejects the Executive's proposed language that would exclude PINS youth from eligibility for state reimbursement for detention and the Supervision and Treatment Services Program.

- The Legislature agrees to expand detention placement options for PINS youth to include foster care when appropriate.
- The Legislature agrees to provide language that would require OCFS to issue an annual report on the total cost of facility operations on a calendar year basis.

**SFY 2011-12 Conference Committee Agreements
Office of Temporary and Disability Assistance (OTDA)**

State Operations

- The Conference Committee accepts the recommendations of the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature agrees to the Executive's proposed consolidation of funding for four homeless housing support programs in the Office of Temporary and Disability Assistance. A total of \$25.9 million is appropriated for the following programs:
 - Homeless Intervention Program (HIP);
 - Homelessness Prevention Program (HPP);
 - Single Room Occupancy (SRO); and
 - Operational Support for Aids Housing.
- The Legislature agrees to reject the Executive's proposal to allow for Full Family Sanctions, and provides \$7.4 million for this purpose.
- The Legislature provides \$15 million in funding for a new program for the homeless in New York City.
- The Legislature agrees to the restoration of \$24.9 million in funding for Legislative Initiatives as follows:
 - Summer Youth Employment Program - \$15,500,000;
 - Non-Residential Domestic Violence - \$510,000;
 - Child Care Demonstration Projects - \$3,395,000;
 - SUNY/CUNY Child Care - \$334,000;
 - Displaced Homemakers - \$546,000;
 - Preventive Services - \$610,000;
 - Community Solutions for Transportation - \$112,000;
 - Centro of Oneida - \$25,000;

- Rochester Genesee Regional Transportation Authority - \$82,000;
 - Wheels for Work - \$144,000;
 - BRIDGE - \$102,000;
 - Advantage After School - \$500,000;
 - Wage Subsidy Program - \$950,000;
 - Supplemental Homelessness Assistance Program (SHIP) - \$205,000;
 - ACCESS – Welfare to Careers - \$250,000;
 - Emergency Homeless Needs - \$176,000;
 - Disability Advocacy Program (DAP) - \$98,000;
 - Supportive Housing for Families and Young Adults - \$508,000;
 - Kinship - \$51,000;
 - Refugee Resettlement - \$102,000;
 - Strengthening Families Through Stronger Fathers - \$200,000; and
 - Settlement Houses - \$500,000.
- The Legislature agrees to the Executive's proposal to delay implementation of the third phase of the public assistance grant increase from July 1, 2011 to July 1, 2012.

Capital Projects

- The Conference Committee accepts the recommendations of the Executive's proposal and recommends no changes.

Article VII

- The Legislature rejects the Executive's proposal to allow for Full Family Sanctions.

- The Legislature agrees to the Executive's proposal to delay implementation of the third phase of the public assistance grant increase from July 1, 2011 to July 1, 2012.

SFY 2011-12 Conference Committee Agreements Higher Education Services Corporation (HESC)

State Operations

- The Legislature eliminates an additional \$1.5 million from the New York Higher Education Loan Program (NYHELPS) from the Executive's proposal.

Aid to Localities

- The Legislature modifies appropriation language for the Tuition Assistance Program by exempting public community colleges from the reduction of maximum TAP awards from \$5,000 to \$4,000.
- The Legislature modifies appropriation language for the Tuition Assistance Program by changing the definition of "remedial" included in the change to academic eligibility standards.
- The Legislature adds \$3.269 million to provide TAP awards for students who attend institutions not under the direct supervision of the State Education Department.

Capital Projects

- Not applicable.

Article VII

- The Legislature modifies the Executive's proposal to reduce the maximum Tuition Assistance Program (TAP) award from \$5,000 to \$4,000 for students enrolled at two-year, degree-granting institutions, (excluding nursing programs), by clarifying that public institutions are not captured.
- The Legislature accepts the Executive's proposal to modify TAP award calculations to include the first \$20,000 of private pension and annuity income for those persons 59 ½ and older.
- The Legislature accepts the Executive's proposal to modify TAP eligibility requirements so as to prohibit students who default on statutory New York State and federal student loans not guaranteed by the Higher Education Services Corporation, from receiving TAP awards until said students resolve the default.

