

SUMMARY OF

SFY 2010-11

ASSEMBLY ONE-HOUSE PROPOSALS

EDUCATION

- The Assembly **restores \$600 million to School Aid.**
- The Assembly proposal **proportionately reduces** the Executive's **Gap Elimination Adjustment (GEA) of \$1.4 billion by \$579 million** and pays \$21 million for present law expense based aids. This would reduce the Executive's proposed \$1.4 billion GEA to a GEA of \$833 million (4%).
- The Assembly proposal **rejects** the Executive's proposal to **freeze** all expense based aids to the Executive run.
 - Instead the Assembly funds all reimbursable aids at present law levels for 2010-11.
 - This includes Transportation Aid (\$1.6 billion), Building Aid (\$2.4 billion), BOCES (\$737 million), Special Services Aid (\$199 million), Instructional Materials Aids (\$283 million), High Cost (\$484 million) and Private Excess Cost (\$328 million) Aids, and Charter School Transition Aid (\$21 million).
 - The Assembly continues the Executive's freeze on 2009-10 base aids.
- The Assembly proposes to freeze **Foundation Aid** for an additional year, and continues with the planned three year phase in starting in the 2012-13 School Year and rejects the Executive's proposal to freeze Foundation Aid for an additional year and extend the phase in of Foundation Aid by an additional three years.
- The Assembly **rejects the Summer School Special Education (4408) cost shift** of \$86 million onto school districts.
- The Assembly **rejects the Preschool Special Education (4410)** proposal to cap growth on county expenses and **shift** these additional costs onto school districts.
- The Assembly accepts the Executive's proposal to continue Universal Prekindergarten through 2011-12.
- The Assembly accepts the Executive's proposal to **continue the following aids** at SY 2009-10 levels: Supplemental Public Excess Cost, High Tax Aid, the Academic Achievement Grant for New York City, the Supplemental Education Improvement Grant to Yonkers, Academic Enhancement Aid, and Supplemental Valuation Impact Grants.

- The Assembly accepts the Executive’s proposal to provide \$60 million to reimburse school districts for costs associated with the payment of the Metropolitan Commuter Transportation Mobility Tax and provides an additional \$6 million to reimburse sectarian nonpublic schools for the tax as well.
- The Assembly funds Roosevelt at \$8.4 million which is a \$2.4 million restoration.
- The Assembly cuts funding for the following programs:
 - Charter School Start Up Grants: \$4.8 million
 - The Charter School Stimulus Account: \$20 million dry appropriation Smart Scholars Early College High School program

Libraries

The Assembly recommends funding libraries at \$85.42 million, which is a restoration of \$960,000 above the Executive proposal. This is \$1.4 million below the post DRP level of \$86.8 million in 2009-10 funding.

The Assembly accepts the Executive proposal to continue Library Construction Aid at \$14 million.

In addition there are several proposed Article VII pieces in the Executive Budget:

- Extends the provisions granting waivers to certain libraries who fail to meet the maintenance of effort requirements.
- Provides for a proportional reduction of aid among the various formulas in Education Law.
- The Assembly rejects the executive proposal to allow libraries to cooperatively bid on equipment, supplies, and services. There are separate bills to deal with this issue.

HEALTH

Assembly Budget Actions

(in millions)

Sector	State Share			All Funds		
	Proposed	Accept	Reject	Proposed	Accept	Reject
Hospital Services	(241.1)	(209.1)	32.0	(373.6)	(230.7)	142.9
Nursing Home Services	(140.2)	(114.3)	25.9	(243.1)	(175.5)	67.6
Home Care Services	(74.0)	(37.5)	36.5	(154.8)	(75.5)	79.3
Pharmacy Services	(47.1)	(40.2)	6.9	(57.8)	(49.7)	8.1
Insurance Actions	(197.4)	(197.4)	0.0	(267.4)	(267.4)	0.0
Managed Care	(61.4)	(61.4)	0.0	(147.9)	(147.9)	0.0
Utilization Management	(13.7)	(5.4)	8.3	(30.8)	(13.0)	17.8
Medicaid Fraud	(300.0)	(300.0)	0.0	(600.0)	(600.0)	0.0
Other Medicaid/HCRA	(21.8)	(12.1)	9.7	(23.6)	(11.8)	11.8
Early Intervention	(20.1)	(19.5)	0.6	(30.1)	(29.2)	0.9
Public Health	(53.6)	(47.3)	6.3	(53.6)	(47.3)	6.3
FMAP adjustment	15.3	15.3	0.0	0.0	0.0	0.0
Total Reductions	(1,155.1)	(1,028.3)	126.3	(1,982.7)	(1,648.1)	334.7
Taxes and Fees	(924.6)	(224.6)	700.0	(924.6)	(224.6)	700.0
Total Actions	(2,079.7)	(1,253.4)	826.3	(2,907.3)	(1,872.6)	1,034.7

Hospital - \$209.1 million State Share Reduction (\$230.7 million All Funds) The Assembly proposal includes: an increase in the hospital assessment; an elimination of the hospital trend factor; and a reduction in indigent care funding. Also, the Assembly partially restores funding to indigent care payments. The Assembly rejects a proposal to reduce rates pursuant to an analysis of preventable readmissions and rejects new support for Doctors Across New York. The Assembly restores \$32.0 million in reductions included in the Executive Budget.

Nursing Home - \$114.3 million State Share Reduction (\$175.5 million All Funds) The Assembly proposal includes: an increase in the nursing home assessment, an elimination of the nursing home trend factor; a limit on nursing home rate

appeals; a reduction in bed hold payments; and a carve-out of prescription drug costs from the nursing home rate. The Assembly proposal would repeal the nursing home regional pricing methodology. The Assembly restores \$25.9 million in reductions included in the Executive Budget.

Home and Personal Care - \$37.5 million State Share Reduction (\$75.5 million All Funds) The Assembly proposal includes: an increase in the assessment on home care and personal care providers, an elimination of the home and personal care trend factor; and other administrative efficiencies. The Assembly rejects a limit on personal care services (12 hours per day) and rejects an episodic pricing methodology. The Assembly restores \$36.5 million in reductions included in the Executive Budget.

Pharmacy - \$40.2 million State Share Reduction (\$49.7 million All Funds) The Assembly proposal includes: an elimination of certain exemptions from the Preferred Drug Program (PDP) and a reduction in public notice requirements. The Assembly proposal adds prior authorization language to the Medicaid and EPIC Part D Wraps. In addition, the Assembly proposal includes a 75 percent restoration to the HIV specialty pharmacy. The Assembly rejects a prohibition on pharmaceutical company gifts to doctors; a requirement that Medicare Advantage enrollees enroll in Medicare Part D without regard to financial hardship; and an appropriation to provide Part D enrollment support for EPIC. The Assembly restores \$6.9 million in reductions included in the Executive Budget.

