

**TRANSPORTATION,
ECONOMIC
DEVELOPMENT &
ENVIRONMENTAL
CONSERVATION**

By Agency

ADIRONDACK PARK AGENCY

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	4,607,000	4,502,000	4,502,000	0
Special Revenue-Federal	700,000	700,000	700,000	0
Total for STATE OPERATIONS	5,307,000	5,202,000	5,202,000	0
CAPITAL PROJECTS				
Miscellaneous Special Revenue-Other	500,000	500,000	500,000	0
Total for CAPITAL PROJECTS	500,000	500,000	500,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

DEPARTMENT OF AGRICULTURE AND MARKETS

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	26,768,000	32,213,000	32,213,000	0
Special Revenue-Other	46,600,000	34,591,000	34,591,000	0
Special Revenue-Federal	29,644,000	29,644,000	29,644,000	0
Enterprise	21,361,000	21,361,000	21,361,000	0
Fiduciary	1,836,000	1,836,000	1,836,000	0
Total for STATE OPERATIONS	126,209,000	119,645,000	119,645,000	0
AID TO LOCALITIES				
General Fund	17,329,000	16,630,000	21,601,000	4,971,000
Special Revenue-Federal	20,000,000	20,000,000	20,000,000	0
Total for AID TO LOCALITIES	37,329,000	36,630,000	41,601,000	4,971,000
CAPITAL PROJECTS				
Misc. Capital Projects	2,000,000	2,000,000	2,000,000	0
Capital Projects Fund	1,000,000	1,000,000	1,000,000	0
Total for CAPITAL PROJECTS	3,000,000	3,000,000	3,000,000	0

LEGISLATIVE ACTION

The Legislature appropriates \$164,246,000 on an All Funds basis, an increase of \$4,971,000 over the Executive's budget submission.

Legislative Changes

The Legislature provides \$3,000,000 to fund agricultural economic development.

In addition, the Legislature restores support for the following programs:

- \$821,000 to the Farm Viability Institute for total funding of \$1,221,000.
- \$100,000 to the Cornell Rabies Program for total funding of \$150,000.
- \$100,000 to the Cornell Long Island Rabies Program.
- \$100,000 to the Maple Producers Association.
- \$100,000 to the Tractor Rollover Program.

Article VII

The Legislature accepts the Executive proposal to eliminate the requirement that the New York State Agricultural Experiment Station at Cornell be the state's exclusive seed testing entity.

The Legislature modifies the Executive proposal to extend the Commissioner of Agriculture and Markets' ability to enter into certain contracts and charge for services; the modification would limit the billing authority to federal and out-of-state entities only.

The Legislature accepts the Executive proposal to eliminate Special Revenue Fund support for the Consumer Food and the Commercial Feed Licensing Account, shifting these appropriations instead to the General Fund.

The Legislature denies the Executive proposal to authorize the Commissioner of Agriculture and Markets to authorize dairy market orders to fund activities for assisting dairy farmers through an assessment on milk production.

The Legislature accepts the Executive proposal eliminating the following boards and commissions: the Agricultural Transportation Review Panel, the Hudson Valley Agricultural Advisory Council, the Organic Food Advisory Committee, and the Animal Health Issues Committee.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
AGRICULTURE ECONOMIC DEVELOPMENT	\$3,000,000
FARM VIABILITY INSTITUTE	\$821,000
NORTHERN NEW YORK AGRICULTURAL DEVELOPMENT	\$500,000
EASTERN EQUINE ENCEPHALITIS PROGRAM	\$150,000
CORNELL WILDLIFE RABIES VACCINATION PROGRAM	\$100,000
NEW YORK STATE MAPLE PRODUCERS' ASSOCIATION	\$100,000
TRACTOR ROLLOVER PROGRAM	\$100,000
CORNELL RABIES - LONG ISLAND RABIES	\$100,000
CORNELL FARM FAMILY ASSISTANCE	\$100,000

DEPARTMENT OF ECONOMIC DEVELOPMENT

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	20,597,000	22,040,000	22,370,000	330,000
Special Revenue-Other	3,765,000	3,458,000	3,458,000	0
Special Revenue-Federal	2,000,000	2,000,000	2,000,000	0
Total for STATE OPERATIONS	26,362,000	27,498,000	27,828,000	330,000
AID TO LOCALITIES				
General Fund	40,067,998	36,614,000	42,222,000	5,608,000
Special Revenue-Federal	9,100,000	6,000,000	6,000,000	0
Total for AID TO LOCALITIES	49,167,998	42,614,000	48,222,000	5,608,000

LEGISLATIVE ACTION

The Legislature appropriated \$76,050,000 on an All Funds basis, a net increase of \$5,938,000 over the Executive's budget submission.