- The Legislature accepts the Executive's proposal to modify the TAP award schedule and decrease maximum awards for married students without children from \$5,000 to \$3,025.
- The Legislature accepts with modifications the Executive's proposal to increase the credit and grade-point-average requirement for non-remedial students receiving TAP as a means of determining award eligibility.
- The Legislature accepts the Executive's proposal to eliminate TAP eligibility for graduate students.
- The Legislature adds language to provide TAP awards to students attending religious institutions that are not supervised by the State Education Department.
- The Legislature accepts the Executive's proposal to extend the Patricia K. McGee Nursing Faculty Scholarship, the Nursing Faculty Loan Forgiveness Program, the Social Worker Loan Forgiveness Program and the Regents Physician Loan Forgiveness Program until 2016.

**SFY 2011-12 Conference Committee Agreements
Division of Human Rights**

State Operations

- The Conference Committee accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Conference Committee accepts the Executive proposal and recommends no changes.

Capital Projects

- The Conference Committee accepts the Executive proposal and recommends no changes.

Article VII

- The Conference Committee accepts the Executive proposal and recommends no changes.

**SFY 2011-12 Conference Committee Agreements
Division of Housing and Community Renewal (DHCR)**

State Operations

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

Aid to Localities

- The Legislature restores the Neighborhood Preservation Program to the 2010-11 funding level of \$8,479,000.
- The Legislature restores the Rural Preservation Program to the 2010-11 funding level of \$3,539,000.

Capital Projects

- The Legislature reduces funding for the Modernization Program by \$6,400,000 and re-programs the funding as follows:
 - \$1,000,000 to the Access to Home Program;
 - \$2,200,000 to the Main Street Program; and
 - \$3,200,000 to the Low Income Housing Trust Fund Program.

Article VII

- The Legislature rejects Article VII language that would merge the Neighborhood and Rural Preservation Program into a single, competitively based program.
- The Legislature authorizes Article VII language that allows the existing balance in the Catskill Flood Remediation Home Buyout Program to be used for flood remediation activities within Ulster County.

**SFY 2011-12 Conference Committee Agreements
Department of Labor**

State Operations

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

Aid to Localities

- The Legislature provides \$3.9 million to restore prior year funding for Employment and Training Programs that were added by the Legislature, including the Displaced Homemaker Program and the Jobs for Youth Program. The Executive Budget proposed to repeal all Employment and Training Programs that were added by the Legislature in prior years.
- The Legislature provides \$2.15 million for various labor programs.

Capital Projects

- Not applicable.

Article VII

- The Legislature modifies the Executive proposal to make permanent the authorization of the Commissioner of Labor to assess employers to pay interest on unemployment insurance loans borrowed from the Federal government when the State Unemployment Insurance Trust Fund is insolvent. The Legislature extends such authority for two years.

SFY 2011-12 Conference Committee Agreements State University of New York (SUNY)

State Operations

- The Legislature restores \$60 million of the state subsidy for SUNY Hospitals eliminated in the Executive proposal.
- The Legislature provides an additional \$135 million in appropriation authority tied to additional patient revenues from SUNY Upstate's acquisition of Community General Hospital.
- The Legislature restores the \$3.8 million to the Long Island Veterans Home.
- The Legislature modifies appropriation language for Educational Opportunity Centers to allow them to expand existing funds for outreach centers including ATTAIN labs.

Aid to Localities

- The Legislature restores 38 percent of the Executive Base Aid cut to SUNY Community Colleges. This would result in an \$88 per FTE restoration from \$2,034 to \$2,122, providing an additional \$12.9 million.
- The Legislature restores \$653,000 to SUNY Child Care.

Capital Projects

- The Legislature accepts the Executive proposal and recommends no changes.
- The Legislature modifies reappropriations pertaining to the Center for Advanced Technology at SUNY-IT.
- The Legislature modifies reappropriations pertaining to the Alms House at Broome County Community College.
- The Legislature modifies various reappropriations pertaining to Stony Brook.

Article VII

- The Legislature authorizes SUNY to: (1) purchase goods; (2) execute contracts for construction and construction-related services; and (3) execute printing contracts without prior approval of the Comptroller and Attorney General;
- The Legislature authorizes the SUNY Hospitals to: (1) purchase goods and; (2) enter into joint and group purchasing arrangements for goods without prior approval of the Comptroller and Attorney General;
- The Legislature accepts the Executive's proposal to authorize SUNY Downstate Medical Center to enter into a long-term lease with a not-for-profit corporation for use of facilities to be acquired from Long Island College Hospital, including provisions for lease payments sufficient to fund the debt obligations assumed by such not-for-profit.
- The Legislature adds language to authorize SUNY Upstate Medical Center to assume and maintain all or part of the retirement plan, including benefits, for the employees of Community-General Hospital of Greater Syracuse upon their acquisition.

