

**SUMMARY OF RECOMMENDED CHANGES
TO THE
EXECUTIVE BUDGET
STATE FISCAL YEAR 2022-23**

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FINANCIAL PLAN

SFY 2022-23 Enacted Financial Plan

SFY 2022-23 Enacted Budget (\$ in Millions)				
	SFY 2021-22 Close-Out Estimate	SFY 2022-23 Enacted	Difference	Percent Change
General Funds	90,694	98,424	7,730	8.52%
State Operating Funds	115,226	121,848	6,622	5.75%
State Funds	128,781	137,963	9,182	7.13%
All Funds	212,926	220,472	7,546	3.54%

All Funds

The All Funds Budget is the broadest measure of spending; it accounts for unrestricted and restricted State funds as well as funds received from the federal government.

The Enacted budget All Funds is estimated at \$220.5 billion for State Fiscal Year (SFY) 2022-23, which is \$4.0 billion over the Executive plan, including major investments such as \$950 million for the Emergency Rental Assistance Program (ERAP), \$800 million for hospitals, \$290 million for childcare, \$268 million for childcare providers stabilization, \$250 million for utility arrears relief, \$200 million for childcare market rate, \$125 million for the Landlord Rental Assistance Program (LRAP), \$125 million for Universal Prekindergarten (UPK), \$100 million for SUNY/CUNY Operating support, among other things.

All Fund disbursements represent an increase of \$7.5 billion from SFY 2021-22 estimated levels primarily in local assistance grants, capital projects, and General State Charges.

The Enacted Financial Plan All Funds receipts are estimated at \$212.8 billion, which represents an increase of \$1.2 billion over the Executive Plan and a decrease of \$33.8 billion or 13.7 percent below SFY 2021-22 estimates primarily in federal grants and accounting change of tax receipts.

State Funds

State Funds spending consists of the General Fund, Debt Service Funds, Capital Projects Funds and Other State Funds. State Funds spending is projected to total \$137.9 billion in SFY 2022-23, representing an increase of \$2.9 billion or 2.2 percent over the Executive's Plan and an increase of \$9.2 billion or 7.1 percent over SFY 2021-22.

The Enacted Financial Plan estimates State Funds receipts in SFY 2022-23 will total \$127.1 billion, an increase of \$128 million over the Executive Plan, and a decrease of \$19.7 billion or 13.4 percent from SFY 2021-22.

State Operating Funds

The State Operating budget includes all State spending from the General Fund, State Special Revenue Funds, and Debt Service Funds. This measure excludes Capital Projects Funds and federal spending. The Enacted Plan assumes State Operating Funds spending of \$121.8 billion, an increase of \$2.9 billion, or 2.5 percent over the Executive's estimate and an increase of \$6.6 billion or 5.7 percent over SFY 2021-22.

State Operating Fund receipts are estimated at \$116 billion, an increase of \$128 million or 0.1 percent over the Executive Plan; and a decrease of \$21.5 billion or 15.6 percent from SFY 2021-22.

General Fund

The General Fund is the primary operating fund of the State and accounts for all unrestricted tax revenue and other receipts not dedicated to a specific fund, program or activity. The General Fund receives monies from personal income taxes, sales and users taxes, business taxes, other taxes, miscellaneous receipts, and transfers from other funds.

The SFY 2022-23 Enacted Plan projects that General Fund spending will total \$98.4 billion, an increase of \$7.7 billion or 8.5 percent from SFY 2021-22 estimated levels. The proposed spending is \$2.9 billion over the Executive proposal and supports increased spending in Education, Health, Mental Health, Human Services and Higher Education.

In SFY 2022-23, General Fund receipts are estimated to total \$92.8 billion. The Enacted Budget General Fund receipts are \$128 million over the Executive forecast and \$21.8 billion or 19.0 percent below SFY 2021-22 estimated levels.

Reserves

The Enacted Budget estimates the General Fund cash balance to be \$27.5 billion at the end of SFY 2022-23, a decrease of \$5.6 billion from SFY 2021-22 and a decrease of \$145 million from estimates included in the Executive proposal.

Rainy Day Reserve Fund Increase

The Legislature maintains \$4.3 billion in Rainy Day Reserves, unchanged from the Executive proposal and an increase of \$920 million over SFY 2021-22.

The Legislature modifies an Executive proposal to authorize an increase to the maximum allowable Rainy Day Reserve Fund balance from five percent to 15 percent of the aggregate amount projected to be disbursed from the General Fund during the fiscal year immediately following the then-current fiscal year.

The Legislature modifies an Executive proposal to authorize the maximum allowable deposit into the Rainy Day Reserve Fund is also increased from 0.75 percent to three percent of the aggregate amount projected to be disbursed from the General Fund during the fiscal year immediately following the then-current fiscal year.

Table 1

CASH FINANCIAL PLAN ALL FUNDS Estimated 30-Day Closeout 2021-22 vs Enacted 2022-23 (\$ in millions)				
	2021-22 Estimated Closeout	2022-23 Enacted Plan	Change	% Change from 21-22 to 22-23
Opening fund balance	18,751	52,556	33,805	180.3%
Receipts:				
Taxes	120,671	99,808	(20,863)	(17.3%)
Miscellaneous receipts	26,017	27,514	1,497	5.8%
Federal grants	99,960	85,506	(14,454)	(14.5%)
Total Receipts	246,648	212,828	(33,820)	(13.7%)
Disbursements:				
Grants to local governments	160,733	168,810	8,077	5.0%
State operations	25,732	23,578	(2,154)	(8.4%)
General State charges	10,253	10,575	322	3.1%
Debt service	8,371	5,612	(2,759)	(33.0%)
Capital projects	7,837	11,897	4,060	51.8%
Total Disbursements	212,926	220,472	7,546	3.5%
Other financing sources (uses)				
Transfers from other funds	65,115	53,344	(11,771)	(18.1%)
Transfers to other funds	(65,465)	(53,972)	11,493	(17.6%)
Bond and note proceeds	433	433	0	0.0%
Net other financing sources (uses)	83	(195)	(278)	(335.2%)
Change in fund balance	33,805	(7,839)		
Closing fund balance	52,556	44,717		

Table 2

CASH FINANCIAL PLAN				
STATE FUNDS				
Estimated 30-Day Closeout 2021-22 vs Enacted 2022-23				
(\$ in millions)				
	2021-22 Estimated Closeout	2022-23 Enacted Plan	Change	% Change from 21-22 to 22-23
Opening fund balance	14,372	39,478	25,106	174.7%
Receipts:				
Taxes	120,671	99,808	(20,863)	(17.3%)
Miscellaneous receipts	25,654	26,982	1,328	5.2%
Federal grants	434	280	(154)	(35.5%)
Total Receipts	146,759	127,070	(19,689)	(13.4%)
Disbursements:				
Grants to local governments	83,766	91,395	7,629	9.1%
State operations	20,741	20,450	(291)	(1.4%)
General State charges	9,261	10,189	928	10.0%
Debt service	8,329	5,612	(2,717)	(32.6%)
Capital projects	6,684	10,317	3,633	54.4%
Total Disbursements	128,781	137,963	9,182	7.1%
Other financing sources (uses)				
Transfers from other funds	65,491	53,705	(11,786)	(18.0%)
Transfers to other funds	(58,796)	(49,595)	9,201	(15.6%)
Bond and note proceeds	433	433	0	0.0%
Net other financing sources (uses)	7,128	4,543	(2,585)	(36.3%)
Change in fund balance	25,106	(6,350)		
Closing fund balance	39,478	33,128		

Table 3

CASH FINANCIAL PLAN				
STATE OPERATING FUNDS				
Estimated 30-Day Closeout 2021-22 vs Enacted 2022-23				
(\$ in millions)				
	2021-22 Estimated Closeout	2022-23 Enacted Plan	Change	% Change from 21-22 to 22-23
Opening fund balance	14,934	39,757	24,823	166.2%
Receipts:				
Taxes	119,359	98,332	(21,027)	(17.6%)
Miscellaneous receipts	17,653	17,384	(269)	(1.5%)
Federal grants	429	275	(154)	(35.9%)
Total Receipts	137,441	115,991	(21,450)	(15.6%)
Disbursements:				
Grants to local governments	76,895	85,597	8,702	11.3%
State operations	20,741	20,450	(291)	(1.4%)
General State charges	9,261	10,189	928	10.0%
Debt service	8,329	5,612	(2,717)	(32.6%)
Capital projects	0	0	0	0.0%
Total Disbursements	115,226	121,848	6,622	5.75%
Other financing sources (uses)				
Transfers from other funds	60,099	47,676	(12,423)	(20.7%)
Transfers to other funds	(57,491)	(48,106)	9,385	(16.3%)
Bond and note proceeds	0	0	0	
Net other financing sources (uses)	2,608	(430)	(3,038)	(116.5%)
Change in fund balance	24,823	(6,287)		
Closing fund balance	39,757	33,470		

Table 4

CASH FINANCIAL PLAN				
GENERAL FUND				
Estimated 30-Day Closeout 2021-22 vs Assembly Plan 2022-23				
(\$ in millions)				
	<u>2021-22 Estimated</u> <u>Closeout</u>	<u>2022-23</u> <u>Enacted Plan</u>	<u>Change</u>	<u>% Change</u> <u>from 21-22 to</u> <u>22-23</u>
Opening fund balance	9,161	33,113	23,952	261.5%
Receipts:				
Taxes				
Personal Income Tax	33,425	23,646	(9,780)	(29.3%)
User taxes and fees	4,627	6,508	1,881	40.6%
Business taxes	16,214	17,102	888	5.5%
Other taxes	1,593	1,288	(305)	(19.1%)
Miscellaneous Receipts	1,839	1,789	(50)	(2.7%)
Federal grants		0	0	0.0%
Transfers from other funds				
- PIT Revenue Bond	27,867	20,442	(7,426)	(26.6%)
- PTET Revenue Bond	8,355	7,540	(815)	(9.8%)
- ECEP Revenue Bond	7	7	0	0.0%
- LGAC	4,034	2,004	(2,030)	(50.3%)
- LGAC	7,763	7,210	(553)	(7.1%)
- RETT	1,311	990	(321)	(24.5%)
- All other	7,611	4,315	(3,296)	(43.3%)
Total Receipts	114,646	92,840	(21,806)	(19.0%)
Disbursements:				
Grants to local governments	61,215	67,621	6,406	10.5%
State operations	13,618	12,682	(936)	(6.9%)
General State charges	8,155	9,030	875	10.7%
Transfers to other funds				
- Debt service	339	329	(10)	(2.9%)
- Capital projects	4,618	5,271	653	14.1%
- State Share Medicaid			0	0.0%
- SUNY Operations	1,336	1,460	124	9.3%
- Other purposes	1,413	2,031	618	43.7%
Total Disbursements	90,694	98,424	7,730	8.5%
Change in fund balance	23,952	(5,584)		
Closing fund balance	33,113	27,529		

Revenue Actions

The Enacted Budget includes the following revenues actions:

- **Part A – Accelerate the Implementation of the Middle-Class Personal Income Tax (PIT) Cut:** The Legislature modifies the Executive proposal to accelerate the full phase-in of the middle-class PIT cut to tax year 2023, by making technical modifications to the existing PIT recapture provisions.
- **Part B – Enhance Tax Credits for Farmers:** The Legislature modifies the Executive proposal to establish a new refundable tax credit to offset overtime hours paid by farm employers, between 40 hours per week and 60 hours per week, to make the credit advanceable within the tax year and to increase the credit from 100 percent to 118 percent of eligible overtime wages paid, to account for fringe benefits and other costs. The Legislature makes technical changes to the Executive proposal to extend the farm workforce retention credit through the 2025 tax year and to double such credit from \$600 to \$1,200 per eligible employee. The Legislature accepts the Executive proposal to increase the investment tax credit for farmers that are actively engaged in farming and agriculture from the current four or five percent credit to a 20 percent credit.
- **Part C – Small Business Tax Cut:** The Legislature accepts the Executive proposal to increase the small business subtraction modification from five percent to 15 percent of net business or farm income, and to expand this benefit to include pass-through entities with less than \$1.5 million in New York-sourced gross income.
- **Part D – Establish a Tax Exemption for Student Loan Forgiveness Awards:** The Legislature modifies the Executive proposal to exclude loan forgiveness awards under programs administered by the Higher Education Services Corporation from State taxation, to expand the exemption to include all New York State loan forgiveness programs.
- **Part E – Establish a Tax Credit for Small Business COVID-19 Related Expenses:** The Legislature modifies the Executive proposal to establish a \$250 million refundable tax credit program to support small business capital expenses resulting from the COVID-19 pandemic, to add reporting requirements and to establish a minimum credit amount of \$1,000 per business. Under this program, small businesses with \$2.5 million or less of gross receipts would be eligible for a credit of 50 percent of their qualifying costs up to \$25,000.
- **Part F – Modify the New York City Musical and Theatrical Production Tax Credit:** The Legislature modifies the Executive proposal to extend the New York City Musical and Theatrical Production Tax Credit and expand the credit from \$100 million to \$200 million, by maintaining the existing uses of funds remitted to the Council on the Arts Cultural Program Fund.