Legislative Changes

The Legislature provides:

- \$3,000,000 for local tourism marketing efforts;
- \$775,000 to restore funding for the Institute for Nanoelectronics Discovery and Exploration (INDEX) at the College of Nanoscale Science and Engineering (CNSE), as independently established by a resolution of the State University of New York (SUNY) Board of Trustees on November 18, 2008;
- \$713,000 to restore funding for the Center for Advanced Interconnect Systems Technologies (CAIST) at CNSE, as independently established by a resolution of the SUNY Board of Trustees on November 18, 2008;
- \$500,000 for a second Center of Excellence at SUNY Stony Brook for the study of advanced energy research;
- \$330,000 for the "I Love NY" program;
- \$250,000 for a second Center of Excellence at Rochester Institute of Technology (RIT) for the study of sustainable manufacturing;

- \$200,000 for a second Center of Excellence at University at Buffalo for the study of materials informatics; and
- \$170,000 for Local Tourism Matching Grants.

Article VII

The Legislature approves the Executive proposal to extend the three percentage point interest rate reduction for agricultural businesses under the Linked Deposit Program.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
I LOVE NEW YORK TOURISM MARKETING PROGRAM	\$3,000,000
CNSE INSTITUTE FOR NANOELECTRONICS DISCOVERY AND EXPLORATION (INDEX)	\$775,000
CNSE CAIST	\$713,000
CENTER OF EXCELLENCE - SUNY STONY BROOK	\$500,000
I LOVE NY PROGRAM	\$330,000
CENTER OF EXCELLENCE - RIT	\$250,000
CENTER OF EXCELLENCE - UNIVERSITY AT BUFFALO	\$200,000
LOCAL TOURISM MATCHING GRANTS PROGRAM	\$170,000

NYS ENERGY RESEARCH AND DEVELOPMENT AUTHORITY

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
Special Revenue-Other	8,090,000	8,090,000	8,090,000	0
Total for STATE OPERATIONS	8,090,000	8,090,000	8,090,000	0
AID TO LOCALITIES				
Special Revenue-Other	8,140,000	8,140,000	8,140,000	0
Total for AID TO LOCALITIES	8,140,000	8,140,000	8,140,000	0
CAPITAL PROJECTS				
Capital Projects Fund	15,310,000	14,000,000	14,000,000	0
Total for CAPITAL PROJECTS	15,310,000	14,000,000	14,000,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

Article VII

The Legislature accepts the Executive proposal to transfer \$913,000 from New York State Energy Research and Development Authority (NYSERDA) to the General Fund to pay New York's debt service obligations associated with the West Valley nuclear facility.

The Legislature accepts the Executive proposal to continue the utility assessment pursuant to Section 18-a of the Public Service Law used to fund NYSEDA's Research, Development and Demonstration Program, as well as its Policy and Planning Program.

The Legislature accepts the Executive proposal to authorize the Department of Health to continue financing public service education activities with revenues generated from an assessment on cable companies.

The Legislature accepts the Executive proposal to require NYSEDA to file a declaration of charges with local recording officers for each Green Jobs-Green New York loan repaid through an On-Bill Recovery charge.

The Legislature establishes the Western New York Power Proceeds Allocation Board to assist qualifying businesses and non-profits within a 30-mile radius of the Niagara Power Project by awarding New York Power Authority proceeds for infrastructure, transportation, and tourism marketing projects.

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	103,864,000	103,688,000	103,688,000	0
Special Revenue-Other	254,077,000	252,685,000	253,960,000	1,275,000
Special Revenue-Federal	76,012,000	77,198,000	77,198,000	0
Internal Service Fund	60,000	95,000	95,000	0
Total for STATE OPERATIONS	434,013,000	433,666,000	434,941,000	1,275,000
AID TO LOCALITIES				
General Fund	1,875,000	1,676,000	2,576,000	900,000
Total for AID TO LOCALITIES	1,875,000	1,676,000	2,576,000	900,000
CAPITAL PROJECTS				
Capital Projects Fund	16,834,000	20,900,000	20,900,000	0
Capital Projects Fund - Advances	0	500,000	500,000	0
Federal Capital Projects Fund	184,000,000	175,000,000	175,000,000	0
Environmental Protection Fund	134,000,000	134,000,000	134,000,000	0
Cap Proj Fund - DEC Regular Auth Bonds	12,000,000	113,743,000	113,743,000	0
Cap Proj Fund - State Revolving Fund Auth Bonds	35,000,000	35,000,000	35,000,000	0
Hazardous Waste Remedial Fund - Oversight and Assesment	10,000,000	10,000,000	10,000,000	0
Hazardous Waste Remedial Fund - Cleanup	120,000,000	120,000,000	120,000,000	0
Total for CAPITAL PROJECTS	511,834,000	609,143,000	609,143,000	0