Insurance Department - \$197.4 million State Share Reduction (\$267.4 million All Funds) The Assembly proposal includes: a reinstatement of the requirement that the Insurance Department provide prior approval of certain health insurance premium increases and a delay in Physicians Excess Medical Malpractice payments.

Managed Care - \$61.4 million State Share Reduction (\$147.9 million All Funds) The Assembly proposal includes: a 1.7 percent decrease in the rate of growth for Family Health Plus (FHP) and Medicaid Managed Care premiums. The Assembly also rejects a proposal to increase co-payments for FHP Buy-in Program (no state fiscal impact).

Utilization Management Initiatives- \$5.4 million State Share Reduction (\$13.0 million All Funds) The Assembly proposal accepts utilization review and pre-authorization of PT and OT services, but provides for patient protections. The Assembly rejects a proposal to require the use of centralized transportation managers. The Assembly restores \$8.3 million in reductions included in the Executive Budget.

Medicaid Fraud Actions - \$300.0 million State Share Reduction (\$600 million All Funds) The Assembly proposal would increase the Medicaid fraud audit target from \$870 million to \$1.17 billion. The Assembly also rejects an increase in civil penalties for persons who commit Medicaid fraud and strengthens due process considerations for providers who are accused of Medicaid fraud.

Other Medicaid /HCRA Proposals - \$12.1 million State Share Reduction (\$11.8 million All Funds), The Assembly proposal includes the elimination of various HCRA funded programs and provides a 50 percent restoration to Roswell Park Anti-Tobacco Funding. The Assembly rejects an expansion of estate recoveries and a requirement that funeral trusts be irrevocable. The Assembly modifies the Executive Proposal by restoring funding to one poison control center eliminated in the Executive Budget. The Assembly restores \$9.7 million in reductions included in the Executive Budget.

Early Intervention (EI) Program - \$19.5 million State Share Reduction (\$29.2 million All Funds) The Assembly proposal accepts a series of administrative actions and a proposal to maximize commercial insurance reimbursement for EI services. The Assembly rejects the proposal to require EI providers to bill Medicaid for services and the proposal to implement parental fees. The Assembly restores \$0.6 million in reductions included in the Executive Budget.

Public Health - \$47.3 million State Share Reduction The Assembly proposal includes: an elimination of certain optional services under the General Public Health Works (Article 6) program and a reduction in various AIDS Institute and cancer programs. The Assembly rejects the consolidation of AIDS, cancer, obesity and adult home programs. The Assembly restores \$6.3 million in reductions included in the Executive Budget.

HCRA Revenue Actions - \$224.6 million in New Revenue The Assembly proposal includes: an increase of the cigarette tax by \$1.00, from \$2.75 per pack to \$3.75 per pack; and an extension of the 9.63 percent HCRA surcharge certain office-based services. The Assembly rejects an Executive proposal to establish an excise tax on beverage syrups (\$450 million) and to allow for wines to be sold in grocery stores (\$250 million).

HIGHER EDUCATION

SUNY

- Accept Executive's reduction to SUNY State Operated Colleges of \$109.9 million (\$136.4 million academic year).
- Removes the Public Higher Education and Empowerment Act. With no current year fiscal implications the proposals will be taken up again outside of the budget process.
- Rejects Executive proposal to eliminate the FIT chargeback.
- Restores \$1,174,000 to the ATTAIN Lab Program.
- Provides no new capital funding, maintains the Executive capital proposal of \$550 million for the 3rd year of the 5 year plan for critical maintenance and \$22.4 million for the state's share of community college projects.

CUNY

- Accept Executive's reduction to CUNY Senior Colleges of \$47.7 million (\$63.6 million academic year).
- Rejects the Public Higher Education and Empowerment Act. With no current year fiscal implications the proposals will be taken up again outside of the budget process.
- Provides no new capital funding, maintaining the Executive capital proposal of \$284.2 million for the 3rd year of the 5 year plan for critical maintenance and \$34.6 million for the state's share of community college projects.

SUNY & CUNY Community Colleges

- Rejects Executive base aid cut, restoring \$285 per fte in base aid from \$2,260 to \$2,545 per FTE for SUNY and CUNY Community Colleges.

HESC

- \$19.6 million restoration to reject the reduction of the maximum TAP award from \$5,000 to \$4,000 for students enrolled at two year institutions;
- \$16.5 million restoration to reject an across the board cut to all TAP awards by \$75;
- \$5.9 million restoration to reject increased academic standards and credit minimums for TAP;
- \$5.2 million restoration to TAP by rejecting reducing maximum TAP awards for financially independent students who are married without children;
- \$2.1 million restoration to TAP to provide awards to graduate students;
- Accept denying TAP awards to students in default of federal student loans not guaranteed by HESC (\$2.9 million);
- Accept creating parity between public and private pension income in TAP award calculations (\$1.4 million);

- TAP for Wards of the Court (\$1.95 million) and certain theological students (\$6.4 million) each receive a 50% reduction;
- Sweeps \$34.6 million from the New York Higher Education Loan Program; and
- Rejects Executive's proposal to create the Third Party Debt Collection Program.

Other Higher Education

- Accepts the \$700,000 reduction to Bundy Aid.
- Extends the Higher Education Capital Matching Grants Program to March 31, 2011.

HUMAN SERVICES, LABOR AND AGING

Office of Children and Family Services

Additions

- The Assembly proposes total funding of \$960.5 million to support the Child Care Block Grant. The Assembly accepts the Executive Proposal to increase General Fund support by \$4.98 million related to unionization agreements on behalf of home based child care providers and the transfer of funding for migrant workers to the GF from TANF. The Assembly accepts the Executive proposal to continue TANF support for child care subsidies at the SFY 2009-10 level of \$392.967 million and adds \$6.5 million for childcare demonstration projects and \$2.04 million for SUNY/CUNY childcare.
- The Assembly accepts the Executive Proposal that would allow for full implementation of the Bridges to Health Medicaid Waiver program. The Executive increases funding by \$41.42 million to add 1,740 slots, bringing the program to full implementation at 3,305 slots.
- The Assembly accepts the Executive Proposal that provides for an increase of \$18.9 million related to the hiring of 169 new staff in juvenile justice programs to address the deficiencies identified by the Governor's Task Force on Transforming Juvenile Justice.
- The Assembly accepts the Executive Proposal that appropriates \$3 million for improvements to the CONNECTIONS software system. The \$3 million is related to repayment of bond financing that was appropriated in SFY 2008-09, as well as the continuation of the improvement project that was launched that year.
- The Assembly accepts the Executive Proposal to increase funding for child welfare services by \$77.16 million to support increased claims from districts and would continue 64 percent reimbursement for mandated preventive and child protective services.