- Part G – Intentionally Omitted.
- **Part H – Extend and Enhance the Hire-A-Vet Credit:** The Legislature modifies the Executive proposal that would extend the Hire-A-Vet Credit for an additional three years; expand eligibility for the credit; and increase the credit percentage, to maintain the enhanced benefit for hiring a disabled veteran and to further expand program eligibility to include the National Oceanic and Atmospheric Administration (NOAA) Commissioned Officer Corps and the Public Health Service.
- **Part I – Provide Tax Credits for the Phase Out of a Certain Grade of Fuel Oil:** The Legislature modifies the Executive proposal to establish a refundable tax credit equal to 50 percent of the cost of converting a building or facility, located outside of New York City, from the use of No. 6 fuel oil to biodiesel heating fuel or a geothermal system, to authorize a taxpayer to claim one credit per eligible site, instead of one credit per municipality.
- **Part J – Increase the State Low-Income Housing Tax Credit Aggregate Cap:** The Legislature accepts the Executive proposal to increase the yearly aggregate amount allocable for the State’s low-income housing tax credit by \$7 million per year for each of the next four years.
- **Part K – Extend the Clean Heating Fuel Tax Credit:** The Legislature accepts the Executive proposal to extend the expiration dates for corporate and personal income tax credits available for purchasing bio-heating fuel for residential purposes for three years, from January 1, 2023, to January 1, 2026.
- **Part L – Extend the Tax Credit for Companies that Provide Transportation to Individuals with Disabilities:** The Legislature modifies the Executive proposal to extend the corporate franchise tax credit for companies who provide transportation to individuals with disabilities through 2028, to increase the maximum credit available for the purchase or retrofit of electric vehicles, from the current \$10,000 to a new maximum of \$15,000.
- **Part M – Extend the Film Tax Credit:** The Legislature accepts the Executive proposal to extend the Empire State Film Production Credit and Empire State Film Post-Production Credit for an additional three years until January 1, 2030, increase program participants required contribution to the Empire State Entertainment Diversity Job Training Fund from 0.25 percent to 0.5 percent, and to require future applicants to file a diversity plan with the State.
- **Part N – Extend the New York Youth Jobs Program Tax Credit:** The Legislature accepts the Executive proposal to extend the New York Youth Jobs Program Tax Credit for an additional five years through 2027.

- **Part O – Extend the Empire State Apprenticeship Tax Credit:** The Legislature accepts the Executive proposal to extend the Empire State Apprenticeship Tax Credit Program for an additional five years through 2027.
- **Part P – Extend the Alternative Fuels and Electric Vehicle Recharging Property Credit:** The Legislature modifies the Executive proposal to extend the Alternative Fuels and Electric Vehicle Recharging Property Credit for five years, to instead extend the credit for three years.
- **Part Q – Extend the Workers with Disabilities Tax Credit:** The Legislature modifies the Executive proposal to extend the Workers with Disabilities tax credit for an additional six years, to instead extend the credit for three years.
- Part R – Intentionally Omitted.
- Part S – Intentionally Omitted.
- **Part T – Exempt Certain Water Vessels from the Petroleum Business Tax:** The Legislature accepts the Executive proposal to exempt motor fuel, diesel motor fuel, or residual petroleum products used by tugboats and towboats from the petroleum business tax, and to allow such vessels to apply for reimbursement where the tax has already been paid.
- Part U – Intentionally Omitted.
- Part V – Intentionally Omitted.
- **Part W – Modify the Withholding Table and Quarterly Interest Rate Publication:** The Legislature accepts the Executive proposal to modify the public notice requirements related to withholding tables and quarterly interest rates to allow the Department of Taxation and Finance to publish this information on the Department’s website instead of requiring full publication in the State Register.
- **Part X – Expand the Financial Institution Data Management Program:** The Legislature accepts the Executive proposal to include virtual currency businesses licensed by the Department of Financial Services in the definition of “financial institution” as it relates to the Financial Institution Data Management Program.
- **Part Y – Extend and Modify the Telecommunications Assessment Ceiling Program:** The Legislature modifies the Executive proposal to extend the Telecommunications Assessment Ceiling Program for four years, from January 1, 2023, to January 1, 2027, and to modify the process by which assessments are challenged under the program, to include

confidentiality requirements related to any reports that are shared during the challenge proceedings.

- **Part Z - Modify School Tax Relief (STAR) Program Administration:** The Legislature accepts the Executive proposals to authorize the Department of Taxation and Finance to mail STAR checks directly to a taxpayer in the event they had a late application for the STAR Exemption program; to clarify that the second most recent income tax year should be used to determine eligibility for the Basic STAR Credit program; to authorize the Tax Department to share lists of STAR credit recipients with local assessment officials outside of New York State; and to authorize the Tax Department to provide reports of deceased persons directly to local assessors.

The Legislature does not include the Executive proposal to require property owners that elect to switch from the STAR exemption to the STAR credit to do so at least 45 days prior to the filing date of the final assessment roll, instead of 15 days prior under current law; and does not include the proposal to establish a formal mechanism for an heir, executor, or other responsible party to notify local officials directly of a property owner's death.

- **Part AA – Modify the Challenge Process for the Solar and Wind Valuation Program:** The Legislature accepts the Executive proposal to modify the process for a taxpayer to challenge a property tax assessment based on the Tax Department's solar and wind valuation model to only allow challenges to the local board of assessment review concerning the model inputs used by local assessors, instead of challenges on the validity of the model itself, which would only be conducted under Article 78 of the New York Civil Practice Law and Rules.
- **Part BB – Homeowner Tax Rebate Credit:** The Legislature accepts the Executive proposal to establish a one-year, \$2.2 billion property tax relief credit for households that are eligible for STAR or Enhanced STAR, and that have incomes at or below \$250,000. This credit would be calculated on a sliding scale based on household income and would be equal to a percentage of a homeowner's current STAR benefit. The credit would be provided as an advanced payment in the fall of 2022, however no credit would be provided where the calculated benefit is less than \$100.
- **ELFA Part RR (Formerly Part CC) – Downstate Casino Authorization:** The Legislature modifies the Executive proposal to remove the current restriction on casinos being sited in Zone One (New York City, Nassau, Suffolk, Putnam, Rockland and Westchester counties) and to authorize the Gaming Facility Location Board to issue a request for application for up to three unawarded casino licenses, to:
 - establish a Local Community Advisory Committee to approve or disapprove applications before they can be considered by the Board;

- require applicants to demonstrate they have complied with all applicable zoning requirements prior to the application being considered by the Board;
 - establish a minimum tax rate of 25 percent on slot machines, and a minimum 10 percent tax rate on table games, however, the actual tax rate would be determined pursuant to a competitive bid process;
 - establish a minimum license fee of \$500 million per applicant, however, the actual license fee will also be determined pursuant to a competitive bid process;
 - authorize the additional casino facilities statewide, however, no more than three casinos could be located in the downstate Zone One;
 - require State education aid funds would be held harmless at no lower than SFY 2021-22 levels, if a current Video Lottery Terminal (VLT) facility is awarded a casino license;
 - require an annual licensing fee of \$750 per slot machine and table game.
 - establish additional siting criteria for licensure based on a diversity framework, including the consideration of the employment, leadership and ownership of an applicant;
 - require that the Gaming Commission appoint a majority of the members of the gaming facility within six months of enactment; and
 - require the Gaming Facility Location Board to issue a request for proposal within 90 days of the majority of its members being appointed.
- **Part DD – Extend Authorized Use of Capital Funds by Certain Off-Track Betting (OTB) Corporations:** The Legislature modifies the Executive proposal to extend the authorization of Capital OTB Corporation to use monies from the Capital Acquisition Fund for the purposes of statutory obligations, payroll, and other expenditures, to authorize Catskill OTB Corporation to use monies from the Capital Acquisition Fund as well and require each Corporation to submit a detailed expenditure plan to the Gaming Commission for review, prior to any distribution of such funds.
 - **Part EE – Extend Pari-Mutuel Tax Rate and Simulcast Provisions:** The Legislature accepts the Executive proposal to extend the current pari-mutuel tax rate structure and other racing-related provisions for one year.
 - **Part FF - Geothermal Tax Credit:** The Legislature includes language to establish a PIT credit to offset 25 percent of the costs associated with the purchase, installation, or lease of residential geothermal energy systems, up to \$5,000 per taxpayer.

- **Part GG – Vending Machine Sales Tax Exemption:** The Legislature includes language to extend the current sales tax exemption for purchases of food or drink from a vending machine, for one year.
- **Part HH – New York City Child Care Property Tax Abatement:** The Legislature includes language to authorize a five-year property tax abatement for property owners in the City of New York that create a new child care center or expand an existing center.
- **Part II - New York City Child Care Business Tax Credit:** The Legislature includes language to authorize New York City to establish a 20 percent City business tax credit for the creation or expansion of child care slots.
- **Part JJ – New York City Earned Income Tax Credit (EITC) Expansion:** The Legislature includes language to authorize New York City to increase its EITC from the current rate of five percent of the federal credit, to a new sliding scale benefit between 30 percent and 10 percent of the federal credit.
- **Part KK – Additional Restaurant Return-to-Work Credit:** The Legislature includes language to authorize an additional credit for restaurants that received the existing Restaurant Return-to-Work Credit, but exceeded the \$50,000 per employer cap, which is equal to 10 full time equivalent (FTE) positions added from April 1, 2021, to December 31, 2021. This additional credit would be available for businesses that hired between 10 and 20 FTE positions over the same period, and the combined Restaurant Return-to-Work Credits would remain capped at \$35 million.
- **Part LL – Location Requirement Waiver for Tax Credits:** The Legislature includes language to waive the location requirement for certain tax credits, including the START-UP NY program and the post-production credit, if the eligible business required its employees to work remotely during the declared Omicron State of Emergency.
- **Part MM – Pass-Through Entity Tax:** The Legislature includes language to modify the State’s pass-through entity tax to authorize certain subchapter S corporations, where all the shareholders are New York residents, to maximize their state and local tax deductions under the program. In addition, the Legislature includes language to authorize the City of New York to establish a similar pass-through entity tax.
- **Part NN – Supplemental State EITC:** The Legislature includes language that would provide a supplemental EITC payment to taxpayers that would be equal to 25 percent of their 2021 EITC or Enhanced EITC benefit. Such payments will be remitted in the fall of 2022.