LEGISLATIVE ACTION

The Legislature appropriates \$1,046,660,000 on an All Funds Basis, a \$2,175,000 increase over the Executive's budget submission.

Legislative Changes

The Legislature accepts Executive funding levels for the Environmental Protection Fund at \$134,000,000, but amends allocations to provide funding for the following:

- Waterfront Revitalization projects; including \$60,000 for projects in Jefferson and St. Lawrence counties and \$400,000 for Niagara/Erie Waterfront Revitalization;

- municipal parks projects; including \$425,000 for Buffalo Area Parks and \$300,000 for Niagara/Erie Historic Preservation; and
- \$300,000 for a Maximum Daily Load Study for the Western Bays in the South Shore Estuary.

In addition, the Legislature decreases funding for the Pesticide Database by \$190,000 and instead increases support to Municipal Recycling by the same amount.

The Legislature rejects the Executive appropriation language that would allow the Commissioner of Agriculture and Markets to set aside up to 25 percent of Non-Point Source Abatement appropriations for significant regional or statewide projects.

The Legislature modifies Urban Forestry Land Acquisition requirements to allow towns with populations of 65,000 or more to access such funding.

The Legislature provides \$1,275,000 in additional funding for the Invasive Species program.

The Legislature provides \$500,000 in additional funding for Fish Stocking and Game Farms.

The Legislature provides \$400,000 in additional funding for Cornell Integrated Pest Management.

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

Article VII

The Legislature accepts the Executive proposal to modify the exemption for fees related to recycled hazardous waste.

The Legislature amends the Executive proposal to modify various fishing and hunting provisions to increase disclosure and to remove the authorization for an extension of the surf clam and quahog fee.

The Legislature authorizes the Department of Environmental Conservation to offer gift cards for hunting and fishing licenses and stamps.

The Legislature extends the New York State Diesel Emissions Reduction Act compliance deadline until December 31, 2013.

The Legislature accepts the Executive proposal to repeal the following boards and commissions: Solid Waste Management Board; Environmental Facilities Corporation Technical Advisory Committee; the Long Island Sound Coastal Advisory Commission; the Freshwater Wetlands Appeals Board; the State Environmental Board; the State Forest Practices Board; and the Regional Forest Practices Board and the Surf Clam/Ocean Quahog Management Advisory Board.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
CONSERVATION FUND: INVASIVE SPECIES	\$775,000
INVASIVE SPECIES ERADICATION	\$500,000
CONSERVATION FUND: FISH STOCKING AND GAME FARMS	\$500,000
CORNELL COMMUNITY INTEGRATED PEST MANAGEMENT	\$400,000
EPF - MUNICIPAL RECYCLING ACCOUNT	\$190,000

ENVIRONMENTAL FACILITIES CORPORATION

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
Special Revenue-Other	12,310,000	0	0	0
Total for STATE OPERATIONS	12,310,000	0	0	0
CAPITAL PROJECTS				
Clean Water-Clean Air Implementation Fund	343,000	0	0	0
Total for CAPITAL PROJECTS	343,000	0	0	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

HUDSON RIVER PARK TRUST

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
CAPITAL PROJECTS				
Capital Projects Fund - Advances	0	0	0	0
Total for CAPITAL PROJECTS	0	0	0	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

DIVISION OF THE LOTTERY

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
Special Revenue-Other	89,704,000	102,673,000	102,673,000	0
Total for STATE OPERATIONS	89,704,000	102,673,000	102,673,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

Legislative Changes

The Legislature amends the Executive budget to delay the implementation of the merger of the Division of Lottery with the Racing and Wagering Board until October 1, 2012. The Division of Lottery will have full appropriation authority until October 1, 2012, at which point all appropriations, encumbrances, liabilities and obligations will be transferred to the New York State Gaming Commission.

Article VII

The Legislature modifies the Executive's recommendation to merge the Division of Lottery with the New York State Racing and Wagering Board and changes the effective date, from May 1, 2012 to October 1, 2012.