Savings

- The Executive Proposal reduces funding for Community Optional Preventive Services (COPS), and claims a savings of \$2.92 million. The Assembly accepts 50 percent of this savings and restores \$1.45 million.
- The Executive Proposal authorizes a change in Title XX federal funding to require local districts to use all of New York's \$103 million to offset State and local costs for Adult Protective and Domestic Violence (AP/DV) programs. Currently, districts must use \$66 million of such funds for these purposes, but are allowed to use the remaining \$37 million for discretionary Title XX services. The Executive claims an \$18 million General Fund savings from this shift in funding stream. The Assembly accepts 25 percent of this shift, and restores \$13.5 million.
 - The Assembly modifies Title XX appropriation language to mandate that NYC use its share of discretionary funding for senior centers.
- The Assembly accepts the Executive Proposal to right size OCFS youth facilities. These changes will not take effect until January 2011. The Executive estimates a savings of \$2.9 million for the 2010-11 fiscal year, which will annualize to \$6.75 million.
- The Assembly accepts savings of \$27 million related to the Executive Proposal that would allow the State to intercept payments to districts for past due youth facility reimbursement.
 - The Assembly modifies Executive Article VII language to narrow intercept authority to only those amounts owed on March 31, 2009 and March 31, 2010.
- The Assembly accepts the Executive Proposal to cap the appropriation for the Safe Harbor Act at \$3 million, for a savings of \$7 million in SFY 2010-11.
- The Executive proposed reductions of 10 percent to "non-core mission programs". The Assembly would provide \$1,532,000 to restore half of the Executive reduction, lowering the decrease to 5 percent. These programs include:
 - Alternatives to Detention/Residential Placement (ATI) – \$123,000;
 - Child Advocacy Center/Child Fatality Review Teams -- \$113,000;
 - Caseload Ratio -- \$84,000;
 - Home Visiting – \$120,000;
 - Hoyt Trust Fund – \$69,000;
 - Kinship Care -- \$3,000;
 - Post Placement -- \$28,000;
 - Runaway and Homeless Youth Act – \$9,000;

- Special Delinquency Prevention Program/Youth Development and Delinquency Prevention (SDDP/YDDP) -- \$259,000; and
 - Settlement Houses -- \$724,000.
- The Assembly provides \$2.32 million as a 50 percent restoration to the Executive elimination of funding for preventive services.
- The Assembly provides \$470,000 as a 50 percent restoration to the Executive elimination of funding for the portable information technology pilot project.
- The Assembly rejects the Executive Proposal related to the use of electronic court appearances for certain court proceedings as proposed in Article VII legislation and would restore \$201,000 for this purpose.
- The Assembly accepts the Executive savings of \$5 million related to performance contracting in the Child Welfare Performance Initiative.
- The Assembly accepts the Executive savings of \$500,000 related to a 50 percent reduction in Child Welfare Quality Funding.

Article VII

- The Assembly accepts the Executive Article VII proposal to authorize child care unions to receive fair share payments from home-based child care providers who choose not to become union members.
- The Assembly accepts with modifications the Executive Article VII proposal to establish a kinship guardianship assistance program. Modifications include removing State funding from the Foster Care Block Grant and requiring OCFS to report data related to program outcomes.
- The Assembly accepts with modifications the Executive Article VII proposal to amend the Safe Harbor for Exploited Children Act of 2008. Modifications include removing the requirement that a youth presumed to be sexually exploited also be intimidated, forced, threatened or coerced into engaging in prostitution, and clarifying that a police officer does not have new authority to arrest a youth for a violation of loitering for prostitution.
- The Assembly accepts with modifications the Executive Article VII proposals that would:

- Authorize OCFS to use electronic benefit transfer systems, direct deposit and debit cards as payment methods to foster care and adoptive parents; and
- Streamline mandated county child and family services plans
- The Assembly rejects the Executive Article VII proposal to restrict the authority of the Family Court to order child protective investigations, including the authority to order investigations in an expedited timeframe.

The Assembly proposes Article VII language to require reporting of data regarding training, new positions and staff to youth ratios for services and expenses related to the remediation or improvement of juvenile justice practices.

Office of Temporary and Disability Assistance

- The Assembly rejects the Executive Proposal to delay full implementation of the 30 percent public assistance grant increase, enacted in SFY 2009-10 by reducing from ten percent to five percent the statutory July 2010 and July 2011 public assistance grant increases and providing a five percent increase for two consecutive years thereafter. The Assembly restores \$14 million in General Fund and \$8 million in TANF related to allowing the full 10 percent increase to take effect on July 1, 2010.
- The Assembly rejects the Executive Proposal to save \$35.8 million related to requiring New York City to perform public assistance eligibility determinations for adults entering the adult shelter system and would restore \$92.5 million to support single adult shelter costs.
- The Executive proposed reductions of 10 percent to “non-core mission programs.” The Assembly would provide \$1,371,000 to restore half of the Executive reduction lowering the decrease to 5 percent. These programs include:
 - Citizenship Program, +\$271,000;
 - Homelessness Intervention Program (HIP), +\$446,000;
 - NYS Refugee Resettlement Assistance Program, +\$256,000;
 - Human Trafficking, +\$22,000;
 - Single Room Occupancy (SRO), +\$344,000;
 - Legal Advocates for the Disabled, +\$132,000;
 - HIV Welfare to Work Program, +\$65,000; and
 - Operational Support for AIDS Housing, +\$32,000. The Assembly also accepts the transfer of Operational Support for AIDS Housing from the Department of Health to OTDA.

- The Assembly rejects the Executive proposal to authorize the State to assume administration of the SSI Supplementation Program. Currently, the Federal government administers the program on the State's behalf. The Assembly eliminates \$574,000 in startup costs that the Executive appropriated for this purpose.
- The Assembly accepts the Executive Proposal to transfer the administration of the Nutrition Outreach Education Program from the Department of Health to OTDA.
- The Assembly accepts the \$625,000 in funding for the State share of NY/NY III Family Units.
- The Assembly accepts \$18,620,000 in savings related to the Executive Proposal to reduce State Operations expenditures and to shift the funding of certain administrative and systems costs from the General Fund to Special Revenue Funds.