**SFY 2011-12 Conference Committee Agreements
State University Construction Fund**

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 authorization of the State University Construction Fund to: (1) purchase goods; and (2) execute contracts for services without prior approval of the Comptroller and Attorney General.

**SFY 2011-12 Conference Committee Agreements
Office of Welfare Inspector General (OWIG)**

State Operations

- The Conference Committee accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Conference Committee accepts the Executive proposal and recommends no changes.

Capital Projects

- The Conference Committee accepts the Executive proposal and recommends no changes.

Article VII

- The Conference Committee accepts the Executive proposal and recommends no changes.

**SFY 2011-12 Conference Committee Agreements
State of New York Mortgage Agency (SONYMA)**

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 2011-12 Conference Committee Agreements National and Community Services

State Operations

- The Conference Committee accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Conference Committee accepts the Executive proposal and recommends no changes.

Capital Projects

- The Conference Committee accepts the Executive proposal and recommends no changes.

Article VII

- The Conference Committee accepts the Executive proposal and recommends no changes.

**HEALTH
&
MENTAL HYGIENE**

**Summary of Conference
Committee Agreements
By Agency**

SFY 2011-12 Conference Committee Agreements State Office for the Aging

State Operations

- The Conference Committee accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Conference Committee rejects the proposed local competitive grant pool funding of \$1,500,000.
- The Conference Committee provides 50 percent restorations to each of the eleven eliminated aging programs, at the following levels:
 - Community Empowerment Initiative - \$122,500;
 - Congregate Services Initiative – \$403,000;
 - EAC/Nassau Respite - \$118,500;
 - Elderly Abuse Education and Outreach - \$245,000;
 - Enriched Social Adult Day Centers - \$122,500;
 - Foster Grandparent Program - \$98,000;
 - Long Term Care Senior Respite - \$71,000;
 - NY Foundation Home Sharing - \$86,000;
 - Patients' Rights Hotline - \$31,500;
 - Regional Caregiver Centers for Excellence - \$115,000; and
 - Retired and Senior Volunteer Program - \$216,500.
- The Conference Committee restores \$951,000 for the NY Connects program, (a full restoration), and transfers the program and full annual appropriation of \$3,800,000 from the Department of Health to the State Office for the Aging.

Capital Projects

- Not applicable.

Article VII

- The Human Services Cost of Living Adjustment (COLA) will be eliminated for SFY 2011-2012; and

- The Conference Committee proposes to extend the Enriched Social Adult Day Services program for an additional three years.

SFY 2011-12 Conference Committee Agreements Department of Health

State Operations

- The Legislature restores \$6.8 million to mitigate reductions to four state-operated veteran's nursing homes.
- An appropriation related to Federal health reform is amended to ensure a competitive process remains in place.
- The Legislature accepts all other recommendations of the Executive.

Aid to Localities

Medicaid

The Budget Agreement includes restorations for the following:

- An Executive proposal to impose a cap on non-economic damage awards is rejected, and \$121 million is provided to restore Financial Plan needs. The agreement preserves enactment of a Medical Indemnity Fund to provide for the medical costs of providing medical support;
- An additional \$30 million is provided to maintain the "prescriber prevails" provision under Medicaid fee-for-service;
- An additional \$28.3 million is provided to maintain the right of "spousal refusal", to prevent the unnecessary utilization of institutional long-term care;
- An Executive Proposal to increase co-payments for Medicaid and Family Health Plus, and to institute co-payments for Child Health Plus is rejected (\$7.5 million); and
- An additional \$2.5 million is provided to assign certain Federally Qualified Health Centers to the "downstate" region.
- An additional \$800,000 is provided to exempt pediatric nursing homes from a trend factor reduction.

Public Health

The Legislature restores the following:

- Elderly Pharmaceutical Insurance Coverage - \$22.3 million is provided to restore Part D premium assistance for lower-income EPIC participants;
- Roswell Park Cancer Institute is partially restored at \$7.8 million;
- A total \$5.5 million is provided to mitigate a proposed 10 percent reduction in Early Intervention (EI) rates;
- Support for NY Connects is restored at \$950,000;
- A provision to require certain EI providers to bill Medicaid directly is rejected, (\$500,000); and
- Support for the Adelphi Breast Cancer Hotline is restored at \$300,000
- In addition, language is included to ensure that certain providers funded through the AIDS Institute continue to receive State support.