The Legislature adds provisions to eliminate Quick Draw food percentage restrictions. Establishments holding an alcohol beverage license for on-premise consumption, whose sales from food make up less than 25 percent of gross sales will now be able to operate the game of Quick Draw.

NEW YORK STATE GAMING COMMISSION

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
Special Revenue-Other	0	0	125,357,700	125,357,700
Total for STATE OPERATIONS	0	0	125,357,700	125,357,700

LEGISLATIVE ACTION

The Legislature amends the Executive's budget submission to delay the implementation of the merger of the Racing and Wagering Board (Board) and the Division of the Lottery into the New York State Gaming Commission (Commission) until October 1, 2012. The Commission will have full appropriation authority beginning October 1, 2012, and a series of technical additions have been advanced in order to create that authority.

The Legislature appropriates \$125,357,000 reflecting the combined prior year funding for the Board and the Division of Lottery and an additional \$1,000,000 in appropriation authority for unforeseen administrative expenses associated with the merger.

Article VII

The Legislature modifies the Executive's Article VII Legislation to merge the Division of Lottery and the Board into a newly created Gaming Commission. The Commission will be governed by a seven member board, with five members appointed by the Governor, and one member appointed each by the Senate Majority Leader and the Speaker of the Assembly. The Governor will select the chair of the board and appoint an executive director to run the day to day operations of the commission. The executive director will oversee the four divisions, which include The Lottery, Charitable Gaming, Gaming; and Horse Racing and Pari-Mutuel Wagering Division. The appointment of the seven board members and the executive director will be subject to Senate confirmation. Lottery revenues will continue to fund education. The merger will take place on October 1, 2012.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
ADMINISTRATION OF THE LOTTERY PROGRAM - NON-PERSONAL SERVICE	\$57,257,000
ADMINISTRATION OF THE LOTTERY PROGRAM - PERSONAL SERVICE	\$21,189,000
VIDEO LOTTERY TERMINAL ADMINISTRATION - NON-PERSONAL SERVICE	\$15,600,000
HORSE RACING AND PARI-MUTUEL WAGERING PROGRAM - NON-PERSONAL SERVICE	\$8,423,297

GAMING PROGRAM - NON-PERSONAL SERVICE	\$5,314,000
REGULATION OF INDIAN GAMING - PERSONAL SERVICE	\$4,738,300
REGULATION OF INDIAN GAMING - NON-PERSONAL SERVICE	\$3,365,200
GAMING PROGRAM - PERSONAL SERVICE	\$3,313,000
HORSE RACING AND PARI-MUTUEL WAGERING PROGRAM - PERSONAL SERVICE	\$3,281,703
CHARITABLE GAMING PROGRAM - PERSONAL SERVICE	\$948,700
CHARITABLE GAMING PROGRAM - NON-PERSONAL SERVICE	\$927,500
ADMINISTRATION OF GAMING COMMISSION PROGRAM - NON-PERSONAL SERVICE	\$650,000
ADMINISTRATION OF GAMING COMMISSION PROGRAM - PERSONAL SERVICE	\$350,000

DEPARTMENT OF MOTOR VEHICLES

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
Special Revenue-Other	90,431,000	86,827,000	86,827,000	0
Special Revenue-Federal	17,381,000	17,687,000	17,687,000	0
Internal Service Fund	13,500,000	15,000,000	15,000,000	0
Total for STATE OPERATIONS	121,312,000	119,514,000	119,514,000	0
AID TO LOCALITIES				
Special Revenue-Federal	20,620,000	20,800,000	20,800,000	0
Total for AID TO LOCALITIES	20,620,000	20,800,000	20,800,000	0
CAPITAL PROJECTS				
Dedicated Highway and Bridge Trust Fund	201,137,000	194,171,000	194,171,000	0
Total for CAPITAL PROJECTS	201,137,000	194,171,000	194,171,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

Article VII

The Legislature amends the Executive proposal modifying provisions of law relating to the physical qualifications of commercial vehicle operators. The legislative modifications relate to the cancellation of commercial learners' permits and the downgrade of commercial drivers' licenses, medical certification for operating commercial motor vehicles, and notification to permit and license holders of status changes.

The Legislature approves the Executive proposal to authorize county clerk retention fees for Department of Motor Vehicles internet transactions.