TANF

- The Assembly accepts \$964.6 million available to local districts through the Flexible Fund for Family Services (Flex Fund), which is unchanged from SFY 2009-10. The Assembly would require local districts to use part of their Flex Fund allocation for programs which would draw down additional TANF Emergency Contingency Funds.
- The Assembly maintains funding for child care subsidies at \$392.9 million.
- The Assembly restores \$92 million in funding to provide support at 60 percent for most high priority programs as well as 25 percent funding for other Assembly priorities. These include:
 - Summer Youth Employment - \$21 million;
 - Child Care Demonstration Projects - \$6.5 million;
 - SUNY/CUNY Child Care - \$2 million;
 - Domestic Violence Screening - \$1.8 million;
 - Career Pathways - \$6 million;
 - Displaced Homemakers - \$3.36 million;
 - Disability Advocacy Program (DAP) - \$600,000;
 - Emergency Homeless \$500,000;
 - Supportive Housing for Families - \$1.477 million;
 - ACCESS – Welfare to Careers - \$125,000;

- Alternatives to Detention/Alternatives to Residential Placement - \$6.45 million;
 - Bridge - \$2.1 million;
 - Centro of Oneida - \$31,000;
 - Community Solutions to Transportation - \$550,000;
 - Rochester-Genesee Regional Transportation Authority - \$500,000;
 - Wheels for Work - \$1.75 million,
 - Strengthening Families through Stronger Fathers - \$691,000;
 - Home Visiting - \$3.493 million;
 - Preventive Services - \$11.275 million;
 - Refugee Resettlement - \$855,000;
 - Settlement Houses - \$1.395 million;
 - Supplemental Homeless Intervention Program - \$1.25 million; and
 - Wage Subsidy - \$3.5 million.
- In order to fund the Assembly's priorities, the Assembly rejects funding for TANF programs funded by the Executive including two new programs:
 - \$41.5 million for a Local Family Support Fund, which would provide a Federal match for social service district investments in subsidized employment or new short-term non-recurrent benefits. Local districts must provide a 20 percent match to access this funding; and
 - \$10 million Food Bank Supplemental Support, which would provide one-time non-recurring support for the regional food banks to expand the capacity of emergency food providers throughout the State to meet the increased demand of assistance.
- The Assembly also rejects funding for:
 - Transitional Jobs Program - \$10 million;
 - Health Care Jobs Program - \$5 million;
 - Green Jobs Corps Program - \$3 million; and
 - Intensive Case Services - \$11.3 million.

Assembly Proposal for Centralization of Administrative Functions

- The Assembly proposes centralization of administrative functions between OTDA and OCFS. By sharing duplicative services, such as clerical, payroll, bookkeeping, procurement and human resource functions, the Assembly expects these agencies could achieve savings of 5 percent in their administrative programs. The Assembly proposes an effective date of January 1, 2010, which would achieve savings of \$528,025 in SFY 2010-11, and savings of \$2.1 million when fully annualized.

Article VII

- The Assembly accepts the Executive proposal to pass on the Federal cost of living adjustment for individuals receiving SSI, who reside in residential care, family care or enhanced residential care settings.
- The Assembly rejects the Executive proposal to expand access to the State's Wage Reporting System to the Office of Temporary and Disability Assistance (OTDA) for former recipients of public assistance.

Department of Labor

- The Assembly accepts the merger of the State Employment Relations Board (SERB) and the Public Employment Relations Board (PERB) but would postpone the effective date of the merger until April 1, 2011. The Assembly restores \$1,293,000 in funding for SERB in SFY 2010-11.
- The Assembly provides \$1,388,000 to restore the Executive reductions to reappropriations for SFY 2009-10 Legislative adds, including the Displaced Homemaker Program and the Jobs for Youth program.
- The Assembly also restores \$1.1 million in the General Fund for the Displaced Homemaker Program. Together with \$3.36 million in TANF funding, the program would receive \$4.46 million under the Assembly proposal for SFY 2010-11.
- The Assembly proposes Article VII language that would:
 - Require a cost benefit analysis for contracts for consultant services which are anticipated to cost more than \$500,000 annually and require reporting and online posting for contracts for consultant services which are anticipated to cost more than \$100,000 annually; and
 - Eliminate the misclassification of workers by employers in the construction industry.

Workers' Compensation Board

- The Assembly accepts an increase of \$1.6 million for additional staff needed to implement Article VII language related to employers who self-insure for Workers' Compensation.

The Assembly accepts Article VII language to collect surplus funds from Workers' Compensation Insurance carriers, which is expected to generate \$23.6 million.

State Office for the Aging

- The Executive proposes savings of \$806,000 related to eliminating the Congregate Services Initiative (CSI). The Assembly restores fifty percent, or \$403,000. The Assembly also rejects corresponding Article VII language that eliminates this program in statute.
- The Executive proposes savings of \$63,000 by eliminating the Patients' Rights Hotline. The Assembly restores fifty percent, or \$32,000.
- The Executive proposes savings of \$437,000 related to non-personal service spending reductions to State Operations. The Assembly accepts this proposal.

Article VII Proposals

EPIC (Elderly Pharmaceutical insurance Coverage):

- REJECT elimination of wrap-around coverage for drugs not covered by the participant's Medicare Part D plan
 - The Executive proposed savings of \$32.4 million;
- PROPOSE instead requiring that the doctor pursue an appeal with the Part D plan before EPIC will cover the drug
 - An emergency supply will be provided to make sure the senior does not go without their medication during the appeals process;
 - If the Part D plan still rejects the claim after appeal, EPIC will pay for the drug; and
 - This plan will save \$29.2 million; thus the wrap can be saved and the cost of a restoration is only \$3.2 million.
- REJECT elimination of the waiver from mandatory enrollment in a Medicare Part D plan for those EPIC participants whose out-of-pocket costs would increase
 - Restore; \$4.0 million
- PROPOSE increasing the eligibility for medicare savings programs from 135% of the federal poverty level to 185% of the federal poverty level which would make more EPIC participants eligible for a federal subsidy of Medicare part D premiums
 - Savings of: \$17 million

ENVIRONMENT, ENERGY, AGRICULTURE, PARKS

Department of Environmental Conservation (DEC)

For State Fiscal Year (SFY) 2010-11, the Assembly recommends a total appropriation of \$1.037 billion for DEC, a \$22,735,000 increase from the SFY 2010-11 Executive Budget.

STAFFING

- The Assembly recommends staffing levels of 3,285 FTEs in SFY 2010-11, a net decrease of 83 positions. This includes 105 FTEs lost through attrition and 22 new fills. Included in this proposal is the rejection of 29 FTEs for regulatory activity related to the Marcellus Shale. This will provide \$2,950,000 million in General Fund savings.
- The Assembly accepts the Executive's proposal to eliminate General Fund expenditures of \$850,000 for the Climate Change Office. These nine FTEs will now be funded by NYSERDA.
- The Assembly accepts the Executive's proposal to shift 102 FTEs from the General Fund to the Waste Management and Cleanup Fund to support a proposal to expand the authorized purposes of the Fund (see Article VII).
- The Assembly accepts the Executive's proposal to reduce General Fund expenditures for administration of the State Water Pollution Control Revolving Fund by \$1.5 million. These 16 FTEs will now be funded by the Sewage Treatment Program Management and Administration Fund.