- **Part NN – Supplemental Empire State Child Credit:** The Legislature includes language to provide a supplemental child tax credit which would be calculated as a percentage of a taxpayer’s 2021 Empire State Child Credit, as follows:
 - 100 percent of the 2021 credit for incomes under \$10,000;
 - 75 percent of the 2021 credit for incomes between \$10,000 and \$25,000;
 - 50 percent of the 2021 credit for incomes between \$25,000 and \$50,000; and
 - 25 percent of the 2021 credit for incomes over \$50,000.
- **Part OO - Empire State Digital Gaming Media Production Credit:** The Legislature includes language to establish a \$5 million tax credit program to support the emerging industry of video game production. The bill would also require each applicant to file a diversity plan with the Department of Economic Development
- **Part PP – Cannabis Industry Expense Deductions:** The Legislature includes language to allow licensed cannabis businesses to make ordinary and necessary business deductions from their New York State taxes.
- **Part QQ – New York Jockey Injury Compensation Fund:** The Legislature includes language that allows the New York Thoroughbred Horsemen’s Association to utilize up to \$2.5 million from the unpaid purse cushion account through 2025 to help offset the premium increase for the New York Jockey Injury Compensation Fund.

Part RR – Suspension of the Motor Fuel Tax and the Sales Tax on Gas and Diesel Purchases: The Legislature includes language that would suspend the \$0.08 per gallon motor fuel tax and the \$0.08 per gallon sales tax on gas and diesel purchases, from June 1, 2022 to December 31, 2022. Counties would also be authorized to cap their sales tax on gasoline at \$4.00 per gallon. In addition, these provisions require the State Comptroller to provide monthly transfers from the General Fund to the Mass Transportation Operating Assistance Fund, the Dedicated Highway and Bridge Trust Fund, and the Dedicated Mass Transportation Trust Fund to account for reduced revenues resulting from the gas tax suspensions.

- **HMH Part RR – Distressed Hospital Funding Pool:** The Legislature modifies the Executive proposal to permanently extend the Distressed Provider Relief Fund and the related sales tax intercept language, to only extend these provisions for three years; to eliminate the \$50 million intercept of sales tax revenue outside of New York City; to reduce the New York City intercept from \$200 million to \$150 million; and to instead support these distressed provider payments with \$100 million in General Fund support.
- **TED Part LL – Extend and Modify the Brownfield Cleanup Program:** The Legislature modifies the Executive proposal to extend and modify the Brownfield Cleanup Program, which would expand eligibility for Tangible Property Credits, establish a \$50,000 program

fee, and extend the Site Preparation and Groundwater Remediation Credits for certain sites, to: expand the types of affordable housing projects that are eligible for the credit; limit the proposed expansion of credits for renewable energy facilities; allow for waiver of the application fee if an applicant can demonstrate hardship; extend the project completion timeframes for additional projects in the Site Preparation Credit and Tangible Property Credit; and authorize certain athletic facility components to be eligible for the Tangible Property Credit if such components are remediated to the highest levels.

- **TED Part PP - Modify the Disposition of the Real Estate Transfer Tax:** The Legislature accepts the Executive proposal to increase the amount of real estate transfer tax collections that are used to support the Environmental Protection Fund from \$119.1 million to \$257.4 million.
- **TED Part XX – Hudson River-Black River Regulating District (HRBRRD) Real Property Tax Obligation:** The Legislature accepts the Executive proposal to shift the responsibility for payment of real property taxes on State-owned land managed by HRBRRD to the State of New York.

Executive Revenue Proposals that are Not Included

- **Part G – Modify the Rate Calculation for the Article 9-A MTA Surcharge:** The Legislature does not include the Executive proposal to establish a permanent 30 percent tax rate for the MTA Article 9-A surcharge.
- **Part R – Require S-Corporation Conformity with Federal Returns:** The Legislature does not include the Executive proposal to require that all corporations that are treated as subchapter S corporations for federal tax purposes be similarly treated as subchapter S corporations for New York tax purposes.
- **Part S – Eliminate the Investment Tax Credit for Production of Master Tapes:** The Legislature does not include the Executive proposal to exclude tangible personal property used in the production or duplication of a master or any visual or audio recording, including films, television shows or commercials from being eligible for the investment tax credit.
- **Part U – Make Local Sales Tax Rate Authorizations Permanent:** The Legislature does not include language to make permanent all current law local sales tax-rate authorizations, and provide the 57 counties outside of New York City and the five cities that currently have additional tax rates with permanent authority to impose a one percent additional rate of sales tax or their currently authorized rate, whichever is higher.
- **Part V – Modify Taxation of the Vacation Rental Industry:** The Legislature does not include the Executive proposal to impose existing sales taxes on vacation rentals, make

vacation rentals in New York City subject to the same use fee paid on hotel stays, and require vacation rental marketplace providers to collect sales tax on the vacation rentals that they facilitate.

- **ELFA Part II – The Affordable Neighborhoods for New Yorkers Tax Incentive Program:** The Legislature does not include the Executive proposal to replace the Affordable New York program enacted under section 421-a of the Real Property Tax Law, which is scheduled to expire on June 15, 2022, with a new Affordable Neighborhoods for New Yorkers Tax Incentive program.

Table 5

Fiscal Impact - Enacted Revenue Proposals
(\$ in Millions)

Part	Proposal	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027
A	Accelerate the Middle-Class Tax Cut	(162)	(615)	(360)	(44)	-
B-A	Farm Investment Tax Credit Enhancement	-	(3)	(3)	(3)	(3)
B-B	Farm Workforce Retention Credit Enhancement	-	(13)	(13)	(14)	(28)
B-C	Farm Employer Overtime Credit	-	-	(18)	(31)	(49)
C	Small Business Tax Cut	(100)	(100)	(100)	(100)	(100)
D	Establish a Tax Exemption for Student Loan Forgiveness Awards	-	(1)	(1)	(1)	(1)
E	Establish a Tax Credit for Small Business COVID-19 Related Expenses	-	(250)	-	-	-
F	Modify the New York City Musical and Theatrical Production Credit	-	(100)	-	-	-
H	Extend and Enhance the Hire-A-Vet Tax Credit	-	-	(1)	(1)	(1)
I	Provide Tax Credits for the Phase Out of a Certain Grade of Fuel Oil	-	-	(17)	-	-
J	Increase the State Low-Income Housing Tax Credit Aggregate Cap	-	(7)	(14)	(21)	(28)
K	Extend the Clean Heating Fuel Tax Credit	-	-	(6)	(6)	(6)
L	Modify the Credit for Transportation to Individuals with Disabilities	-	-	(1)	(1)	(1)
M	Extend the Film Tax Credit	-	-	-	-	-
N	Extend the New York Youth Jobs Program Tax Credit	-	-	(40)	(40)	(40)
O	Extend the Empire State Apprenticeship Tax Credit	-	-	(10)	(10)	(10)
P	Extend the Alternative Fuels and EV Recharging Property Credit	-	-	(3)	(3)	(3)
Q	Extend the Workers with Disabilities Tax Credit	-	-	(1)	(1)	(1)
T	Exempt Certain Water Vessels from PBT	(1)	(2)	(2)	(2)	(2)
W	Modify the Withholding Table and Quarterly Interest Rate Publication	-	-	-	-	-
X	Expand the Financial Institution Data Management Program	-	25	25	25	25
Y	Modify the Telecommunications Assessment Ceiling Program	-	-	-	-	-
Z	Enact STAR Administrative Reforms	-	-	-	-	-
AA	Solar and Wind Valuation Program Technical Corrections	-	-	-	-	-
BB	Provide a Homeowner Tax Rebate Credit	(2,200)	-	-	-	-
ELFA RR	Authorize Additional Casino Licenses	-	-	-	-	-
DD	Off-Track Betting Capital Funds Extension	-	-	-	-	-
EE	Pari-Mutuel Extension	-	-	-	-	-
FF	Geothermal Credit	-	(5)	(5)	(5)	(5)
GG	Vending Machine Sales Tax Exemption Extension	(2)	(1)	-	-	-
HH	NYC Childcare Property Tax Abatement	-	-	-	-	-
II	NYC Business Childcare Tax Credit	-	-	-	-	-
JJ	NYC EITC Enhancement	-	-	-	-	-
KK	Additional Restaurant Return-to-Work Credit	(10)	(6)	-	-	-
LL	Location Requirement Waiver for Tax Credits	-	-	-	-	-
MM	Pass-through Entity Tax Modifications	-	-	-	-	-
NN	Supplemental EITC and Child Tax Credit	(475)	-	-	-	-
OO	Digital Gaming Tax Credit	-	-	(5)	(5)	(5)
PP	Cannabis Business Deduction	-	-	-	-	-
QQ	Jockey Insurance Fund Extension	-	-	-	-	-
RR	Suspend Motor Fuel and Sales Tax on Gasoline and Diesel	(585)	-	-	-	-
LL	Extend and Modify the Brownfield Cleanup Program	-	-	-	-	(1)
Total Fiscal Impact		(3,535)	(1,078)	(575)	(263)	(259)

PUBLIC PROTECTION & GENERAL GOVERNMENT

By Agency

Recommended Changes to the Executive Budget Division of Alcoholic Beverage Control

The Legislature provides an All Funds appropriation of \$112.5 million, an increase of \$750,000 over the Executive proposal.

State Operations

- The Legislature provides \$750,000 to support a State Liquor Authority modernization commission.

Aid to Localities

- The Legislature accepts the Executive proposal to provide \$50 million for the Cannabis Management Program and recommends conforming technical changes.

Capital Projects

- Not applicable.

Article VII

- The Legislature modifies the Executive proposal to authorize email as a permissible form of community notification and allows municipalities and community boards to opt to accept such form of notification.
- The Legislature does not include the Executive proposal related to the State Liquor Authority (SLA) license application process.
- The Legislature modifies the Executive proposal to grant the SLA permanent authorization to issue temporary retail permits for new retail businesses to instead provide a one-year extension.
- The Legislature modifies the Executive proposal related to authorizing the sale of alcohol to-go by on-premises retailers for off-premises consumption.
- The Assembly modifies the Executive proposal to authorize a private debt or equity fund to provide financial assistance to socially and economically disadvantaged individuals in

relation to the establishment of cannabis retail dispensaries by including provisions for clarifying the administration of the program.

- The Legislature includes the following provisions that will:
 - allow farm manufacturer licensees to have third-party businesses operate on their premises;
 - allow wine and liquor stores to open on Christmas Day;
 - allow veteran organizations to obtain a liquor license even if a police officer serves as an officer of such organization; and
 - create a temporary study commission to make recommendations on Alcoholic Beverage Control Law and State Liquor Authority regulations.

Recommended Changes to the Executive Budget Department of Audit and Control

The Legislature provides an All Funds Appropriation of \$518.5 million.

State Operations

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

Aid to Localities

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

Capital Projects

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

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Division of the Budget

The Legislature provides an All Funds appropriation of \$50.72 million, an increase of \$537,000 over the Executive proposal.

State Operations

- The Legislature restores \$537,000 for the following programs:
 - \$469,000 for the Council of State Governments;
 - \$48,000 for the National Conference of State Legislators; and
 - \$20,000 for the National Conference of Insurance Legislators.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Department of Civil Service

The Legislature provides an All Funds Appropriation of \$68.9 million.

State Operations

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

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

- The Legislature does not include the proposal to authorize the Department of Civil Service to establish continuing eligible lists for all positions in the competitive class of the civil service.
- The Legislature does not include the proposal to permit the Department of Civil Service to administer promotional examinations for competitive class positions to employees holding positions in the non-competitive and labor classes without holding open-competitive examinations for such positions and permit municipal civil service commissions to do the same for entry-level competitive class positions.
- The Legislature does not include the proposal to authorize the transfer of employees holding non-competitive class positions through 55-b and 55-c programs into the competitive class without examination.
- The Legislature includes the proposal to reduce the number of years of credited service that Tiers V and VI members of a public retirement system must complete in order to be vested from 10 years to five years.