OLYMPIC REGIONAL DEVELOPMENT AUTHORITY

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	4,700,000	4,583,000	4,583,000	0
Special Revenue-Other	354,000	150,000	150,000	0
Total for STATE OPERATIONS	5,054,000	4,733,000	4,733,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

Article VII

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

OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	119,461,200	116,493,700	116,493,700	0
Special Revenue-Other	88,153,900	88,153,900	88,153,900	0
Special Revenue-Federal	6,650,900	6,650,900	6,850,900	200,000
Total for STATE OPERATIONS	214,266,000	211,298,500	211,498,500	200,000
AID TO LOCALITIES				
General Fund	3,020,000	2,920,000	6,020,000	3,100,000
Special Revenue-Other	5,635,000	5,635,000	5,635,000	0
Special Revenue-Federal	3,170,000	3,170,000	3,170,000	0
Total for AID TO LOCALITIES	11,825,000	11,725,000	14,825,000	3,100,000
CAPITAL PROJECTS				
Misc. Capital Projects	3,800,000	3,800,000	3,800,000	0
State Parks Infrastructure Fund	29,001,000	123,271,000	123,271,000	0
Federal Capital Projects Fund	4,000,000	4,000,000	4,000,000	0
Fiduciary Funds - Misc Combined				
Expendable Trust Fund	10,000,000	25,000,000	25,000,000	0
Total for CAPITAL PROJECTS	46,801,000	156,071,000	156,071,000	0

LEGISLATIVE ACTION

The Legislature appropriates \$382,394,500 on an All Funds basis, a \$3,300,000 increase over the Executive's budget submission.

Legislative Changes

The Legislature provides an additional \$3,000,000 for various parks, recreation and historic preservation projects.

The Legislature provides a \$200,000 appropriation for federal park lands and forest grants.

The Legislature provides an additional \$100,000 to support the continued operations of Historic Homes.

Article VII

The Legislature accepts the elimination of the New York State Conservation Corps Advisory Council.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
NATURAL HERITAGE TRUST	\$3,000,000
FEDERAL USDA: FOREST SERVICE GRANTS	\$200,000
HISTORIC HOMES	\$100,000

DEPARTMENT OF PUBLIC SERVICE

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
Special Revenue-Other	75,392,000	75,392,000	75,392,000	0
Special Revenue-Federal	3,500,000	3,500,000	3,500,000	0
Total for STATE OPERATIONS	78,892,000	78,892,000	78,892,000	0
AID TO LOCALITIES				
Special Revenue-Other	1,500,000	3,500,000	3,500,000	0
Total for AID TO LOCALITIES	1,500,000	3,500,000	3,500,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

Article VII

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

STATE RACING AND WAGERING BOARD

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
Special Revenue-Other	22,250,000	21,684,700	21,684,700	0
Total for STATE OPERATIONS	22,250,000	21,684,700	21,684,700	0

LEGISLATIVE ACTION

The Legislature amends the Executive proposal to delay the implementation of the merger of the Racing and Wagering Board (Board) with the Division of the Lottery until October 1, 2012. The Board will have full appropriation authority until October 1, 2012, at which point all appropriations, encumbrances, liabilities and obligations will be transferred to the New York State Gaming Commission.

Article VII

The Legislature modifies the Executive's recommendation to merge the Division of Lottery with the Board and changes the effective date from May 1, 2012 to October 1, 2012.

The Legislature denies the Executive proposal to make uncashed pari-mutuel vouchers subject to escheatment to the Regulation of Racing Account.

The Legislature modifies the Executive proposal to transfer the responsibility of providing one starter and one judge from the Board to each licensed harness track by requiring each licensed facility to reimburse the Board for the costs associated with providing one starter and one judge at each track.

The Legislature authorizes all municipal Off Track Betting (OTB) facilities to enter into bankruptcy if the Board determines a municipal OTB is financially insolvent and the county or majority of participating counties in a municipal OTB region provides a resolution authorizing the municipal OTB to enter into bankruptcy.

The Legislature authorizes municipal OTB facilities to access its capital acquisition funds for general operating purposes if the fund balance is \$2,500,000 or less. A municipal OTB that chooses to use its capital acquisition funds for general operating purposes will have the one percent surcharge on bets used to fund capital acquisition temporarily suspended.

The Legislature also provides for the Board to conduct a study on out-of-state advanced deposit wagering and its impact on New York State horse racing and pari-mutuel handle and to report its recommendations to the Governor and Legislature by September 15, 2012.