Environmental Protection Fund (EPF)

- The Assembly proposes an appropriation totaling \$168 million for the EPF, an increase of \$25 million from the Executive Budget.
- The Assembly proposes a number of revenue raisers to support the EPF including:
 - The dedication of 20% of receipts from the extension of the Waste Tire Management and Recycling Fee (\$4 million);
 - A sweep of \$13.9 million from the Waste Management and Cleanup Fund;
 - Dedicating \$5 million in revenue from the Electronic Waste legislation; and

- Dedicating \$2 million in additional revenue raised from an increase in the Hazardous Waste Program Surcharge.
- The Assembly restores \$44,175,000 in funding for the land acquisition line within the EPF. The Executive had eliminated all funding for land acquisition.
- The Assembly accepts the Executive's Article VII legislation that would deposit \$132.3 million of the Real Estate Transfer Tax (RETT) into the EPF.
- The Assembly rejects the Executive proposal to include \$30 million in stewardship funding for DEC and the Office of Parks, Recreation and Historic Preservation.
- The Assembly also rejects the Executive proposal to include a new \$5 million appropriation for State Park Operations.
- The Assembly rejects the Executive proposal to include a new \$5 million appropriation for payment of taxes on public lands.

Article VII Legislation

The Assembly recommends Article VII legislation that would:

- Accept the proposal to deposit \$132.3 million in Real Estate Transfer Tax (RETT) revenue to the credit of the EPF in SFY 2010-11;
- Modify the proposal that would authorize the DEC to establish a waiver process for state-owned and operated vehicles, as well as vehicles under contract by the State, that are to be retired on or before December 31, 2013 from the requirement to install best available retrofit pollution control devices;
- Modify the proposal that would eliminate the sunset of the Waste Tire Management and Recycling Fee of \$2.50 per tire, expand the authorized purpose of the Fund and rename it the Waste Management and Cleanup Fund; and
- Reject the proposal that would modify the DEC's public notice requirements including newspaper publication requirements and web postings, revise certain annual reporting requirements and authorize mutual aid and assistance pursuant to forest fire protection compacts.

Environmental Facilities Corporation (EFC)

- The Assembly accepts the Executive's proposal for an All Funds appropriation of \$12.7 million for the EFC, reflecting a decrease of \$721,000 or 5.4% from the previous year. The decrease is primarily explained as a continuation of the agency spending reduction along with a salary deferral.
- The Assembly recommends no change in the staffing levels, with a total of 97 FTEs.
- The Assembly proposes consolidating EFC into DEC. Savings are expected to be realized by January 2011.

Adirondack Park Agency (APA)

- The Assembly accepts the Executive's recommendation for a total appropriation of approximately \$6.3 million for the Adirondack Park Agency, an increase of 2.6 % from the prior year. The increase is primarily the result of a new \$500,000 capital appropriation that would enable the APA to utilize gift or grant money.
- The Assembly accepts the Executive's proposal to close two Visitor Interpretive Centers (VICs) in January of 2011 for a savings of \$129,000 in SFY 2010-11 and \$516,000 in SFY 2010-11. Eight FTEs would be eliminated as a result of the VIC closure. The VICs to be closed are located in Newcomb, Essex County and near Paul Smith's College in Franklin County.
- Total employment at the APA would be reduced by 10 FTEs to 59. Two FTE losses would be the result of attrition.

New York State Energy Research & Development Authority (NYSERDA)

- The Assembly rejects the Executive proposal for an All Funds appropriation of \$35.48 million for NYSERDA. Instead the Assembly proposes to merge NYSERDA with ESDC, NYSTAR and the JDA.

Article VII Legislation

- The Assembly accepts the Executive's proposal to transfer \$913,000 from NYSERDA to the General Fund to help offset New York's debt service requirements related to West Valley.
- The Assembly accepts the Executive's proposal that would authorize NYSERDA to finance its Research, Development and Demonstration

Program, as well as its Policy and Planning Program, with revenues from utility assessments collected pursuant to Section 18-a of the Public Service Law.

Department of Public Service (DPS)

- The Assembly accepts the Executive's proposal for an All Funds appropriation totaling \$80.14 million, a decrease of 4.8% from the prior year's budget.
- The Assembly rejects the Executive's proposal to increase the number of FTEs employed by the Department by 2 positions. The increase in staff was recommended to support review of additional natural gas pipeline applications associated with potential Marcellus Shale gas drilling activity.
- The Assembly accepts the Executive's proposal to increase Aid to Localities funding by \$450,000 to \$1 million for intervention in the siting process for electric generation and transmission facilities.

Article VII Legislation

- The Assembly accepts the Executive's proposal to authorize the Department of Health to finance public service education activities with revenues generated from an assessment on cable companies.

New York State Power Authority (NYPA)

- The Assembly accepts the Executive's proposal to authorize NYPA to transfer \$65 million to the General Fund for economic development activities.
- The Assembly accepts the Executive's proposal to include a \$318 million dry appropriation for reimbursing NYPA for assets transferred to the State in the previous two fiscal years.

Department of Agriculture & Markets

The Assembly accepts the \$1.5 million increase for the Cornell Diagnostic Laboratory from the previous year, bringing the total appropriation to \$3.75 million.

The Assembly rejects the Executive's proposal to increase State Operations by \$1.8 million and to provide \$3 million to create farmers' markets in the nine counties formerly occupied by the Genesee Valley Regional Market

Authority and instead appropriates \$4.8 million for the Rochester Public Market.

The Assembly makes \$3.5 million in restorations to the following programs:

- Cornell Rabies- \$125,000;
- Agriculture in the Classroom- \$25,000;
- Integrated Pest Management- \$500,000;
- Local Fairs- \$340,000;
- Wine and Grape Foundation- \$713,000;
- Farm Viability Institute- \$1,366,000;
- Center for Dairy Excellence- \$150,000;
- Apple Growers Association- 206,000; and
- Maple Producers Association- \$75,000.

The Assembly rejects the Executive's proposal to reduce reappropriations for local assistance programs by \$5.9 million. This includes the elimination of \$5.2 million in funding for the Farm Viability Institute.

The Assembly rejects the Executive's proposal to make \$500,000 available from the revenues from the sale of Wine in Grocery Stores for marketing and promotion of New York State Wine.

Article VII Legislation

- The Assembly modifies the Executive's proposal to eliminate the State's role in dog licensing while allowing municipalities more flexibility in maintaining their own licensing programs.
- The Assembly accepts the Executive's proposal to allow multiple counties to share one director of weights and measures.
- The Assembly rejects the Executive's proposal to transfer the assets and liabilities of the Genesee Valley Regional Market Authority to the New York State Urban Development Corporation (UDC).

Office of Parks, Recreation & Historic Preservation (OPRHP)

The Assembly modifies the Executive Budget proposal and recommends a total All Funds appropriation of \$289.4 million for OPRHP in SFY 2010-11, approximately a \$14.3 million increase from the Executive Budget.

Park Closures

The Assembly provides \$11.25 million in General Fund support and an additional 2.1 million in restored fee revenue to avert the closure of 91 State Parks and Historic Sites.

The Assembly rejects the Executive's proposal to shift \$5 million in State Operations costs that are currently funded by the General Fund to the Environmental Protection Fund (EPF).