Capital Projects

- The Legislature reduces current-year Health Efficiency and Affordability Law (HEAL) spending by \$40 million or 10 percent.
- The Legislature accepts all other recommendations of the Executive.

Article VII

Part A – Public Health

The Legislature:

- Amends the Executive proposal to eliminate Part D premium assistance through the EPIC program and provides only coverage gap assistance to EPIC participants;
- Amends the Executive proposal to reduce EI rates by only five percent;
- Rejects the Executive proposal to maximize commercial insurance coverage of EI services;
- Rejects the Executive proposal to require certain EI providers to bill Medicaid directly;

- Eliminates reimbursement for non-core services under the General Public Health Work (GPHW) program;
- Rejects the establishment of Local Competitive Performance Grant programs in DOH and SOFA;
- Accepts a proposal to unlink the funding for the Empire State Stem Cell Fund from any potential health-plan conversion proceeds;
- Accepts a provision to clarify the role of the Breast and Cervical Cancer Advisory Council;
- Updates and clarifies the cost components of the methodology used to finance clinical laboratories and blood banks;
- Modifies the Executive proposal to give the Commissioner of Health authority to distribute HEAL-NY funding without a competitive process;
- Extends penalties related to violation of Public Health Law or regulations for three years;
- Extends the Enriched Social Adult Day Services Demonstration Program for three years;
- Extends authorization to allow the use of Office of Professional Medical Conduct funds to support patient safety initiatives for two years;
- Extends health occupation development and workplace demonstration programs for three years;
- Extends authorization for the purchase of goods and services for state hospitals operated by DOH for four years; and
- Extends authorization for the Dormitory Authority of the State of New York to bundle certain primary care capital projects and refinance them at lower cost for four years.

Part B – Medicaid Cost Containment

- The Legislature agrees to the Executive's recommendations regarding supplemental Medicaid payments for SUNY, hospital disproportionate share (DSH) caps, Medicaid payments for Huntington's Disease, and rate adjustments for AIDS Adult Day Health Care.

Part C – Health Care Reform Act (HCRA)

- The Legislature agrees to extend HCRA and its financing components through March 31, 2014 and to amend provisions in order to maximize the use of available revenue sources.

Part D - Prior Year Cost Containment Extensions

The Legislature agrees to:

- Modify the Executive’s proposal related to various prior year cost containment initiatives to extend them for an additional two years.
- Accept the Executive’s proposal to extend authorization for DOH to establish utilization thresholds for Medicaid services through July 1, 2014.

Part H – Medicaid Redesign Team Recommendations

The Legislature agrees to:

- Eliminate inflationary trend factors, but preserve the trend for pediatric nursing homes;
- Accept the proposal to establish provider-specific aggregate annual spending caps;
- Modify the proposal to implement temporary episodic pricing methodology for Certified Home Health Agencies (CHHAs);
- Accept the proposal to authorize a study to determine actual costs incurred by school districts and counties providing school and pre-school supportive health services to leverage additional federal financial participation;
- Modify the proposal to discontinue reimbursement of equity in the capital component of the rate for proprietary nursing homes;
- Advance legislation allowing New York City HIV special needs plans to participate in a program to maximize federal reimbursements;
- Reject the proposal to eliminate “prescriber prevails” provision under Medicaid fee-for-service recipients;
- Modify the proposal related to pharmacy reimbursement and dispensing fees;
- Reject provisions that would authorize pharmacists to administer immunizations;
- Accept various changes to provisions related to the Pharmacy and Therapeutics Committee;

- Accept the elimination of Medicaid wrap-around coverage for Medicare Part D-covered pharmaceuticals;
- Accept the proposal requiring prior authorization for exempt drug classes;
- Accept the proposal to establish utilization controls for enteral formula, prescription footwear and compression stockings and require prior authorization for more than four opioid prescriptions in a thirty day period;
- Accept the proposal to establish utilization limits for physical therapy, occupational therapy, and speech therapy services;
- Reject the proposal to eliminate spousal refusal;
- Accept the proposal to authorize the State to implement behavioral health utilization controls;
- Accept the elimination of the AIDS nursing adjustment for home care services provided by a CHHA or long term home health care program;
- Reject the proposal to create a Public Health Services Corps;
- Accept the expansion of Medicaid coverage for smoking cessation counseling;
- Accept the proposal to unlink workers compensation and no fault rates from hospital inpatient rates;
- Modify the proposal to establish home care worker wage parity requirements for home and community based long-term care;
- Modify the proposal that would establish guidelines for managed care contracting with home care agencies;
- Reject a proposal that would authorize DOH to assume temporary operation of vulnerable facilities
- Modify the proposal to expand the Patient Centered Medical Homes;
- Modify the proposal to authorize regulations relating to potentially preventable conditions, inappropriate use of certain services, and audits of cost reports;
- Modify the proposal to allow the State to coordinate care for high-cost chronic populations through Health Homes;