DEPARTMENT OF STATE

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	21,595,700	21,070,233	21,070,233	0
Special Revenue-Other	39,555,839	40,635,189	40,635,189	0
Special Revenue-Federal	7,950,000	7,995,406	7,995,406	0
Total for STATE OPERATIONS	69,101,539	69,700,828	69,700,828	0
AID TO LOCALITIES				
General Fund	3,338,000	3,338,000	7,945,000	4,607,000
Special Revenue-Other	539,000	539,000	539,000	0
Special Revenue-Federal	66,706,000	61,400,000	61,400,000	0
Total for AID TO LOCALITIES	70,583,000	65,277,000	69,884,000	4,607,000

LEGISLATIVE ACTION

The Legislature appropriates \$139,584,828 on an All Funds basis, an increase of \$4,607,000 over the Executive proposal.

Legislative Changes

The Legislature provides:

- \$4,000,000 for the Local Waterfront Revitalization program;
- \$505,000 to restore support for the Public Utilities Law Project (PULP); and
- \$102,000 for refugee services within the new Office of New Americans, whose operations and funding were transferred from the Office of Temporary and Disability Assistance, in conformance with the Executive request.

Article VII

The Legislature rejects the Executive proposal to:

- extend the licensing period for real estate brokers and security guards from two years to four years and to double the associated fee; and
- to eliminate the classification system for not-for-profit corporations and reform the Department of State's role in executing service of process.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
LOCAL WATERFRONT REVITALIZATION PROGRAM	\$4,000,000
PUBLIC UTILITY LAW PROJECT (PULP)	\$505,000
OFFICE OF NEW AMERICANS (TANF) REFUGEE SERVICES	\$102,000

DEPARTMENT OF TAXATION AND FINANCE

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	310,682,000	330,536,000	330,536,000	0
Special Revenue-Other	108,042,000	108,671,000	108,671,000	0
Special Revenue-Federal	2,500,000	2,500,000	2,500,000	0
Internal Service Fund	31,131,000	25,380,000	25,380,000	0
Total for STATE OPERATIONS	452,355,000	467,087,000	467,087,000	0
AID TO LOCALITIES				
General Fund	926,000	926,000	926,000	0
Total for AID TO LOCALITIES	926,000	926,000	926,000	0

LEGISLATIVE ACTION

The Legislature provides \$468,013,000 on an All Funds basis, representing no net change from the Executive.

Legislative Reductions

The Legislature reduces the Executive appropriation for Centralized Operations Support by \$50,000, Audit Collection and Enforcement by \$100,000, Revenue Processing and Reconciliation by \$50,000, and Technology and Information Services by \$50,000, and instead reprograms these funds to a new "New York State is Open for Business" program.

Legislative Changes

The Legislature includes the new Office of New York State is Open for Business to assist New York's businesses in tax matters, with an appropriation of \$250,000.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
NEW YORK STATE IS OPEN FOR BUSINESS PROGRAM	\$250,000

DIVISION OF TAX APPEALS

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	3,021,000	3,121,000	3,121,000	0
Total for STATE OPERATIONS	3,021,000	3,121,000	3,121,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

NEW YORK STATE THRUWAY AUTHORITY

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
<hr/>				
CAPITAL PROJECTS				
NYS Canal System Development Fund	2,000,000	2,000,000	2,000,000	0
Total for CAPITAL PROJECTS	2,000,000	2,000,000	2,000,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

DEPARTMENT OF TRANSPORTATION

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
Special Revenue-Other	31,089,000	19,459,000	19,459,000	0
Special Revenue-Federal	16,315,000	16,315,000	16,315,000	0
Total for STATE OPERATIONS	47,404,000	35,774,000	35,774,000	0
AID TO LOCALITIES				
General Fund	97,550,900	97,550,900	97,550,900	0
Special Revenue-Other	4,081,984,000	4,331,332,800	4,331,332,800	0
Special Revenue-Federal	53,062,000	53,536,000	53,536,000	0
Total for AID TO LOCALITIES	4,232,596,900	4,482,419,700	4,482,419,700	0
CAPITAL PROJECTS				
Federal Capital Projects Fund	2,006,000,000	2,922,751,000	2,922,751,000	0
Dedicated Mass Transportation Trust Fund	66,471,000	37,000,000	37,000,000	0
Dedicated Highway and Bridge Trust Fund	1,845,958,000	2,052,458,000	2,053,458,000	1,000,000
NY Metro Transportation Account	18,148,000	17,896,000	17,896,000	0
Capital Projects Fund - Authority Bonds	0	15,000,000	15,000,000	0
Miscellaneous New York State Agency Fund	50,000,000	50,000,000	50,000,000	0
Regional Aviation Fund	0	3,000,000	3,000,000	0
Total for CAPITAL PROJECTS	3,986,577,000	5,098,105,000	5,099,105,000	1,000,000

LEGISLATIVE ACTION

The Legislature appropriates \$9,617,298,700 on an All Funds basis, an increase of \$1,000,000 from the Executive's budget submission.