Article VII Legislation

- The Assembly rejects the Executive's proposal that would reduce the authorized reimbursement rate paid to governmental entities that voluntarily enforce provisions of the Navigation Law from 75 percent to 50 percent. This is a restoration of \$1 million.
- The Assembly rejects the Executive's proposal to expand the authorized use of funds in the Snowmobile Trail Development and Maintenance Fund to include recreational activities on any State lands.

Hudson River Park Trust

- The Assembly accepts the Executive's proposal to provide no new capital advances for the Hudson River Park Trust.
- The Assembly proposes a total of \$3 million in funding to be directed toward the Trust. Funding will come from the EPF.

PUBLIC PROTECTION

Division of Criminal Justice Services (DCJS)

- The Assembly proposal accepts a 10 percent reduction to Aid to Localities appropriations, totaling \$6.3 million. The proposal also accepts \$11.6 million in State Operations reductions;
- The Executive proposal to consolidate DCJS with the Office for the Prevention of Domestic Violence (OPDV), the Crime Victims Board (CVB), and the Division of Probation and Correctional Alternatives (DPCA) is rejected. The Crime Victims Board would be renamed the Office of Victim Services under the Assembly proposal;
- An Executive proposal to require all persons convicted of Penal Law misdemeanors, youthful offenders, and registered sex offenders to submit a sample to the state DNA database is rejected;
- The Executive proposal to establish a new Office for Indigent Defense is amended to, among other things, house the new entity within the Department of State (DOS);
- The Assembly proposal includes a \$1.5 million restoration in support of civil and criminal legal services; and a \$304,500 restoration in support of domestic violence legal services; and
- The Assembly proposal rejects a new \$3 million appropriation for IT services performed by the Office for Technology.

Division of Probation and Correctional Alternatives (DPCA)

- The Assembly proposal accepts a 10 percent across the board reduction to Aid to Localities appropriations, totaling \$6 million.

Department of Correctional Services (DOCS):

- The Assembly proposal accepts a State Operations reduction of \$13.7 million.
- Prison Closure Proposal

- The Assembly proposal assumes the closure of Lyon Mountain and Butler correctional facilities in SFY 2010-11 and the consolidation of several medium security dormitories (savings: \$7 million in SFY 2010-11, \$52 million annualized).
- The Executive proposal to close two facilities in April 2011 would be rejected (Ogdensburg and Moriah Shock facilities). Instead, given the continued decline in undercustody population, the Assembly would, in cooperation with the Executive, identify alternative facilities for closure with the intention of realizing more substantial savings.
- The Assembly would include Article VII legislation to require the Commissioner of Economic Development (rather than the Commissioner of the DOCS) to issue an adaptive reuse plan for state prison facilities once slated for closure.

Division of Parole

- The Assembly proposal accepts a State Operations reduction of \$5.7 million.
- The Assembly proposal would reject legislation to reduce the number of Parole Board members from 19 to 13, but would reduce the term of office of board members from 6 to 5 years (\$600,000 in savings).

Division of State Police

- The Executive proposal to implement an automated speed enforcement program is rejected, along with a corresponding appropriation of \$7.9 million supporting the administration of the program.

Division of Homeland Security and Emergency Services

- The Assembly proposal accepts a State Operations reduction of \$45.8 million.
- The Assembly accepts a merging of several homeland security and public safety entities into a new Division of Homeland Security and Emergency Services;
- An appropriation to purchase interoperable radios for several state agencies is reduced to \$14 million, a reduction of \$16 million. The remaining appropriation will support the purchase of interoperable radio equipment for the Division of State Police only;

- An appropriation of \$50 million to support grants for the consolidation of regional dispatch centers would be reduced by \$42 million. The Assembly proposal includes \$8 million to be allocated by the Statewide Interoperable and Communications Board; and
- The Assembly proposal preserves a discrete \$9.3 million appropriation for local Public Safety Answering Points (PSAPs).

MENTAL HYGIENE

Office of Mental Health

Additions

- The Executive proposes several increases to the OMH budget. The first of these increases is an addition of \$74.7 million to provide support for residential bed development under the NY/NY III agreements, and the annualization of 1,500 supported housing beds. The Assembly accepts this proposal.
- The Executive proposes an increase of \$27.2 million for the annualization of prior year initiatives, including co-occurring disorders, managed care demonstrations, family care provider enhancements, family support services for clinic plus, the Comprehensive Children's Plan, peer run support, and ambulatory care reform. The Assembly accepts these increases.

Savings

- The Executive proposes to reduce adult inpatient capacity by 5% by closing six wards and converting 2 more wards to Transitional Placement Programs (TPPs) to help transition individuals back into the community. This proposal saves \$9 million, and the Assembly accepts these savings and accepts with amendments corresponding Article VII language.
- The Executive proposes \$10,568,000 in savings by eliminating forensic capacity for Sex Offender Management and Treatment Act (SOMTA) individuals at Manhattan Psychiatric Center, resulting from a lower census projection. The Assembly accepts this proposal; but rejects corresponding Article VII language that would allow the use of video teleconferencing in certain SOMTA court proceedings.
- The Executive proposes savings of \$375,000 related to carving out prescription drug costs from the State reimbursement rates to residential treatment facilities (RTFs) and instead billing these costs to Medicaid on a fee for service basis to maximize federal assistance. The Assembly accepts this proposal.
- The Assembly accepts the proposal to update Disproportionate Share Hospital (DSH) payments by moving the base year up to 2008, thus

generating higher federal aid. (Savings of \$3.5 million. The Assembly accepts corresponding Article VII language.)

- The Executive proposes savings of \$15 million related to Comprehensive Outpatient Program Services/Community Support Program recoveries for over-payments made to providers in the previous fiscal year. The Assembly accepts this proposal.
- The Executive proposes savings of \$4,500,000 related to Article VII language which would allow OMH to recover exempt income payments made to voluntary providers. The Assembly rejects this Article VII language and restores \$4,500,000.
- The Executive proposes State Operations savings of \$43,570,000 related to reducing staffing levels through attrition, greater efficiencies in non-personal service spending and reducing the use of consultants. The Assembly accepts this proposal.
- From savings realized in OMH, the Executive proposes to spend \$1.0 million for the first year of a State-proposed remediation plan to the current lawsuit about adult home residents.

Additional Article VII Proposals

The Assembly accepts the following Article VII language:

- One year deferral of the human services Cost-of-Living Adjustment (COLA);
- Updates the base year of the disproportionate share (DSH) payments in OMH and OASAS Article 28 voluntary hospitals to 2008, thus maximizing federal reimbursement; and
- Eliminates the Unified Services program, which granted enhanced funding to five counties.

The Assembly accepts with amendments the following Article VII language:

- Extends the Community Mental Health Support and Workforce Reinvestment Act by three years instead of one; and
- Clarifies language about the closure of inpatient wards so that only adult capacity could be reduced and children's beds would be unaffected.