- Advance legislation to expand the Statewide planning and research cooperative system;
- Advance legislation that would require DOH to make Medicaid waiver and plan amendment applications public;
- Accept the proposal to expand screening, brief intervention and referral to treatment (SBIRT) for alcohol or drug use beyond the emergency room setting;
- Modify the proposal to require mandatory enrollment in Medicaid managed long-term care (MLTC) for certain persons in need of home and community-based long-term care services;
- Modify the proposal to accelerate State assumption of Medicaid administration by centralizing responsibility for enrollment and disenrollment in MLTCs;
- Modify the proposal to authorize the State to contract with regional Behavioral Health Organizations to coordinate care for Medicaid recipients with behavioral health diagnoses;
- Reject Executive proposals to increase or establish co-payments for Medicaid, FHP and CHP;
- Modify the proposal to require hospitals, nursing homes, and assisted living residences to provide access to palliative care and pain management services;
- Reject the proposal to create a task force to study state-run authority for public nursing homes;
- Modify the proposal to reform medical malpractice by removing the proposed cap on non-economic damage award, while establishing an indemnity fund for future medical costs;
- Accept the proposal to expand the definition of estate and increase asset recoveries;
- Accept the proposal to establish a “disregard” for retirement assets to incentivize participation in the Medicaid Buy-In for the Working Poor and Disabled;
- Modify the proposal to eliminate duplicative surveillance activities for laboratory and hospital psychiatric units;
- Modify the proposal to clarify adverse event reporting provisions;
- Reject the expansion of Industrial Development Agency (IDA) financing for health care facilities without adequate labor protections;

- Modify a proposal to require adverse event reporting in adult homes or residences for adults only in circumstances other than those related to the natural course of illness or disease;
- Modify the proposal to reconcile exception and conflict reports statewide;
- Accept the proposal to align Medicare Part B clinic co-insurance with Medicaid coverage and rates;
- Modify the proposal to authorize the establishment of Accountable Care Organizations (ACOs);
- Accept the proposal to extend the HCRA surcharge amnesty through December 31, 2011;
- Reject the proposal to extend the HCRA surcharge to outpatient surgery and radiation physician services, but allow for arrears to be payable without penalty.
- Accept the proposal to redesign the nursing home bed-hold policy;
- Reject provisions to allow approved DOH, OMH, OASAS and OPWDD facilities to add services licensed by another agency through an alternative process;
- Accept the proposal to establish a housing disregard as incentive to join Medicaid MLTC plans;
- Modify the proposal to expand Medicaid Managed Care enrollment and access to services by including previously exempted populations;
- Accept the conversion of certain family planning benefits to a State Plan service;
- Accept the proposal to authorize the Commissioner of Health to establish utilization thresholds for the personal care program;
- Modify the proposal that would authorize a uniform across the board reduction of two percent of Medicaid payments;
- Accept the proposal to limit year-to-year DOH State funds Medicaid spending growth to the ten-year rolling average of the medical component of the consumer price index;
- Modify the Executive proposal to cap DOH State funds Medicaid spending by limiting Executive authority to impose contingency reductions to two state fiscal years. Additionally, the revised proposal would require legislative, consumer and industry input in the development of any proposed reduction plan, as well as

advanced notification and website posting detailing the specific actions proposed to constrain Medicaid spending;

- Advance legislation that would provide supplemental payments and managed care increases for HHC and other public benefit corporation hospitals.
- Advance legislation to expand the downstate region for reimbursement of federally qualified health centers (FQHCs);
- Accept the proposal to implement a mitigation plan for nursing home rebasing and a new statewide pricing methodology by January 1, 2012;
- Accept the proposal to extend the \$210 million gross annual cap on nursing home rate increases through March 31, 2012;
- Accept the proposal to lower the nursing home rate appeals cap by \$30 million; and
- Modify the proposal to permanently extend authorization to collect nursing home gross receipts assessments, to instead sunset such authorization in two years.