Legislative Changes

- The Legislature develops a Memorandum of Understanding (MOU) for the State Fiscal Year (SFY) 2012-13 Department of Transportation (DOT) State Highway and Bridge Program, including reporting requirements. Additionally a two-year DOT capital program and financing plan will reflect increases of \$100,000,000 in 2013-14 and \$100,000,000 in 2014-15 above the level proposed for those years in the 2012-13 executive financial plan.
- The Legislature provides an additional \$1,000,000 to maintain the current schedule of bus inspections and to establish a risk-based bus inspection program.

- The Legislature denies appropriation language to authorize the Department of Transportation to incur costs on behalf of the Thruway Authority and its subsidiaries for activities undertaken pursuant to shared services agreements. This action has no fiscal impact.

Article VII

- The Legislature amends the Executive proposal that provides \$39,700,000 in Marchiselli funding and \$363,097,000 for the Consolidated Local Street and Highway Improvement Program (CHIPs) by making permanent the language to authorize the use of CHIPs funds on specified pavement resurfacing work types.
- The Legislature approves the Executive proposal that consolidates the Accident Damage Recovery Account into the Dedicated Highway and Bridge Trust Fund.
- The Legislature amends the Executive proposal relating to Department of Transportation bus inspections by continuing to require inspections every six months and by authorizing the Department to establish an additional risk-based inspection program.
- The Legislature amends the Executive proposal regarding the distribution of transmission tax revenue by approving the proposed distribution for one year.
- The Legislature amends the Executive proposal relating to safety, hours of service and hazardous material transportation requirements for commercial motor vehicles and carriers by preserving state exemptions for farm vehicles, utility service vehicles and tow trucks.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
BUS INSPECTIONS	\$1,000,000

URBAN DEVELOPMENT CORPORATION

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
AID TO LOCALITIES				
General Fund	79,098,000	76,838,000	89,615,000	12,777,000
Total for AID TO LOCALITIES	79,098,000	76,838,000	89,615,000	12,777,000
CAPITAL PROJECTS				
Misc. Capital Projects	0	25,000,000	25,000,000	0
Capital Projects Fund - Authority Bonds	180,550,000	640,000,000	680,000,000	40,000,000
Total for CAPITAL PROJECTS	180,550,000	665,000,000	705,000,000	40,000,000

LEGISLATIVE ACTION

The Legislature appropriated \$794,615,000 on an All Funds basis, an increase of \$52,777,000 over the Executive's budget submission.

Legislative Changes

The Legislature provides \$150,000,000 for Regional Economic Development projects, a net increase of \$20,000,000.

The Legislature provides \$7,404,000 for the Urban and Community Development Program, an increase of \$4,000,000.

The Legislature provides:

- \$20,000,000 for the Economic Development Fund (EDF);
- \$5,000,000 for military base retention efforts;
- \$1,012,000 in restorations for the Institute for Nanoelectronics Discovery and Exploration (INDEX) at the College of Nanoscale Science and Engineering (CNSE) as independently established by a resolution of State University of New York (SUNY) Board of Trustees on November 18, 2008;
- \$1,000,000 in funding for the Center State Corporation for Economic Opportunity;
- \$600,000 for military base redevelopment efforts;
- \$365,000 in additional funding for the Minority and Women-Owned Business Lending Program for a total appropriation of \$1,000,000;

- \$350,000 for the Brooklyn Chamber of Commerce;
- \$200,000 for the Rochester Technology and Manufacturing Association;
- \$100,000 for the Adirondack North Country Association;
- \$100,000 for the Canisius Women’s Business Center; and
- \$50,000 for a redevelopment study at Belmont Park.

Article VII

The Legislature rejects the Executive proposal to deposit the proceeds from the sale of any property of the New York Convention Center Corporation (Javits Center) to the General Fund.

The Legislature amends the Executive proposal to permanently authorize the loan powers of the Empire State Development Corporation (ESDC) to instead extend such authorization for 15 months.

The Legislature amends the Executive proposal to make the EDF permanent, instead extending it for one year.