The Assembly rejects the following Article VII language:

- Authorizes OMH and OMRDD facility directors to receive federal and state benefits as representative payees and use these funds toward the cost of care and treatment, further, this language eliminates the fiduciary responsibilities of these directors;

- Permits OMH to recover Medicaid income paid in excess of a provider's fiscal plan from community residences and family based treatment programs; and
- Eliminates the reporting requirement for an unmet needs study.

Office of Mental Retardation and Developmental Disabilities

Additions

- The Executive proposes two significant increases to the budget for OMRDD, related to providing a Trend Factor retroactive to April 2009 for an addition of \$51.7 million, and a Trend Factor for SFY 2010-11 for an addition of \$32.9 million. The Assembly accepts these increases.
- The Executive proposes a \$35 million restoration of savings actions taken during the Fall 2009 Deficit Reduction Plan (DRP). This reflects nearly a full restoration of those cuts (the reduction was \$35.2 million). The Assembly accepts this restoration.
- The Executive proposes a \$44.6 million increase for residential opportunities. There is funding for 510 new residential opportunities through NYS-CARES, and additional funding for children's residential placement beds. The Assembly accepts this proposal.
- The Executive proposes \$21.9 million for the sixth installment of a health care enhancement for OMRDD direct care workers. The Assembly accepts this proposal.

Savings

- The Executive proposes a 3 percent reduction in the reimbursement rate to Individualized Residential Alternatives (IRAs), for savings of \$12.5 million. The Assembly proposes a 1 percent, or \$4.16 million, restoration.
- The Executive proposes savings of \$6,066,000 related to restructuring Medicaid Service Coordination. The Assembly accepts this proposal.
- The Executive proposes to eliminate 20 positions at the Institute for Basic Research (IBR) through attrition. None of the positions affected will impact autism research or the Jervis Clinic. The Assembly accepts this proposal for savings of \$1,538,000.

- The Assembly accepts the proposal to shift administrative and oversight functions of Family Care providers from the State to voluntary providers to realize savings of \$193,000.
- The Executive proposes to consolidate and/or streamline the human resources and contracting functions of regional DDSOs for savings of \$1,291,000. The Assembly accepts this proposal.
- The Executive proposes savings of \$22,039,000 related to reducing State Operations spending, including reducing staff through attrition, and reducing non-personal service spending. The Assembly accepts this proposal.

Additional Article VII Proposals

The Assembly accepts the following Article VII language:

- One year deferral of the human services Cost-of-Living Adjustment (COLA); and
- Eliminates the Unified Services program, which granted enhanced funding to five counties.

The Assembly rejects the following Article VII language:

- Authorizes OMH and OMRDD facility directors to receive federal and state benefits as representative payees and use these funds toward the cost of care and treatment, further, this language eliminates the fiduciary responsibilities of these directors; and
- Remove the limits placed on personal need payments for individuals living in family care homes and community residential facilities and increases the number of days for respite services (currently this is done in appropriation language).

Office of Alcoholism and Substance Abuse Services

Additions

- There were several additions in the Executive proposal for OASAS. The Executive restores \$13.9 million of the reductions taken during the 2009-10 Deficit Reduction Plan (DRP). The Assembly accepts this restoration.
- The Executive proposes an increase of \$12.8 million to fund case management, assessment, and outpatient treatment slots related to drug law reform. The Assembly accepts this increase.

- The Executive proposes a net increase of \$3.8 million for 172 beds and other residential options for high-priority populations, including women, children and veterans. The Assembly accepts this proposal.

Savings

- The Executive proposes savings related to delaying the expansion of gambling prevention programs to five counties for savings of \$300,000. The Assembly proposes a 50 percent restoration of \$150,000.
- The Executive proposes savings of \$2 million related to eliminating a sub-allocation to DOH for the AIDS Institute. The Assembly accepts this proposal.
- The Executive proposes savings of \$875,000 in State Operations by reducing staff through attrition and realizing efficiencies in non-personal service spending. The Assembly accepts this proposal.

Additional Article VII Proposals

The Assembly accepts the following Article VII language:

- One year deferral of the human services Cost-of-Living Adjustment (COLA); and
- Eliminates the Unified Services program, which granted enhanced funding to five counties.

The Assembly rejects the following Article VII language:

- Transfer of the Alcohol and Drug Rehabilitation Program from DMV to OASAS; and
- Requirement for hospitals or other Article 28 facilities which provide 2,000 patient days or more than ten percent of patient days per year for detoxification or chemical dependence crisis services to be certified by OASAS.

ECONOMIC DEVELOPMENT

The Assembly rejects the Executive proposal, which was to merge the Department of Economic Development (DED) and the Empire State Development Corporation (ESDC) into the new Job Development Corporation (JDC).

In place of this proposal, the Assembly proposes creating a task force to evaluate the consolidation of UDC, JDA, NYSTAR and NYSERDA into one Economic Development Agency.

The Assembly also proposes accepting the following Executive Cuts:

- Technology Transfer and Faculty Development programs – The Executive cut \$3.98 million, leaving funding at \$1.6 million.
- ESDC Admin – Elimination of \$2.5 million due to efficiencies within the Economic Development agencies.

The Assembly partially restores the following Executive cut:

- Focus Centers – The Executive cut \$1.6 million. The Assembly proposes restoring \$1 million, which would bring funding to \$4 million.

The Assembly rejects the following Executive proposed increase in funding:

- International Trade – The Assembly cuts \$1.2 million, leaving funding at \$1.5 million, the same as the prior year level.
- Innovation Economy Matching Grants Program (in NYSTAR) – The Assembly cuts \$26 million on a cash basis for an avail. The Executive appropriation is \$100 million.

The Assembly modifies the following new Executive proposal:

- New Technology Seed Fund – \$25 million in “off budget” spending was proposed by the Executive. The Assembly rejects the \$10 million transfer from the ESDC “Lockbox” and funds the new program at \$15 million.

Article VII language:

The Assembly rejects the Executive proposed Article VII language for the Excelsior Jobs Program. In its place, the Assembly proposes a new Empire Innovation Zones Program which:

- Provides tax benefits to business entities in strategic industries.
- Expands benefits to eligible business entities located in investment zones.
- Benefits will assist business entities in job creation, research and development, and investment.
- Those entities in strategic industries will be required to create a minimum net new five jobs before eligibility takes place.
- Further consideration will be provided for regionally significant projects.

The Assembly modifies the Executive Article VII language granting permanent loan powers to ESDC. Instead, the Assembly proposes the historic one year extender.

Capital:

The Assembly rejects the Executive proposal to reduce appropriations to discretionary capital in SFY 2010-11. The proposal was part of a multi agency Capital Reduction Program intended to achieve \$317 million in projected spending reductions over a five year period.

Small Business

The Assembly accepts the following Executive cut in the area of Small Business:

- Small Business Pollution Prevention Program - \$1.2 million, thus eliminating the program.

The Assembly accepts the following new Executive proposed appropriation:

- Small Business Revolving Loan Fund – \$25 million was proposed by the Executive.