**SFY 2011-12 Conference Committee Agreements
Developmental Disabilities Planning Council**

State Operations

- The Conference Committee accepts the Executive proposal and recommends no changes.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**SFY 2011-12 Conference Committee Agreements
Office of the Medicaid Inspector General (OMIG)**

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 2011-12 Conference Committee Agreements
Department of Mental Hygiene (DMH)**

State Operations

- The Conference Committee accepts the Executive proposal and recommends no changes.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**SFY 2011-12 Conference Committee Agreements
Office of Alcoholism and Substance Abuse Services (OASAS)**

State Operations

- The Conference Committee accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Conference Committee agrees to add a suballocation within school prevention funding to be allocated to the New York City Department of Education for school district employees who work as Substance Abuse Prevention and Intervention Specialists (SAPIS).

Capital Projects

- The Conference Committee accepts the Executive proposal and recommends no changes.

Article VII

- The Human Services Cost of Living Adjustment (COLA) will be eliminated for SFY 2011-2012.

SFY 2011-12 Conference Committee Agreements Office of Mental Health (OMH)

State Operations

- The Conference Committee rejects appropriation language that relates to the Executive proposal to allow for facility closures and consolidations without criteria and notice and requires certain criteria and notification periods for closures, mergers, and consolidations, but accepts appropriation levels recommended by the Executive.

Aid to Localities

- The Conference Committee accepts the Executive proposal and recommends no changes.

Capital Projects

- The Conference Committee accepts the Executive proposal and recommends no changes.

Article VII

- Medicaid eligibility will be suspended, rather than terminated for individuals in Institutions for Mental Diseases;
- The Human Services Cost of Living Adjustment (COLA) will be eliminated for SFY 2011-2012;
- Brooklyn Children's Psychiatric Center will be converted from a children's psychiatric hospital to a community-based program for children with serious emotional disturbances;
- The 12-month notification required for mental health facility closures, consolidations, and service reductions to facilities and programs operated by the Office of Mental Health will be suspended for SFY 2011-2012;
- The Office of Mental Health will be required in SFY 2011-2012 to provide 30 days notification when closing wards and 60 days notification prior to closing a facility operated by the Office of Mental Health; and

- The Office of Mental Health must also consider certain criteria prior to closing a ward or facility.

**SFY 2011-12 Conference Committee Agreements
Office for People with Developmental Disabilities (OPWDD)**

State Operations

- The Conference Committee accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Conference Committee accepts the Executive proposal and recommends no changes.

Capital Projects

- The Conference Committee accepts the Executive proposal and recommends no changes.

Article VII

- The Human Services Cost of Living Adjustment (COLA) will be eliminated for SFY 2011-2012.

**SFY 2011-12 Conference Committee Agreements
Commission on Quality of Care and Advocacy for Persons with Disabilities**

State Operations

- The Conference Committee accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Conference Committee accepts the Executive proposal and recommends no changes.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**TRANSPORTATION,
ECONOMIC
DEVELOPMENT
&
ENVIRONMENTAL
CONSERVATION**

**Summary of Conference
Committee Agreements
By Agency**

**SFY 2011-12 Conference Committee Agreements
Adirondack Park Agency (APA)**

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 2011-12 Conference Committee Agreements
Department of Agriculture and Markets**

State Operations

- The Legislature restores \$411,000 to the Pro Dairy program with the understanding that the program will be made whole to previous year funding levels of \$822,000.

Aid to Localities

- The Legislature rejects the consolidation of programs associated with the Cornell Diagnostic Lab into a single, \$6,066,000 appropriation and separately lines out each program preserving 2010-2011 funding levels.
- The Legislature rejects the Executive proposal for a new \$1,222,000 Competitive Local Assistance Grants Program and replaces it with discrete appropriations for the following programs for a total restoration of \$4,742,000:
 - Tractor Rollover Protection - \$100,000;
 - Cornell Rabies- \$100,000;
 - Northern NY Agricultural Development - \$300,000;
 - Ag. In the Classroom - \$80,000;
 - NYS Apple Growers Association - \$206,000;
 - Association of Ag. Educators - \$66,000;
 - Farm Family Assistance - \$384,000;
 - Farm Viability Institute - \$1,221,000;
 - Center for Dairy Excellence - \$150,000;
 - Future Farmers of America- \$192,000;
 - Golden Nematode - \$62,000;
 - Integrated Pest Management - \$500,000;
 - Geneva Seed Station Inspection - \$128,000;
 - NY Wine & Grape Foundation - \$713,000;
 - Rabies Control Program—Long Island - \$100,000;
 - Local Fairs - \$340,000; and
 - Maple Producers Association- \$100,000.