- The Legislature includes the proposal to exclude overtime payments from the wages included in determining the employee contributions a Tier VI member of the New York State and Local Retirement System and the New York City Employees' Retirement System, and to exclude payment earned from extracurricular activities from the wages included in determining the employee contributions a Tier VI member of the New York State Teachers' Retirement System, the New York City Teachers' Retirement System, and the New York City Board of Education Retirement System must make for the plan years between April 1, 2022 and April 1, 2024.

Recommended Changes to the Executive Budget Department of Corrections and Community Supervision

The Legislature provides an All Funds appropriation of \$3.5 billion.

State Operations

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

Aid to Localities

- The Legislature modifies appropriation language for the Transitional Housing Pilot Program by including reporting requirements.

Capital Projects

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

Article VII

- The Legislature accepts the Executive proposal to eliminate the Department of Corrections and Community Supervision (DOCCS) monthly supervision fees.
- The Legislature modifies the Executive proposal to facilitate access to identification cards and other vital records to enhance opportunities for released individuals by requiring DOCCS to notify incarcerated individuals when birth certificates have been ordered and received on their behalf.
- The Legislature modifies the Executive proposal to prohibit outside employment for members of the Parole Board by only prohibiting outside employment in other public positions.
- The Legislature does not include the Executive proposal to establish gender-affirming treatment of incarcerated individuals.
- The Legislature does not include the Executive proposal to expand educational release and furlough eligibility for incarcerated individuals.
- The Legislature does not include Executive proposals to authorize private sector employment for incarcerated persons.

Recommended Changes to the Executive Budget State Commission of Correction

The Legislature provides an All Funds Appropriation of \$3.3 million.

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Division of Criminal Justice Services

The Legislature provides an All Funds appropriation of \$595.4 million, an increase of \$111.3 million over the Executive proposal.

State Operations

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

Aid to Localities

- The Legislature provides an additional \$40 million to support the implementation of criminal justice discovery reforms, bringing total funding to \$80 million.
- The Legislature provides an additional \$5 million for pretrial services, bringing total funding to \$15 million.
- The Legislature provides \$3.13 million for the New York State Defenders Association, an increase of \$2.1 million over the Executive proposal, which includes \$900,000 for a Statewide Defender Discovery and Forensic Support Unit.
- The Legislature provides \$1.95 million for Prisoner's Legal Services, for total funding of \$4.15 million.
- The Legislature restores \$609,000 for domestic violence related to civil and criminal legal services providers.
- The Legislature restores \$600,000 in support of immigrant legal services:
 - \$150,000 for Albany Law School - Immigration Clinic;
 - \$150,000 for Legal Aid Society - Immigration Law Unit;
 - \$150,000 for Legal Services NYC - DREAM Clinics; and
 - \$150,000 for Haitian - Americans United for Progress, Inc.
- The Legislature restores \$4.2 million in Legal Services Assistance Fund (LSAF) support as follows:
 - \$2.83 million for civil and criminal legal service grants; and
 - \$1.37 million for various legal and domestic violence grants.

- The Legislature restores a legislative share of the federal Edward Byrne/Justice Assistance Grants at \$600,000.
- The Legislature restores \$147,000 in support for rape crisis centers.
- The Legislature also provides General Fund support of the following programs:
 - \$7.3 million for community safety and restorative justice programs;
 - \$3.5 million for Civil Legal Services in upstate New York;
 - \$2.6 million for the Westchester County Policing Program;
 - \$1.54 million for SNUG and other gun violence programs;
 - \$400,000 for Neighborhood Legal Services, Inc of Buffalo;
 - \$300,000 for Brooklyn Legal Services;
 - \$290,000 for Mobilization for Justice;
 - \$275,000 for the Fortune Society;
 - \$250,000 for the BARD Prison Initiative;
 - \$250,000 for the Child Care Center of New York;
 - \$250,000 for the Brooklyn Conflicts Office;
 - \$250,000 for Fireman’s Association of New York;
 - \$250,000 for Kingsbridge Heights Community Center;
 - \$250,000 for Moshoula Montefiore Community Center;
 - \$250,000 for the Next-Door Project;
 - \$225,000 for the Legal Education Opportunity Program;
 - \$200,000 for Bergen Basin Development Corporation;
 - \$200,000 for the New York Wing Civil Air Patrol;
 - \$200,000 for Common Justice;
 - \$200,000 for Treatment Alternatives for Safer Communities of the Capital District;
 - \$200,000 for the Greenburger Center for Social and Criminal Justice;
 - \$180,000 for Osborne Association Family Works Program in Buffalo;
 - \$175,000 for the Brooklyn Defender;
 - \$175,000 for New York County Defender Services;
 - \$160,000 for Capital District Women’s Bar Association Legal Project, Inc.;
 - \$150,000 for Bronx Legal Services;
 - \$150,000 for Friends of the Island Academy;
 - \$150,000 for the New York County Defender;
 - \$150,000 for Rehabilitation Through the Arts;
 - \$150,000 for Staten Island Legal Services;
 - \$135,000 for the Huntington Youth Bureau Youth Development Research Institute Inc.;
 - \$127,000 for the Correctional Association;
 - \$125,000 for Center for Family Representation;
 - \$125,000 for Goddard Riverside Community Center;

- \$120,000 for Nassau/Suffolk Law Services Committee Inc.;
- \$115,000 for Lenox Hill Neighborhood House Inc.;
- \$100,000 for Bailey House-Project First;
- \$100,000 for Bronx Legal Services;
- \$100,000 for Center for Court Innovation Youth SOS - Crown Heights;
- \$100,000 for Center for Court Innovation- Red Hook Community Justice Center;
- \$100,000 for the Center for Family Representation;
- \$100,000 for the Jacob Riis Settlement House;
- \$100,000 for the John Jay Prison to College Pipeline Initiative;
- \$100,000 for Kings Against Violence Initiative;
- \$100,000 for Mobilization for Justice;
- \$100,000 for Richmond County District Attorney's Office;
- \$100,000 for Shalom Task Force;
- \$100,000 for SNUG Wyandanch;
- \$90,000 for Friends of the Island Academy;
- \$80,000 for Neighborhood Legal Services, Inc.;
- \$80,000 for NYPD Bronx Explorers;
- \$75,000 for Center for Employment Opportunities;
- \$75,000 for Groundswell;
- \$75,000 for The Legal Action Center;
- \$75,000 for The Mohawk Consortium;
- \$70,000 for New Yorkers Against Gun Violence;
- \$60,000 for Nassau/ Suffolk Law Services;
- \$50,000 for Cityline Ozone Park Civilian Patrol;
- \$50,000 for Exodus Transitional Community;
- \$31,000 for Elmcors Youth and Adult Activities Program;
- \$26,000 for NYU Veterans Entrepreneurship Program;
- \$25,000 for Glendale Civilian Patrol;
- \$20,000 for the Osborne Association; and
- \$20,000 for the Suffolk County Police Hispanic Society.

Capital Projects

- The Legislature provides \$25 million in capital grants for software and technology upgrades to criminal discovery databases.
- The Legislature provides \$10 million in capital grants to counties for equipment, technology, and facility renovations to support pre-trial services and alternatives to incarceration (ATI) programs.

Article VII

- The Legislature modifies the Executive proposal to make permanent the Criminal Justice Discovery Compensation Fund by instead extending the fund for two years, until March 31, 2024. The Legislature also includes language that expands reporting requirements by OCA and DCJS related to criminal justice discovery reforms to also include a breakdown of funds being spent on various discovery-related expenditures throughout the State.
- The Legislature does not include the Executive proposal to enact the Clean Slate Act.

Recommended Changes to the Executive Budget State Board of Elections

The Legislature provides an All Funds appropriation of \$34.4 million, an increase of \$4 million above the Executive proposal.

State Operations

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

Aid to Localities

- The Legislature provides \$4 million to reimburse local boards of elections for costs related to providing domestic postage paid return envelopes with absentee ballots and applications.
- The Legislature modifies the Executive proposal to reject an authorization for the director of the Budget to transfer funds to the General Fund.

Capital Projects

- Not applicable.

Article VII

- The Legislature includes language to require that domestic postage paid return envelopes are included with absentee ballots and applications.
- The Legislature modifies the Executive proposal to require local boards of elections to establish one or more poll sites on college campuses whenever a contiguous property of a college or university contains 300 or more registered voters, by ensuring its effective for the 2022 general election.
- The Legislature does not include the Executive proposal to expand the voter registration period by requiring local boards of elections to process any applications received no later than 10 days before an election and postmarked no later than 15 days before.

Recommended Changes to the Executive Budget Office of Employee Relations

The Legislature provides an All Funds appropriation of \$11.8 million.

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Executive Chamber/Office of the Lieutenant Governor

The Assembly provides an All Funds appropriation of \$18.6 million.

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Department of Financial Services

The Assembly provides an All Funds appropriation of \$481.1 million, an increase of \$250,000 over the Executive proposal.

State Operations

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

Aid to Localities

- The Legislature provides \$250,000 to support the Education Debt Consumer Assistance Program.

Capital Projects

- Not applicable.

Article VII

- The Legislature includes an Executive proposal to require commercial insurance coverage for pregnancy termination services regardless of medical necessity.
- The Legislature modifies the Executive proposal related to telemedicine reimbursement to require healthcare providers to be reimbursed at the same rate and on the same basis for telehealth services as healthcare services delivered in-person. The provisions of this proposal shall expire on April 1, 2024 following a study by the Department of Financial Services and the Department of Health related to telehealth utilization and costs, which would be submitted to the Legislature and Governor by December 31, 2023.
- The Legislature modifies the Executive proposal related to excess medical malpractice to extend the Physician's Excess Medical Malpractice Program for an additional year but rejects the proposed change in payment structure which would split payments to insurers from one annual payment into two payments over two fiscal years.

- The Legislature modifies the Executive proposal related to surprise billing and the independent dispute resolution process to include language related to overpayments made by patients as a result of inaccurate network directory information provided by an insurer or health care provider, which will ensure that patients are held harmless and reimbursed appropriately by the entity responsible for providing such incorrect information.
- The Legislature modifies the Executive proposal related to the Entertainment Workers Demonstration Program to accept the extension of the program and associated funding for an additional year and provide language to expand program eligibility to include residents with a gross monthly household income at or below 400 percent of the non-farm federal poverty level and members of a health plan that provides multi-tier benefit options, as well as adjust the subsidy from 50 percent to 75 percent of the premium for the period covered by such assistance and provide that continuation assistance shall not be provided for more than twelve months within a five-year period.

Recommended Changes to the Executive Budget Office of General Services

The Legislature provides an All Funds appropriation of \$1.5 billion, an increase of \$4 million above the Executive proposal.

State Operations

- The Legislature provides \$2 million for the Office of Language Access, an increase of \$1 million above the Executive proposal.

Aid to Localities

- Not applicable.

Capital Projects

- The Legislature provides \$3 million for the rehabilitation of the Legislative Library.

Article VII

- The Legislature accepts the Executive proposal that would authorize state agencies to share records related to student loan debt forgiveness for state officers and employees.
- The Legislature modifies the Executive proposal to codify New York's statewide language access policy and would permit State agencies to coordinate with OGS to provide interpretation services and to translate vital documents into the twelve most common non-English languages spoken in the state with discretion for an additional four languages.
- The Legislature modifies the Executive proposal to amend Public Buildings Law to extend OGS's authority to enter into certain emergency construction contracts without formal competitive bidding for an additional five years, by proposing to extend the authority for an additional two years.
- The Legislature modifies the Executive proposal that would require public facing state agencies to update forms and data systems to include a gender "x" option.

- The Legislature modifies the Executive proposal to amend the infrastructure investment act for both the State and the City of New York design build programs for an additional five years, by proposing to extend the authority for an additional three years and includes Project Labor Agreements.

Recommended Changes to the Executive Budget Division of Homeland Security and Emergency Services

The Legislature proposes an All Funds appropriation of \$4.97 billion, an increase of \$1.96 million above the Executive proposal.