The Assembly modifies the following Executive proposed appropriation:

- Minority-Women Owned Business – \$3.404 million is sub-allocated as has been done historically to include:
 - Minority Women Owned Businesses - \$635,000
 - Community Development Financial Institutions - \$1.495 million
 - Entrepreneurial Assistance Program - \$1.274 million

Article VII Language:

The Assembly modifies the following Executive proposed Article VII language:

- The Small Business Revolving Loan fund:
 - The language will create the small business revolving micro loan fund that the corporation will disperse funds pursuant to a RFP and not be more than \$125,000.

Tourism

The Assembly accepts the following Executive Cut in the area of Tourism:

- \$3.55 million to Tourism Programs, which include: Explore NY; Tourism Matching Grants; and the "I Love NY" programs. The Assembly proposes to break-up the Executive lump to three separate appropriations, and targets the Executive cut exclusively to the "I Love NY" program.

The Assembly partially restores the following Executive cuts:

- Funding for the Gateway Information Centers at Beekmantown and Binghamton was eliminated by the Executive. The Assembly proposes to partially restore funding at \$147,000 per center.

New York State Council on the Arts

- Restores \$1.6 million for Local Assistance for Arts Grants. The program will now receive \$36.8 million;
- Accepts the administration cut to NYSCA of \$644,000;
- Restores \$444,250 to NYSTI and \$84,750 to the Egg; and
- Rejects Article VII language to stop providing funding to NYSTI and the Egg.

TRANSPORTATION

Metropolitan Transportation Authority

- The Assembly modifies the Governor's appropriation level. An additional \$10 million is provided for the MTA schoolfare program within DOT's Transit appropriations.
- The Assembly rejects the Executive proposal to authorize: The elimination of Double Worker's Compensation claims
- The Assembly rejects the Executive proposal to authorize: Owner Controlled Insurance provisions
- The Assembly rejects the Executive proposal to authorize: Pilot Program for Electronic & Reverse Bidding
- The Assembly rejects the Executive proposal to authorize: Bus Lane Photo Devices

Department of Motor Vehicles

- The Assembly modifies the Governor's appropriation level with an increase of \$831,000 by restoring cuts from Article VII.
- The Executive Budget proposed \$12.7 million in Operational Reductions for DMV. The Assembly proposal accepts \$11.9 million of these reductions
- The Assembly rejects the Executive proposal authorizes: Bulk mailing rates, restoring \$250,000
- The Assembly rejects the Executive proposal: Increasing accident report threshold and eliminate the motorist reporting requirement, restoring \$581,000
- The Assembly accepts the Governor's proposal for a reduction of 5 FTE positions, saving \$202,000

Department of Transportation

- The Assembly modifies the Governor's appropriation level with an increase of \$750,000 by rejecting the proposal to save \$1 million by closing rest areas and restoring \$750,000
- The Executive Budget proposed \$24.7 million in Operational Reductions for DOT. The Assembly proposal accepts \$23.3 million of these reductions
- The Assembly accepts the Governor's proposal for a reduction of 18 FTE positions, saving \$841,000
- The Assembly accepts the DOT capital program for SFY 2010-11
- The Assembly rejects the Governor's proposal to reduce Multi-Modal reappropriations

- The Assembly accepts the Governor's proposal to reduce Industrial Access reappropriations
- The Assembly accepts the Governor's proposal to transfer General Funds into the Dedicated Highway and Bridge Trust Fund to fill the gap
- The Governor's proposal to transfer operational responsibility of I-84 does not produce savings this year and is still being considered
- The Assembly accepts the Governor's addition of \$5.3 million to subsidize the Amtrak line from Albany to Montreal in order to comply with the Federal mandate.

HOUSING

The Assembly has accepted the following savings:

- \$3.8 million reduction in General Fund support for Periodic Subsidies for housing authority debt service payments. This reduction also includes the elimination of \$3 million intended for NYCHA operating costs;
- \$7 million attributed to administrative efficiencies from the administrative consolidation of HFA and DHCR;
- \$500,000 attributed to adjusting the Rent Administration Program to cover NYC's portion of the program;
- \$21,875,000 from the elimination of the Foreclosure Prevention program;
- \$338,000 attributed to the Rural Rental Assistance Program; and,
- \$1,083,000 attributed to the Housing Development Fund Program.

The following appropriations have been accepted:

- The Executive has reduced funding for the NPP and RPP programs in the total amount of \$6.6 million. The Assembly will restore 50% of that reduction for a total restoration of \$3 million. NPPs will be receiving a restoration of \$2,037,904 and RPPs will receive a restoration of \$976,911; and,
- \$300,000 in General fund support for the NYCHA Tenant Pilot program.

LOCAL GOVERNMENT

Aid and Incentives for Municipalities (AIM)

- Accepts \$734,821,000 appropriation for AIM to municipalities outside of the City of New York. This allocation reduces funding to individual municipalities based on local reliance of this revenue source. Municipalities that are dependent on AIM funding for more than 10 percent of their total revenue will receive a 2 percent reduction, while those municipalities with AIM reliance below 10 percent will face a 5 percent reduction from their SFY 2009-10 enacted budget allocation.
- Restores 50 percent, or \$334,166, of AIM payment to Erie County that the Executive proposal eliminated.
- Accepts \$6,000,000 appropriation for the Local Government Efficiency Grant (LGEG) program, including \$5,000,000 for grants and \$1,000,000 for merger incentives.
- Restores \$7,975,000 of the SFY 2009-10 LGEG reappropriation that the Executive proposal eliminated.

Video Lottery Terminal Aid

- Accepts \$25,801,000 appropriation to support aid for municipalities with video lottery gaming facilities. This reflects a 10 percent reduction in aid for eligible municipalities from SFY 2009-10---City of Yonkers is held harmless.

Miscellaneous Financial Assistance

- Accepts \$3,920,000 appropriation for Miscellaneous Financial Assistance. This represents a \$5,000,000 reduction from 2009-10 funding levels. This reflects nonrecurring aid to the City of Yonkers.

Small Government Assistance

- Accepts \$2,088,968 appropriation for Small Government Assistance in SFY 2010-11. This allocation remains unchanged from the enacted SFY 2009-10 appropriation.

Efficiency Incentive Grants – Reappropriation

- Restores \$12,013,254 in reappropriations for Efficiency Incentive Grants to the Erie County and City of Buffalo.

Tribal State Compact

- Accepts Tribal State Compact appropriation of \$39,100,000 in SFY 2010-11. This represents a \$8,500,000 reduction from SFY 2009-10 funding. The impact to individual casinos are as follows:
 - Niagara Falls - \$ 6 million decrease - \$22 million
 - Salamanca - \$ 2 million decrease - \$10 million
 - Buffalo Creek - \$.6 million decrease - \$2.8 million
 - Akwesasne - \$.1 million increase - \$4.3 million