Capital Projects

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

Article VII

- The Legislature rejects the Executive's proposal to create a Competitive Local Grant Program to replace discrete Aid-to-Localities appropriations.
- The Legislature accepts the Executive's Share New York Food Initiative, which seeks to expand access to farmers' markets in underserved areas.

**SFY 2011-12 Conference Committee Agreements
Department of Economic Development (DED)**

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 merges the Foundation for Science, Innovation and Technology (NYSTAR) into the Department of Economic Development.
- The Legislature accepts the recommendations of the Executive Linked Deposit program's lifetime limit proposal and recommends no changes.

**SFY 2011-12 Conference Committee Agreements
New York State Energy and Research Development Authority (NYSERDA)**

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 Legislation

- 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 increase 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 finance public service education activities with revenues generated from an assessment on cable companies.

**SFY 2011-12 Conference Committee Agreements
Department of Environmental Conservation (DEC)**

State Operations

- The Legislature amends the Executive Proposal by adding \$2,000,000 in General Fund support to provide a moratorium on fees for Salt Water Marine Fishing Licenses. Funding will allow for the operation of a free registry without taking funding away from other licensed sporting activities.
- The Legislature amends the Executive Proposal by appropriating \$200,000 through Administrative Program funding for the Conditional Shellfish Harvesting program.

Aid to Localities

- The Legislature amends the Executive Proposal by appropriating a \$200,000 for the Community Integrated Pest Management program.

Capital Projects

- The Legislature accepts the Executives funding level for the Environmental Protection Fund at \$134 million but amended the following items:
 - \$500,000 for Belleayre Mountain
 - \$11,500,000 for Waterfront Revitalization
 - Inner City/Underserved— \$5,750,000
 - Hoyt Lake— \$100,000
 - Buffalo Waterfront— \$300,000
 - Niagara River Greenway— \$225,000
 - \$13,000,000 for Municipal Parks
 - Inner-city/Underserved—\$6,500,000
 - Olmsted Park—\$250,000
 - Hyde Park—\$125,000
 - Darwin Martin House—\$250,000
 - Graycliff Manor House—\$50,000
 - \$17,000,000 for Non-Point Source Poll Cont
 - Agricultural— \$13,000,000
 - Non-Agricultural— \$4,000,000

Article VII

- The Legislature modifies the Executive proposal to provide a three year extension to the current pesticide product fees and registration timetable.
- The Legislature modifies the Saltwater Fishing Registry by providing a moratorium until 2013 on the fee for saltwater fishing licenses while still maintaining a free registry and refunds lifetime license fees.
- The Legislature modifies the Diesel Emissions Reduction Act to extend retrofit compliance dates for two years until December 31, 2012.

**SFY 2011-12 Conference Committee Agreements
Environmental Facilities Corporation**

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 2011-12 Conference Committee Agreements
Department of Motor Vehicle (DMV)**

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's proposal to make provisions of law relating to the suspension of drivers' licenses pending the prosecution of certain alcohol offenses permanent.
- The Legislature accepts the Executive's proposal to make provisions of law relating to the suspension of drivers' licenses for certain drug-related offenses permanent.
- The Legislature modifies to the Executive's proposal to make provisions of law relating to motor vehicle financial security requirements permanent.
- The Legislature accepts the Executive's proposal to amend provisions of law relating to operators of commercial vehicles.

**SFY 2011-12 Conference Committee Agreements
Olympic Regional Development Authority (ORDA)**

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 2011-12 Conference Committee Agreements
Office of Parks, Recreation and Historic Preservation**

State Operations

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

Aid to Localities

- The Legislature rejects the Executive proposal to eliminate the enforcement Navigation Law in respect to the I Love NY Waterways program providing an additional \$2.92 million.
- The Legislature provides an additional \$100,000 for Historic Homes that have been closed by the Office of Parks to remain open.

Capital Projects

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

Article VII

- The Legislature rejects the Executive's proposal to discontinue reimbursements paid to localities for the enforcement of navigation laws.

**SFY 2011-12 Conference Committee Agreements
Department of Public Service**

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 2011-12 Conference Committee Agreements
Racing and Wagering Board**

State Operations

- The Legislature reduces the Racing and Wagering Board by \$2.5 million.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- The Legislature rejects the Executive proposal for a new 2.75 percent surcharge on thoroughbred and harness purses.