State Operations

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

Aid to Localities

- The Legislature provides \$1 million for services and expenses of the American Red Cross.
- The Legislature provides funding for various organizations including:
 - \$750,000 for the New York State Professional Fire Fighters Association (NYSPFFA);
 - \$150,000 for the Dix Hills Fire Department; and
 - \$60,000 for Oceanic Hook and Ladder Co. 1.

Capital Projects

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

Article VII

- The Legislature accepts the proposal to extend the existing suspension of the subsidy to the Revolving Loan Fund from the Public Safety Communication Account for two additional fiscal years.

Recommended Changes to the Executive Budget Office of Indigent Legal Services

The Legislature provides an All Funds appropriation of \$366.26 million, an increase of \$2 million over the Executive proposal.

State Operations

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

Aid to Localities

- The Legislature provides \$2 million to improve the quality of representation provided to persons who are entitled to counsel in family court matters.

Capital Projects

- Not applicable.

Recommended Changes to the Executive Budget Office of the State Inspector General

The Legislature provides an All Funds appropriation of \$8.5 million.

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Interest on Lawyers Account

The Legislature provides an All Funds appropriation of \$47.2 million.

State Operations

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

Aid to Localities

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

Capital Projects

- Not applicable

Article VII

- Not applicable

Recommended Changes to the Executive Budget Department of Law

The Legislature provides an All Funds appropriation of \$315.1 million, an increase of \$10 million over the Executive proposal.

State Operations

- The Legislature provides an additional \$10 million for personal service expenses to ensure full staffing levels.

Aid to Localities

- Not applicable.

Capital projects

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

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Division of Military and Naval Affairs

The Legislature provides an All Funds appropriation of \$214.2 million.

State Operations

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

Aid to Localities

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

Capital Projects

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

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Office for the Prevention of Domestic Violence

The Legislature provides an All Funds appropriation of \$10.8 million, a decrease of \$103,000 from the Executive proposal.

State Operations

- The Legislature does not include \$303,000 in funding related to a proposed establishment of a Gender Based Domestic Violence Training Institute.

Aid to Localities

- The Legislature provides \$150,000 for Sexual Harassment and Gender Based Violence Awareness Programs.
- The Legislature restores \$50,000 for the Family Violence and Women's Rights Clinic at the University at Buffalo School of Law.

Capital Projects

- Not applicable.

Article VII

- The Legislature does not include the Executive proposal to establish a gender-based violence training institute within the Office for the Prevention of Domestic Violence.

Recommended Changes to the Executive Budget Commission on Prosecutorial Conduct

The Legislature provides an All Funds Appropriation of \$1.75 million.

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Public Employment Relations Board

The Legislature provides an All Funds Appropriation of \$6.8 million, an increase of \$2.5 million over the Executive proposal.

State Operations

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

Aid To Localities

- Not applicable.

Capital Projects

- The Legislature includes \$2.5 million in capital funding for system modernizations to allow for electronic filing and improved online correspondence between the agency and workers.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Commission on Ethics and Lobbying in Government

The Legislature provides an All Funds appropriation of \$7.59 million, an increase of \$2 million above the Executive proposal.

State Operations

- The Legislature provides \$7.59 million for the Commission on Ethics and Lobbying in Government, an increase of \$2 million above the Executive proposal.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- The Legislature modifies the Executive proposal for the Ethics Commission Reform Act of 2022, by establishing an 11-member Commission on Ethics and Lobbying in Government to provide ethics oversight, guidance, and training for elected officials, state officers, employees, lobbyists, and their clients in New York State.

Recommended Changes to the Executive Budget Judicial Commissions

The Legislature provides an All Funds appropriation of \$7.25 million.

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Division of the State Police

The Legislature provides an All Funds appropriation of \$1.05 billion.

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

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

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Statewide Financial System

The Legislature provides an All Funds appropriation of \$31.9 million.

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Office of Information Technology Services

The Legislature provides an All Funds appropriation of \$942.9 million.

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

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

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Office of Victim Services

The Legislature provides an All Funds appropriation of \$217.47 million.

State Operations

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

Aid to Localities

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

Capital Projects

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

Article VII

- The Legislature modifies the Executive proposal to increase the benefit award cap from \$500 to \$2,500 for property reimbursement for victims of certain violent crimes by including language to authorize the Office of Victims Services to promulgate rules and regulations establishing the definition and reasonable reimbursement of individual items of essential personal property.

Recommended Changes to the Executive Budget Workers' Compensation Board

The Legislature provides an All Funds appropriation of \$206.2 million.

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget General State Charges

The Legislature provides an All Funds appropriation of \$7.4 billion, an increase of \$12 million over the Executive proposal.

State Operations

- The Legislature does not include a proposal that would require the rate of interest paid upon any judgment or accrued claim to be calculated based on the market rate.
- The Legislature includes \$12 million for the costs associated with outside counsel obtained for certain investigations and inquiries.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- The Legislature includes the proposal to allow retired public employees to be employed in a school district or a board of cooperative educational services without a limitation on earnings or prior approval from the appropriate authority until June 30, 2023.
- The Legislature includes the proposal to reduce the number of years of credited service that Tiers V and VI members of a public retirement system must complete in order to be vested from 10 years to five years.
- The Legislature includes the proposal to exclude overtime payments from the wages included in determining the employee contributions a Tier VI member of the New York State and Local Retirement System and the New York City Employees' Retirement System, and to exclude payment earned from extracurricular activities from the wages included in determining the employee contributions a Tier VI member of the New York State Teachers' Retirement System, the New York City Teachers' Retirement System, and the New York City Board of Education Retirement System must make for the plan years between April 1, 2022 and April 1, 2024.

Recommended Changes to the Executive Budget Miscellaneous: Public Protection and General Government

Local Government Assistance

The Legislature provides an All Funds appropriation of \$841.2 million, which is an increase of \$6.7 million over the Executive proposal.

State Operations

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

Aid to Localities

- The Legislature restores and includes support for the following programs:
 - \$5.5 million in miscellaneous financial assistance to municipalities including:
 - \$3.5 million to the County of Suffolk;
 - \$600,000 to the County of Monroe;
 - \$300,000 to the County of Albany;
 - \$300,000 to the City of Buffalo;
 - \$250,000 to the Town of North Hempstead;
 - \$200,000 to the Town of Tonawanda;
 - \$120,000 to the Village of Depew;
 - \$70,000 to the City of Troy;
 - \$50,000 to the City of Rome;
 - \$50,000 to the City of Utica;
 - \$50,000 to the Village of Endicott; and
 - \$25,000 to the Village of Green Island.
 - \$1.2 million to Onondaga County to continue a school discipline pilot project in conjunction with the Syracuse City School District.

Article VII

- The Legislature includes a proposal that would modify the Executive proposal to restore state-funded AIM for cities, towns, and villages to make technical amendments.

- The Legislature includes language to authorize the City of Long Beach to issue bonds at private sale to make technical amendments.
- The Legislature includes language to authorize fire departments to charge fees for emergency medical services.
- The Legislature includes language to authorize the Nassau Interim Finance Authority (NIFA) to audit OTB and IDAs.
- The Legislature does not include the Executive proposal that would revise the timeframe and application process for the County-Wide Shared Services Initiative.
- The Legislature does not include the Executive proposal to modify ethics requirements for local officials.

Deferred Compensation Board

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

Data Analytics

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

Labor Management Committees

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

Legislative Commissions

- The Legislature provides \$2 million and includes language to create a new legislative commission to study and report on the establishment of a public power model for the operation of the Long Island Power Authority.
- The Legislature extends the provisions of law related to the authority of legislative commissions for one year.

Health Care and Mental Hygiene Worker Bonuses

- The Legislature modifies the Executive proposal and includes \$136 million, an increase of \$16 million over the Executive budget, to provide bonus payments to certain employees who are employed by a state operated facility, an institutional or direct-care setting operated by the state, or a public hospital operated by SUNY.

EDUCATION, LABOR & FAMILY ASSISTANCE

By Agency

Recommended Changes to the Executive Budget Division of Veterans' Services

The Legislature provides an All Funds appropriation of \$34.6 million, an increase of \$7.6 million over the Executive proposal.

State Operations

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

Aid to Localities

- The Legislature provides \$2.6 million in restorations and adds for the following programs:
 - \$500,000 for New York State Defenders Association;
 - \$405,000 for Legal Services of the Hudson Valley;
 - \$325,000 for Clear Path for Veterans;
 - \$220,000 for the New York State Defenders Association Veterans Defense Program-Long Island Expansion;
 - \$200,000 for Helmets to Hardhats;
 - \$200,000 for Legal Services of NYC Veterans Justice Project;
 - \$150,000 for Outdoor RX programming;
 - \$150,000 for SAGE Veterans Project;
 - \$125,000 for North Country Veterans' Association;
 - \$125,000 for Veterans of Foreign Wars Department of New York;
 - \$100,000 for Vietnam Veterans of America - New York State Council;
 - \$100,000 for American Legion Dunbar Post 1642;
 - \$10,000 for John Venditti War Veterans Post 1; and
 - \$10,000 for Rome Veterans' Park.

Capital Projects

- The Legislature includes \$5 million for various veterans' capital projects.

Article VII

- The Legislature accepts the Executive proposal to increase the minimum funding for county and city veterans' agencies from \$10,000 to \$25,000.
- The Legislature includes a proposal to change the Division of Veterans' Services to the Department of Veterans' Services, effective April 1, 2023.

Recommended Changes to the Executive Budget Council on the Arts

The Legislature provides an All Funds appropriation of \$109.7 million, an increase of \$21.75 million over the Executive proposal.

State Operations

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

Aid to Localities

- The Legislature provides:
 - an additional \$10 million in arts grants to be distributed through Regional Arts and Cultural Councils outside of New York City, including \$1 million to each of the following:
 - ArtsWestchester;
 - Arts Services Initiative of Western New York;
 - Arts Mid-Hudson;
 - Huntington Arts Council;
 - Arts Center of the Capital Region;
 - Genesee Valley Council on the Arts; and
 - CNY Arts.
- The Legislature restores support for the following programs:
 - \$1 million for arts stabilization grants; and
 - \$750,000 for additional funding for arts organizations.

Capital Projects

- The Legislature provides \$10 million in support for Regional Arts and Cultural Councils outside of New York City.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget City University of New York (CUNY)

The Legislature provides an All Funds appropriation of \$6.1 billion, an increase of \$286.8 million over the Executive proposal.

State Operations

- The Legislature includes \$60 million in additional state operating support funds for CUNY.
- The Legislature provides \$38.2 million for the Search for Education, Elevation, and Knowledge (SEEK) Opportunity Program, a \$1.1 million increase over the Executive proposal.
- The Legislature provides \$3 million for the expansion of nursing programs, a \$1 million increase over the Executive proposal.
- The Legislature provides \$2 million for mental health services, a \$1 million increase over the Executive proposal.
- The Legislature provides \$5.2 million for the School of Labor and Urban Studies, a \$1.5 million increase over the Executive proposal.
- The Legislature provides \$350,000 to reinstate the W. Haywood Burns Chair in Human and Civil Rights at the CUNY School of Law.

Aid to Localities

- The Legislature provides \$1.8 million for College Discovery, a \$54,000 increase over the Executive proposal.

Capital Projects

- The Legislature provides \$344.2 million in critical maintenance capital funds for CUNY, a \$60 million increase over the Executive proposal.
- The Legislature provides an additional \$110 million in expansion capital to CUNY.
- The Legislature provides \$3 million for the School of Labor and Urban Studies.

Article VII

- The Legislature accepts the Executive proposal to fully reimburse CUNY for the TAP gap.
- The Legislature accepts the Executive proposal to accelerate the reset of the tuition rate that CUNY receives for the Excelsior Program by one year.
- The Legislature adds a requirement for CUNY to report on the hiring of faculty.