The Legislature rejects the Executive proposal to provide ESDC with general grant making powers.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
EMPIRE STATE ECONOMIC DEVELOPMENT FUND	\$20,000,000
REGIONAL ECONOMIC DEVELOPMENT COUNCIL INITIATIVE	\$20,000,000
MILITARY BASE FUNDING	\$5,000,000
URBAN AND COMMUNITY DEVELOPMENT PROGRAM	\$4,000,000
CNSE INSTITUTE FOR NANOELECTRONICS DISCOVERY AND EXPLORATION (INDEX)	\$1,012,000
CENTER STATE CEO	\$1,000,000
MILITARY BASE REDEVELOPMENT	\$600,000
ADDITIONAL FUNDING FOR MINORITY- WOMEN-OWNED BUSINESS DEVELOPMENT AND LENDING PROGRAM	\$365,000
BROOKLYN CHAMBER OF COMMERCE	\$350,000
ROCHESTER TECHNOLOGY AND MANUFACTURING ASSOCIATION	\$200,000
ADIRONDACK NORTH COUNTRY ASSOCIATION	\$100,000
WOMEN'S BUSINESS CENTER AT CANISIUS COLLEGE	\$100,000
COMPREHENSIVE STUDY FOR THE REDEVELOPMENT OF BELMONT PARK	\$50,000

MISCELLANEOUS: TRANSPORTATION, ECONOMIC DEVELOPMENT & ENVIRONMENTAL CONSERVATION

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	3,182,000	3,182,000	4,182,000	1,000,000
Total for STATE OPERATIONS	3,182,000	3,182,000	4,182,000	1,000,000
G'way Heritage Conserv for the Hudson Riv Valley				
General Fund	166,000	166,000	166,000	0
Total for Program	166,000	166,000	166,000	0
Hudson River Valley G'way Comm. Council				
General Fund	185,000	185,000	185,000	0
Total for Program	185,000	185,000	185,000	0
Green Thumb				
General Fund	2,831,000	2,831,000	2,831,000	0
Total for Program	2,831,000	2,831,000	2,831,000	0
New York Works Task Force				
General Fund	0	0	1,000,000	1,000,000
Total for Program	0	0	1,000,000	1,000,000
AID TO LOCALITIES				
General Fund	136,000	136,000	136,000	0
Special Revenue-Other	2,195,300,000	2,240,000,000	2,240,000,000	0
Total for AID TO LOCALITIES	2,195,436,000	2,240,136,000	2,240,136,000	0
Dedicated Mass Transportation Trust Fund				
Special Revenue-Other	630,000,000	634,000,000	634,000,000	0
Total for Program	630,000,000	634,000,000	634,000,000	0
Hudson River Valley G'way Comm. Council				
General Fund	136,000	136,000	136,000	0
Total for Program	136,000	136,000	136,000	0
Metropolitan Transportation Authority				
Special Revenue-Other	1,521,000,000	1,552,000,000	1,552,000,000	0
Total for Program	1,521,000,000	1,552,000,000	1,552,000,000	0
Tribal State Compact				
Special Revenue-Other	44,300,000	54,000,000	54,000,000	0
Total for Program	44,300,000	54,000,000	54,000,000	0

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
CAPITAL PROJECTS				
Capital Projects Fund - Authority Bonds	0	770,000,000	770,000,000	0
Total for CAPITAL PROJECTS	0	770,000,000	770,000,000	0
Metropolitan Transportation Authority				
Capital Projects Fund - Authority Bonds	0	770,000,000	770,000,000	0
Total for Program	0	770,000,000	770,000,000	0

LEGISLATIVE ACTION

Metropolitan Transportation Authority (MTA)

The Legislature concurs with the Executive proposal that provides a maximum of \$2,186,000,000 in contingent appropriations for MTA operations during State Fiscal Year (SFY) 2013-14, in the event that the SFY 2013-14 budget is not enacted in a timely manner.

Tribal State Revenue Compact

The Legislature concurs with the Executive's recommendation for the overall appropriation level of the Tribal State Revenue Compact.

New York Works Task Force

The Legislature creates the New York Works Task Force to coordinate capital infrastructure plans across State agencies and authorities. The Task Force will be made up of fifteen members including two each from the majority Legislative leaders and one each from the minority Legislative leaders. The remaining nine members will be appointed by the Executive.

Article VII

The Legislature amends the Executive proposal that would increase the bond cap of MTA by \$7,000,000,000. The Legislature divides this bond cap increase equally over three years.

The Legislature approves the Executive proposal that directs the state to reimburse the MTA for costs associated with an E-ZPass toll rebate program for the Cross Bay Veterans Memorial Bridge.

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

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
NEW YORK WORKS TASK FORCE	\$1,000,000