**SFY 2011-12 Conference Committee Agreements
Governor's Office of Regulatory Reform (GORR)**

State Operations

- The Legislature concurs with the Executive's recommendation.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- The Legislature accepts the Executive's Article VII which provides for the statutory elimination of all references to the Agency.

SFY 2011-12 Conference Committee Agreements Department of State (DOS)

State Operations

- The Legislature restores funding for the Tug Hill Commission in the amount of \$1,104,000. The restoration represents a 10 percent reduction in funding for state operations.
- The Legislature restores funding for the State Athletic Chair in the amount of \$154,000.
- The Legislature transfers \$1,000,000 from the Consumer Services Program in the Department of Financial Regulation to the Department of State. Together with \$2,308,000 for the Do Not Call Registry that the Executive included within the Department of State, the Consumer Services Program would be funded at \$3,308,000.

Aid to Localities

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

Capital Projects

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

Article VII

- The Legislature rejects the Executive's proposal to eliminate funding for the administrative services of the State Athletic Chair.
- The Legislature rejects the Executive's proposal to eliminate funding for the Tug Hill Commission.
- The Legislature rejects the Executive's proposal that would make the Department of State's authority to charge increased fees for the expedited handling of documents permanent. Instead, the Legislature authorizes a two year extension of the Department of State's authority.
- The Legislature makes permanent the funding distribution formula for the Community Services Block Grant Program.

- The Legislature authorizes the Department of State to increase the renewal term for the licensing of certain beauty enhancement disciplines from two years to four years and doubles the associated fee.

**SFY 2011-12 Conference Committee Agreements
Thruway Authority**

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 2011-12 Conference Committee Agreements
Department of Transportation (DOT)**

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 funding levels.
- The Legislature proposes to authorize unused Airport Improvement Program (AIP) matching funds to also be utilized for grants under the Airport Improvement and Revitalization Grant and Loan Program (“AIR-99”).

Article VII

- The Legislature provides for the Consolidated Highway Improvement Program (CHIPs) including the annual authorization of \$363.097 million and the Executive’s related language, as well as the annual authorization of \$39.7 million for the Marchiselli Program.
- The Legislature accepts the Executive’s proposal to make provisions of law relating to the New York State Department of Transportation single audit program permanent.

**SFY 2011-12 Conference Committee Agreements
Metropolitan Transportation Authority (MTA)**

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 2011-12 Conference Committee Agreements
Empire State Development Corp. (ESDC)**

State Operations

- Not applicable.

Aid to Localities

- The Legislature provides a two-year appropriation of \$62.36 million for the Economic Development Fund.
- The Legislature restores \$1,495,000 in funding for the Community Development Financial Institutions.
- The Legislature restores \$1,274,000 in funding for additional services and expenses of the Entrepreneurial Assistance Program.
- The Legislature provides an appropriation of \$635,000 for the Minority Women Owned Business Lending program.

Capital Projects

- The Legislature provides a two-year capital appropriation of \$130 million for the Regional Economic Development Councils.
- The Legislature provides a two-year capital appropriation of \$50 million for the Economic Transformation program.
- The Legislature rejects the Executive proposal to re-allocate existing capital projects appropriation and maintain current statutory authorization for such program funding.

Article VII

- The Legislature accepts the Executive proposal for the expansion of the Excelsior Tax Credit program.
- The Legislature provides language to expand eligibility of companies to include agricultural co-operatives into the Excelsior program.

- The Legislature provides for a new Economic Transformation and Facility Redevelopment Program Tax Credit for businesses to invest in regions of the State impacted by State Facility closures.
- The Legislature provides language which would allow ESDC to create Limited Liability Companies in order to take advantage of Federal New Markets Tax Credits.
- The Legislature provides a one-year extender to the loan powers of ESDC.
- The Legislature provides language to govern the interchange of ESDC's corporate funds.

**SFY 2011-12 Conference Committee Agreements
Foundation for Science, Innovation and Technology (NYSTAR)**

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 merges the Foundation for Science, Innovation and Technology (NYSTAR) into the Department of Economic Development.

**SFY 2011-12 Conference Committee Agreements
Greenway Heritage Conservancy for the Hudson River Valley**

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 2011-12 Conference Committee Agreements
Green Thumb**

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 2011-12 Conference Committee Agreements
Hudson River Valley Greenway Communities Council**

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.