Recommended Changes to the Executive Budget State Education Department

The Legislature provides an All Funds appropriation of \$41 billion, a \$357.3 million increase over the Executive proposal.

State Operations

- The Legislature modifies the Teach System Modernization appropriation to clarify that intended performance targets enumerated in the appropriation are to be met upon completion of the project.
- The Legislature provides \$150,000 for a Rochester Fiscal Consultant.

Aid to Localities

Office of Prekindergarten through Grade 12 Education

- The Legislature makes the following changes to the Executive proposal:
 - Universal Prekindergarten (UPK) is increased by \$375 million over three years, with \$125 million being allocated each year. In the School Fiscal Year 2022-23, \$100 million would fund new Pre-K slots at the current program level, and \$25 million is allocated to fund a Request for Proposals to pay \$10,000 per pre-K slot;
 - the RECOVS Matching Grant Program, which provides \$100 million over two years, is modified to allow school districts to match grant funds with any funds in addition to federal pandemic relief funds, BOCES would also be eligible to apply for these grants;
 - Reimbursable Aids are permitted to run at their present law level;
 - the State Education Department (SED) is directed to report on the performance of Early College High School Programs; and
 - \$750,000 for the Farm to School program is transferred to the Department of Agriculture and Markets.

- The Legislature provides funding for the following programs:
 - \$7.1 million for Teacher Resource Centers, for a total of \$21.4 million;
 - \$4 million for a Tax Certiorari Fund;
 - \$2.5 million to increase Transportation After 4;
 - \$2 million to increase funding for 4201 Schools;
 - \$180,000 for the Garrison Union Free School District;
 - \$150,000 for the Saint Francis de Sales School; and
 - \$150,000 for the Universal Hip Hop Museum.

- The Legislature restores the following programs:
 - \$1.3 million for Implicit Bias Training/Many Threads One Fabric;
 - \$1.2 million for the Buffalo School Health Services Grants;
 - \$1.2 million for the Rochester School Health Services Grants;
 - \$650,000 for NYC Kids RISE, Inc;
 - \$500,000 for the Long Island Pre-K Technical Assistance Center;
 - \$500,000 for the Teacher Diversity Pipeline Pilot Program;
 - \$475,000 for the Executive Leadership Institute;
 - \$475,000 for the Magellan Foundation;
 - \$461,000 for the Bard Early College High School Program;
 - \$450,000 for NYC Community Learning Schools;
 - \$400,000 for BioBus;
 - \$385,000 for Teacher Institute ELL/Bilingual Program;
 - \$365,000 for the Mind Builders Creative Arts Center;
 - \$300,000 for the Promise Project;
 - \$275,000 for the Auburn Enlarged School District
 - \$250,000 for the Consortium for Workers Education Credentialing Initiative;
 - \$250,000 for the Queens College Townsend Harris High School;
 - \$100,000 for Educators for Student Success; and
 - \$40,000 for the Long Island Latino Teachers Association.

Nonpublic Schools

- The Legislature provides:
 - \$3 million for Nonpublic School STEM programs, for a total of \$58 million, an increase of \$18 million over last year;
 - \$1.9 million for Nonpublic School Aid, for a total of \$195.1 million; and
 - \$1 million restoration for nonpublic school immunization document record keeping.

Cultural Education

- The Legislature increases state aid for public libraries to \$99.6 million. This is an increase of \$3.5 million over the Executive proposal, and an increase of \$5.5 million over last year.
- Additionally, the Legislature provides:
 - \$375,000 for the Schomburg Center; and
 - \$112,500 for the Langston Hughes Community Library.

Adult Education

- The Legislature provides an additional \$1.5 million for Adult Literacy Education, for a total of \$9.3 million.

Office of Higher Education and the Professions

- The Legislature provides a \$1.4 million increase for the Higher Educational Opportunity Program (HEOP), for a total of \$48.3 million.
- The Legislature provides a \$738,000 increase for the Liberty Partnerships Program, for a total of \$25 million.
- The Legislature provides a \$636,000 increase for the Science and Technology Entry Program (STEP), for a total of \$21.5 million.
- The Legislature provides a \$482,000 increase for the Collegiate Science and Technology Entry Program (CSTEP), for a total of \$16.3 million.
- The Legislature provides a \$241,000 increase for the Foster Youth Initiative, for a total of \$8.2 million.
- The Legislature modifies the Executive proposal to require colleges and universities that receive Bundy Aid to submit a plan to SED to improve faculty diversity.
- The Legislature provides \$350,000 for the Latino U College Access (LUCA).
- The Legislature provides \$750,000 for the Dental Grant Program.
- The Legislature provides \$50,000 to Niagara University: First Responder/Emergency Management Disability Awareness Training Program.

- The Legislature provides \$200,000 for On Point for College.

Capital Projects

- The Legislature restores \$20 million for Library Construction Capital, for a total of \$34 million.

Article VII

- The Legislature provides the following Article VII proposals:
 - Zero-Emission School Bus Mandate: Requires all newly purchased or leased school buses be zero-emission by July 1, 2027 and all school buses in operation be zero-emission by July 1, 2035. School districts could apply to SED for an extension of up to 24 months to comply with the July 1, 2027 mandate. Also included are provisions related to employee protections, prevailing wage, a workforce development report, Buy American standards, and requiring NYSERDA to establish a zero-emission public transportation system and school bus roadmap;
 - Special Education Rate Setting: Allows special education providers to retain an 11 percent surplus in the 2022-23 through the 2024-25 school years to ensure that providers have an opportunity to benefit from the upcoming 11 percent rate increase. Additionally, the Executive has committed to hold rates harmless for providers that spend below their allowable rate;
 - School Lunch Program: The Executive’s proposal that would have transferred the administration of the National School Lunch Program and related programs from SED to the Department of Agriculture and Markets has been omitted. Instead, the administration of the Farm to School Initiative will be transferred from SED to the Department of Agriculture and Markets;
 - Foundation Aid and Federal Funding Reporting: Requires districts to seek community input and update plans about how they are going to spend Foundation Aid increases and federal funding increases received this school year;
 - Transportation and Building Aid Forgiveness: The Executive proposal is modified to expand the errors that can be forgiven; and
 - Extends various provisions of law.

- The Legislature does not include the following Article VII proposals:
 - authorize teachers and administrators with an expired certification to be employed in a school district and would require SED to issue temporary professional permits to teachers and other school professionals while their certification was pending approval;
 - authorize extension of Mayoral Control in the City of New York;
 - prohibit institutions of higher education from withholding student transcripts due to a debt owed to an institution as we have passed a similar bill;
 - authorize up to 49 percent non-licensee ownership of accounting firms;
 - authorize NY to join the Interstate Medical Licensure and Nurse Licensure Compacts;
 - authorize certain certified nurse aides to administer medications in residential health care facilities;
 - authorize physicians, registered nurses (RNs) and nurse practitioners (NPs) to assign individuals to administer tests for COVID-19, influenza and respiratory syncytial virus (RSV);
 - authorize transfer the supervision of certain professions from SED to DOH; and
 - authorize the temporary operation of certain curricula and programs of study at colleges and universities pending program approval by SED.

- The Legislature enacts the following Executive proposals to:
 - allow out-of-state and foreign professionals to practice at the Winter World University Games;
 - make the Nurse Practitioner Modernization Act permanent;
 - remove the requirement that NPs file written practice protocols with SED until June 30, 2024;
 - exempt certain NPs from requirements related to written practice agreements and collaborative relationships until June 30, 2024;

- authorize pharmacists to direct limited service laboratories and order and administer COVID-19 and influenza tests authorized by the FDA until June 30, 2024; and
- authorize physicians and NPs to prescribe and order nonpatient specific regimens to RNs for administering COVID-19 and influenza tests until June 30, 2024.

Recommended Changes to the Executive Budget Office of Children and Family Services

The Legislature provides an All Funds appropriation of \$4.3 billion an increase of \$130.8 million over the Executive proposal.

State Operations

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

Aid to Localities

- The Legislature includes funding to support an increase in the child care market rate reimbursement from the 69th percentile to the 80th percentile, expand the eligibility for subsidies from 200 percent to 300 percent of the Federal Poverty Level (FPL), and to continue child care stabilization grants for providers to support workforce investments, as well as rent, PPE, wages, public health emergency related supplies and mental health supports. Combined, these investments total \$1.66 billion in the current state fiscal year.

- The Legislature provides a total of \$57.8 million for the following programs:
 - \$20.66 million for various human services initiatives;
 - \$5.25 million for YMCA of Greater New York;
 - \$3 million for Facilitated Enrollment Programs in Nassau and Suffolk Counties;
 - \$2.45 million for Settlement Houses;
 - \$2.4 million for United Way Statewide 2-1-1;
 - \$2 million for Child Advocacy Centers;
 - \$2 million for the Safe Harbor Program;
 - \$1.9 million for Kinship Care;
 - \$1.5 million for Community Voices for Youth and Families of Long Island;
 - \$1.5 million for Youth Development Program;
 - \$1 million for Fresh Air Fund;
 - \$1 million for New York State YMCA Foundation;
 - \$750,000 for New York State Alliance for the Boys and Girls Clubs;
 - \$635,000 for Common Point Queens;
 - \$600,000 for Metropolitan New York Coordinating Council on Jewish Poverty;
 - \$600,000 for Runaway and Homeless Youth;
 - \$500,000 each for Child Care Facilitated Enrollment Programs in New York City, Onondaga, and Erie County;

- \$500,000 for Hispanic Federation;
- \$400,000 for New Alternatives for Children (NAC);
- \$400,000 for Legal Services of the Hudson Valley;
- \$400,000 for Citizens Committee for New York City;
- \$300,000 for Urban Upbound;
- \$260,000 for Westchester County Youth Bureau;
- \$250,000 for Make the Road;
- \$250,000 for Junior Achievement of New York;
- \$250,000 for West Indian Day Carnival Association;
- \$225,000 for Association of New York State Youth Bureaus, Inc.;
- \$225,000 for Astor Services for Children and Families;
- \$200,000 for Go Bike Buffalo;
- \$200,000 for Docs for Tots;
- \$200,000 for Long Island Cares;
- \$200,000 for ParentChildPlus, Inc.;
- \$180,000 for Long Island Youth Foundation;
- \$180,000 for Woodside on the Move;
- \$175,000 for Shalom Task Force Inc.;
- \$175,000 for Boys and Girls Club of Harlem;
- \$151,667 for Legal Services of the Hudson Valley – LGBTQ+ services;
- \$150,000 for Center for Family Representation;
- \$150,000 for Cornell ILR Buffalo Co-Lab;
- \$150,000 for El Centro Hispano;
- \$150,000 for Riseboro;
- \$150,000 for Simon Wiesenthal Center;
- \$150,000 for Tri-Community Youth Agency;
- \$125,000 for United Jewish Organizations of Williamsburg;
- \$125,000 for Center for Elder Law and Justice;
- \$100,000 for Afikim Foundation;
- \$100,000 for Asian American Legal Defense;
- \$100,000 for Children of Promise;
- \$100,000 for Doctor Theodore A. Atlas Foundation, Inc.;
- \$100,000 for Family Justice Center of Erie County;
- \$100,000 for Flushing Council On Culture and the Arts, Inc.;
- \$100,000 for Funds for The City of New York-The New Pride Agenda Inc.;
- \$100,000 for Greater Ridgewood Youth Council, Inc.;
- \$100,000 for GYMRAT Challenge;
- \$100,000 for Hispanic Heritage Cultural Institute;
- \$100,000 for ImageOut;
- \$100,000 for Jewish Board;
- \$100,000 for Kinship Navigator;
- \$100,000 for Mary Nelson Youth Center;
- \$100,000 for Minkwon Center for Community Action, Inc.;
- \$100,000 for New Rochelle Boys and Girls Club;

- \$100,000 for NYC Kids RISE;
- \$100,000 for NYPD Youth Explorers Program;
- \$100,000 for Southside United HDFC / LOS SURES;
- \$90,000 for Dominico American Society of Queens Inc.;
- \$65,000 for Helen Keller Services for the Blind;
- \$60,000 for Bethany House of Nassau County;
- \$50,000 for Association to Benefit Children;
- \$50,000 for Bergen Basin Community Development Corporation;
- \$50,000 for Flatbush Development Corp;
- \$50,000 for Fun in The Son;
- \$50,000 for Fund for the City Of New York Inc -Jamaica Bay Rockaway Conservancy Parks;
- \$50,000 for JCC Rockland;
- \$50,000 for Players of Utica;
- \$50,000 for South End Children’s Café;
- \$50,000 for Wellness Institute of Greater Buffalo;
- \$50,000 for Young Israel of Staten Island;
- \$30,000 for Gerald Ryan Outreach Center;
- \$30,000 for Good Shepherd Services;
- \$30,000 for Wiz Kids Books B4 Basketball Program;
- \$25,000 for Hispanic Brotherhood of Rockville Centre, Inc.;
- \$25,000 for La Central YMCA;
- \$25,000 for St Luke's Community Food Program;
- \$20,000 for One Stop Richmond Hill Community Center;
- \$10,000 for Center for Youth;
- \$10,000 for Pakistani American Society of New York; and
- \$10,000 for St. Nicholas Chess 4 Kids, Inc.

Capital Projects

- The Legislature provides \$50 million in capital support for the construction, renovation, improvement or expansion of access for child care providers.

Article VII

- The Legislature modifies the Executive proposal related to increasing the maximum income eligibility for child care subsidies from 200 percent of the FPL to 300 percent of the FPL by August 1, 2022, requires districts to utilize federal rollover funds towards the increase of subsidy reimbursements, and eliminates the 17.5 hour a week work requirement for parents enrolled in post-secondary education.

- The Legislature modifies the Executive proposal related to eliminating the current financing structure of the state's share of the funding for Committee on Special Education (CSE) placements by extending it for one year.
- The Legislature accepts the Executive proposal related to extending the current child welfare financing structure by five years, until June 30, 2027.
- The Legislature accepts the Executive proposal to require local social service districts to either begin or continue to pay at least 100 percent of the Maximum State Aid Rate by July 1, 2023.
- The Legislature does not include the Executive proposal to authorize a juvenile offender, an adolescent offender under 21, or a youth under the age of 18 to be detained in a local correctional facility with adults in certain instances after a hearing is held to determine if it is in the interest of justice.

Recommended Changes to the Executive Budget Office of Temporary and Disability Assistance

The Legislature provides an All Funds appropriation of \$7.39 billion, an increase of \$1.09 billion over the Executive proposal.

State Operations

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

Aid to Localities

- The Legislature provides \$800 million in state funds and \$150 million in federal aid for the Emergency Rental Assistance Program (ERAP). The Legislature also provides \$125 million in state funds for the Landlord Rental Assistance Program (LRAP).
- The Legislature provides \$6.3 million for the Disability Advocacy Program (DAP), an increase of \$1 million over the Executive proposal.
- The Legislature provides \$6 million for Refugee Resettlement, an increase of \$4 million over the Executive proposal.
- The Legislature provides \$4.2 million for the Nutritional Outreach and Education Program (NOEP), an increase of \$1 million over the Executive proposal.
- The Legislature provides a \$2 million allocation for Double Up Food Bucks.
- The Legislature provides TANF funding for legislative initiatives that were eliminated in the Executive Budget, including:
 - \$8.5 million for Facilitated Enrollment;
 - \$5 million for Additional Funding for Advantage Afterschool;
 - \$4 million for ATTAIN;
 - \$1.425 million for Career Pathway;
 - \$800,000 for ACCESS;
 - \$785,000 for preventive services;
 - \$475,000 for Wage Subsidy Program;
 - \$334,000 for SUNY/CUNY Child Care;
 - \$200,000 for Jewish Child Care Association of New York;
 - \$200,000 for additional funding for non-residential domestic violence;

- \$144,000 for Wheels for Work;
 - \$82,000 for Rochester Genesee Regional Transportation Authority; and
 - \$25,000 for Centro of Oneida.
- The Legislature provides an additional \$2.7 million for the following programs:
 - \$1.5 million for various human services and veterans community services organizations;
 - \$300,000 for Island Harvest Food Bank;
 - \$200,000 for Campaign Against Hunger;
 - \$150,000 for SAGE;
 - \$125,000 for the Urban Resource Institute;
 - \$125,000 for the West Side Federation of Senior and Supportive Housing;
 - \$125,000 for the Goddard Riverside Community Center;
 - \$50,000 for the Arab American Family Support Center;
 - \$50,000 for Housing Help;
 - \$50,000 for Meals on Wheels of Rockland County; and
 - \$50,000 for People to People.

Capital Projects

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

Article VII

- The Legislature accepts the Executive proposal that authorizes an increase to the Federal Supplemental Security Income (SSI) Cost of Living (COLA) in 2023.
- The Legislature accepts the Executive proposal to extend the current authority of the Office of Temporary and Disability Assistance (OTDA) and the Office of Children and Family Services (OCFS) to appoint a temporary shelter operator for emergency shelters for three years, until March 31, 2025.
- The Legislature modifies the Executive proposal related to public assistance eligibility determinations by connecting the percentage of income to be disregarded to the Consumer Price Index.
- The Legislature includes a proposal to remove the requirement for individuals in New York City to contribute income toward their shelter costs and extend the New York City Savings Plan until March 31, 2030.

- The Legislature includes a proposal to remove the requirement that allows local social services districts to impose a lien on an individual's home in order for them to be eligible for public assistance.
- The Legislature includes a proposal to require the Office of Temporary and Disability Assistance to develop informational materials that may be available to the public to inform them of the availability of utility assistance programs.

Recommended Changes to the Executive Budget Higher Education Services Corporation

The Assembly provides an All Funds appropriation of \$1.2 billion, an increase of \$2.05 million over the Executive proposal.

State Operations

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

Aid to Localities

- The Legislature provides \$4 million for the Patricia McGee Nursing Faculty Scholarship, a \$2 million increase from the Executive proposal.
- The Legislature provides \$200,000 to the Young Farmer Loan Forgiveness Program, a \$50,000 increase over the Executive proposal.

Capital Projects

- Not applicable.

Article VII

- The Legislature accepts the Executive proposal to expand part-time TAP access to certain undergraduate students and students enrolled in certain non-degree workforce credential programs at community colleges.
- The Legislature accepts the Executive proposal to restore TAP eligibility to incarcerated individuals.
- The Legislature accepts the Executive proposal to include expenses for certain apprenticeship programs as a qualified use of 529 college savings accounts.
- The Legislature removes the funding cap for the Patricia McGee Faculty Nursing Scholarship.
- The Legislature removes the award limitation for the NYS Young Farmers Loan Forgiveness Incentive Program.

Recommended Changes to the Executive Budget Division of Housing and Community Renewal

The Legislature provides an All Funds appropriation of \$6 billion, an increase of \$727 million over the Executive proposal.

State Operations

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

Aid to Localities

- The Legislature provides funding to the following programs:
 - \$50 million for land banks;
 - \$41 million in federal assistance for flooding victims of Hurricane Ida;
 - \$15 million increase to the Homeowner Protection Program (HOPP) for a total of \$35 million;
 - \$250,000 for the Heal the Violence Initiative;
 - \$150,000 for the Association for Neighborhood & Housing Development (ANHD); and,
 - \$100,000 for PA'LANTE Harlem Inc.

Capital

- The Legislature provides funding to the following programs:
 - \$350 million for the New York City Housing Authority (NYCHA);
 - \$100 million for additional Mitchell-Lama preservation and homeownership;
 - \$100 million for the Housing Our Neighbors with Dignity Act (HONDA);
 - \$50 million for public housing outside of New York City;
 - \$10 million increase to the Affordable Housing Corporation, for a total of \$36 million;
 - \$7 million for small rental housing; and
 - \$2 million increase to Housing Opportunities for the Elderly (HOPE/RESTORE), for a total of \$3.4 million.

Article VII

- The Legislature increases Mortgage Insurance Fund (MIF) allocations to the Neighborhood Preservation Coalition and the Rural Housing Coalition to provide \$250,000 to each coalition.
- The Legislature does not include the Executive proposal to unit allow New York City to establish a program to legalize specified accessory dwelling units.
- The Legislature does not include the Executive proposal to authorize New York City to pursue the construction of taller residential buildings by deviating from state law that caps the floor area ratio of a residential building.
- The Legislature does not include the Executive proposal to give zoning flexibility to facilitate the conversion of underutilized hotel and commercial properties for permanent housing within specified areas of New York City.
- The Legislature does not include the Executive proposal to establish the 485-w Affordable Neighborhoods for New Yorkers Tax Incentive Program.
- The Legislature does not include the Executive proposal to prohibit landlords from automatically denying tenant applications due to credit history or score if certain conditions apply to the tenant's history.

Recommended Changes to the Executive Budget Division of Human Rights

The Legislature provides an All Funds appropriation of \$20.7 million.

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- The Legislature does not include the Executive proposal that would expand anti-discrimination protections for victims of domestic violence within the Human Rights Law.
- The Legislature does not include the Executive proposal that would expand the Human Rights Law to clarify that discrimination on the basis of citizenship and immigration status is unlawful in New York State.

Recommended Changes to the Executive Budget Department of Labor

The Legislature provides an All Funds appropriation of \$11.4 billion, an increase of \$20.4 million over the Executive proposal.

State Operations

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

Aid to Localities

- The Legislature provides \$20.4 million including restorations for the following community initiatives:
 - \$4 million for the AFL-CIO Workforce Development Institute (WDI);
 - \$2.5 million for the AFL-CIO WDI Manufacturing Program;
 - \$2.5 million for Statewide YouthBuild Projects;
 - \$2.5 million for the Cornell ILR Cannabis Workforce Initiative;
 - \$1.62 million in funding for the Displaced Homemaker Program;
 - \$1 million for the Manufacturers Intermediary Apprenticeship Program (MIAP);
 - \$800,000 for the Worker Institute at Cornell School of Industrial Labor Relations (ILR) Labor Leading on Climate Initiative;
 - \$750,000 for the Manufacturers Association of Central New York (MACNY);
 - \$500,000 for the Statewide Pre-Apprenticeship Program (SPAP);
 - \$350,000 in funding for the New York Committee on Occupational Safety and Health (NYCOSH);
 - \$300,000 for the Worker Institute at the Cornell ILR School;
 - \$200,000 for the Building Trades Pre-Apprenticeship Program (BTPAP) in Nassau County;
 - \$200,000 for BTPAP in Newburgh;
 - \$200,000 for BTPAP in Western New York;
 - \$200,000 for the Multi-Craft Apprenticeship Preparation Program (MAPP) in Albany;
 - \$200,000 for the Multi-Craft Apprenticeship Preparation Program (MAPP) in Rochester;
 - \$200,000 for NYCOSH in Long Island;
 - \$200,000 for NYCOSH in Western New York;
 - \$200,000 for the HOPE Program;
 - \$180,000 for LGBTQ Black and Latino Leadership Training;

- \$180,000 for Gay Men’s Health Crisis;
- \$150,000 for the New Settlement Youth Opportunity Initiative;
- \$150,000 for the Sexual Harassment Prevention Program at Cornell University;
- \$150,000 for the AFL-CIO Cornell WDI Domestic Violence Program;
- \$150,000 for the AFL-CIO Cornell WDI Leadership Program;
- \$150,000 for the ALF-CIO Cornell WDI Union Leadership Program;
- \$150,000 for the Crenulated Company, LTD Young Adult Opportunity Initiative (YAOI);
- \$140,000 for the Pipes Trade Industry United Association Pilot;
- \$120,000 for Collective Food Works Inc;
- \$100,000 for NPOWER;
- \$100,000 for Solar ONE;
- \$85,000 for NYCOSH in Northeast New York;
- \$75,000 for YouthBuild Schenectady;
- \$50,000 for the Cornell ILR School Criminal Records Program; and
- \$50,000 for the Urban League of Rochester.

Capital Projects

- Not applicable.

Article VII

- The Legislature does not include the Executive proposal that would prohibit certain non-compete agreements for employees making less than the median wage, as well as prevent employers from seeking non-poach agreements with other employers.
- The Legislature does not include the Executive proposal to increase the severity of existing penalties for wage theft based on the number of employees and amount of wages the employer failed to pay.
- The Legislature extends by one year the effective implementation date of the new system for calculating partial unemployment insurance benefits.

Recommended Changes to the Executive Budget State of New York Mortgage Agency

The Legislature provides an All Funds appropriation of \$232.1 million.

State Operations

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

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget State University of New York

The Assembly provides an All Funds appropriation of \$13 billion, an increase of \$301.9 million over the Executive proposal.

State Operations

- The Legislature provides \$60 million in additional state operating support for the State University of New York (SUNY).
- The Legislature shifts the cost of the SUNY hospital debt service from the hospitals to the State for SFY 2022-23, saving SUNY hospitals \$68 million.
- The Legislature provides \$43.8 million for the Educational Opportunity Program, an increase of \$1.3 million over the Executive proposal.
- The Legislature provides \$2 million to SUNY's mental health services, an increase of \$1 million over the Executive proposal.
- The Legislature provides \$2.7 million to SUNY's High Need Nursing Programs, an increase of \$1 million over the Executive proposal.
- The Legislature provides \$1.2 million for the SUNY Maritime Scholarship, an increase of \$1 million over the Executive proposal.
- The Legislature provides \$150,000 for the Benjamin Center.
- The Legislature provides \$433,000 for the Immigrant Integration Research and Policy Institute.

Aid to Localities

- The Legislature provides \$6.1 million for Cornell Cooperative Extension (CCE) which includes \$500,000 for the CCE-NYC office and \$1.2 million for CCE's existing programs, a \$1.7 million increase over the Executive Proposal.
- The Legislature provides \$150,000 for housing and food insecurity services at SUNY Dutchess Community College.

- The Legislature provides \$150,000 for the Inclusive Entrepreneurship and Employment Pilot Program at SUNY Schenectady Community College.

Capital Projects

- The Legislature provides \$225 million in additional expansion capital funding, which includes \$75 million for SUNY Albany.
- The Legislature provides \$10 million for Educational Opportunity Centers.

Article VII

- The Legislature accepts the Executive proposal to fully reimburse SUNY for the TAP gap.
- The Legislature accepts the Executive proposal to accelerate the reset state tuition rate that SUNY receives for the Excelsior program by a year.
- The Legislature adds a requirement for SUNY to report on the hiring of faculty.

Recommended Changes to the Executive Budget Office of Welfare Inspector General

The Legislature provides an All Funds appropriation of \$1.3 million.

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Miscellaneous: Education, Labor, Family Assistance

Arts and Cultural Facilities Improvement Program

The Legislature provides an All Funds appropriation of \$40 million, an increase of \$20 million above the Executive proposal.

Capital Projects

- The Legislature provides \$20 million in additional support for the Arts and Cultural Facilities Improvement Program, which provides facility enhancement grants to small and mid-sized organizations, to be administered by the New York State Council on the Arts. This funding would require regional balance in the selection of awards and does not place matching requirements upon grant recipients. In addition, cost for renovations and retrofitting of facilities to comply with COVID-19 health regulations, including outdoor performance space projects, would be eligible under this program.

Higher Education Facilities Capital Matching Grants Program

Capital Projects

- The Legislature provides \$45 million for an additional round of Higher Education Matching Grants Program (HECap) funding, a \$15 million increase over the Executive.

Nonprofit Infrastructure Capital Investment Program

Capital Projects

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

Raise the Age

Aid to Localities

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

HEALTH & MENTAL HYGIENE

By Agency

Recommended Changes to the Executive Budget State Office for the Aging

The Legislature provides an All Funds appropriation of \$297.5 million, an increase of \$14.1 million over the Executive proposal.

State Operations

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

Aid to Localities

- The Legislature provides \$2.5 million to support the Long-Term Care Ombudsman Program.
- The Legislature provides a combined \$1.6 million in funding to support the Holocaust Survivors Initiative.
- The Legislature provides \$825,000 to support Naturally Occurring Retirement Communities (NORC) and Neighborhood Naturally Occurring Retirement Communities (NNORC) nursing services.
- The Legislature provides funding for the following programs:
 - \$900,000 for the Metropolitan Council on Jewish Poverty;
 - \$865,000 for Regional Aid for Interim Needs, Inc.;
 - \$375,000 for Lifespan of Greater Rochester, Inc.;
 - \$350,000 for the Jewish Community Council of Greater Coney Island;
 - \$325,000 for the Center for Elder Law and Justice;
 - \$300,000 for SAGE LGBT Welcome Elder Housing;
 - \$200,000 for the Older Adults Technology Service;
 - \$200,000 for LiveOn NY;
 - \$200,000 for the Statewide Senior Action Council - Patients' Rights Hotline;
 - \$150,000 for Colonie Senior Service Centers;
 - \$112,000 for Project Guardianship;
 - \$100,000 for Wayside Out-Reach Development, Inc.;
 - \$100,000 for the Jewish Association for Services for the Aged
 - \$100,000 for Self Help Community Services, Inc;
 - \$100,000 for Services Now for Adult Persons, Inc;

- \$86,000 for the Foundation for Senior Citizens Home Sharing and Respite Program;
- \$75,000 for Sephardic Bikur Holim (SBK) Community Services Network;
- \$50,000 for India Home;
- \$50,000 for Saratoga Senior Center;
- \$50,000 for Spring Creek Senior Partners NORC;
- \$20,000 for the Jewish Association for Services for the Aged, Bay Eden Senior Center; and
- \$4.5 million in additional programmatic support.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Developmental Disabilities Planning Council

The Assembly provides an All Funds appropriation of \$4.8 million.

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Department of Health

The Legislature provides an All Funds appropriation of \$199.7 billion, an increase of \$1.4 billion over the Executive proposal.

State Operations

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

Aid to Localities

Medicaid

- The Legislature provides \$922.8 million to support bonuses up to \$3,000 for non-homecare health care workers earning less than \$125,000 annually.
- The Legislature provides \$362.6 million to increase the minimum wage for home care workers by \$3.00 over a two-year period.
- The Legislature provides \$37.4 million for the Quality Incentive Vital Assurance Provider Program (QIVAPP) to support the implementation of the Home Care Minimum Wage increase.
- The Legislature provides \$56.5 million to expand Medicaid coverage for undocumented individuals who are 65 and older and are income eligible for Medicaid.
- The Legislature provides \$2.3 million to expand Medicaid coverage for undocumented mothers for up to one year postpartum.
- The Legislature provides \$800 million to provide aid to public, sole community, critical access, and financially distressed hospitals throughout the state.
- The Legislature provides \$100 million to modify the Distressed Tax Intercept Fund to eliminate \$50 million in tax liability for counties outside New York City and to reduce New York City's payment by \$50 million.
- The Legislature provides \$41.21 million to reject a proposal to eliminate prescriber prevails.

- The Legislature provides \$3.45 million to authorize municipal emergency fire services to receive reimbursement from Medicaid.
- The Legislature provides \$5.2 million to expand Medicare Savings Plan to individuals between 138 percent and 186 percent of the Federal Poverty Level.

Public Health

- The Legislature provides \$51.1 million to reject a proposal to restructure Medical Malpractice payments over two years.
- The Legislature provides \$1.9 million to restore funding for School-Based Health Centers.
- The Legislature provides \$2.2 million to restore funding for the Area Health Education Centers (AHEC).
- The Legislature provides \$1.2 million for the Nurse-Family Partnership program.
- The Legislature provides \$375,000 to restore funding for the Cystic Fibrosis program.
- The Legislature provides \$22 million for the Hunger Prevention and Nutrition Assistance Program.
- In addition, the Legislature provides:
 - \$1.7 million for Community Health Advocates;
 - \$1 million for Family Planning Services;
 - \$1 million for Transgender and Gender Non-Conforming Wellness and Equity;
 - \$1 million for the Albert Einstein College of Medicine Leukemia Study;
 - \$775,000 for the Diversity in Medicine Program;
 - \$650,000 for Alliance for Donation;
 - \$525,000 for HIV/AIDS Multi-Service Agencies (MSA);
 - \$525,000 for HIV/AIDS Community Service Programs (CSP);
 - \$500,000 for Bassett Health System;
 - \$500,000 for Long Term Care Community Coalition;
 - \$475,000 for LGBT Health and Human Services Network;
 - \$450,000 for Primary Care Development Corporation;
 - \$425,000 for AFYA Foundation;
 - \$409,000 for Finger Lakes Health Systems Agency;
 - \$400,000 for New Alternatives for Children;
 - \$250,000 for ALS Association of Greater New York;
 - \$250,000 for Coalition for the Institutionalized, Aged, and Disabled;

- \$250,000 for Safe Motherhood;
- \$250,000 for Sickle Cell Anemia Program;
- \$225,000 for Alzheimer's Disease Resource Center, Inc.;
- \$209,000 for Crisis Services of Buffalo and Erie County;
- \$200,000 for The Floating Hospital;
- \$200,000 for LiveOn Rise Program;
- \$150,000 for Breast Cancer Coalition of Rochester;
- \$150,000 for Childhood Asthma;
- \$150,000 for Comunilife;
- \$150,000 for VETSmile Dental Clinic;
- \$125,000 for New York State Dental Association;
- \$100,000 for Adelphi NY Statewide Breast Cancer Hotline;
- \$100,000 for AIDS Community Resource Health Q Center;
- \$100,000 for American Parkinson's Disease Association;
- \$100,000 for Maternal Depression Peer Support Program;
- \$100,000 for Spina Bifida Association of Northeast NY;
- \$100,000 for Urban HealthPlan;
- \$90,000 for International Lymphatic Disease Patient Registry and Biorepository;
- \$84,000 for NYS Coalition for School Based Health Centers;
- \$50,000 for the Academy of Medical and Public Health Services;
- \$50,000 for the Maternity and Early Childhood Foundation;
- \$50,000 for Westchester Medical Center Health Network;
- \$30,000 for Choice Matters;
- \$25,000 for Medicare Rights Center;
- \$20,000 for PRASAD; and
- \$4 million in additional services and programs.

Capital Projects

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

Article VII

- The Legislature modifies the Executive proposal to establish the Nurses Across New York student loan repayment program by including licensed practical nurses and expanding the types of locations which a nurse can serve in to qualify for the program.
- The Legislature modifies the Executive proposal to provide a one-time bonus payment of up to \$3,000 for frontline health and mental hygiene workers who earn under \$125,000 a year by listing specific worker titles which are eligible for bonuses while enabling the commissioner of health to include additional positions.

- The Legislature modifies the Executive proposal to increase the annual State Aid base grant reimbursed to municipalities for core public health services and authorize local health districts to claim up to 50 percent of personnel services costs for reimbursement under state aid by making technical changes.
- The Legislature does not include the Executive proposal on Emergency Medical Services (EMS) modernization.
- The Legislature modifies the Executive proposal to replace the current Medicaid Global Cap growth metric to limit the review to a five-year rolling average and base it on spending projections used by the National Health Expenditure Accounts by expanding reporting requirements.
- The Legislature accepts the Executive proposal to increase the Medicaid trend factor by one percent across the board.
- The Legislature modifies the Executive proposal to delay the hospital rebasing requirement by carving out data collected during the public health emergency.
- The Legislature modifies the Executive proposal to provide up to \$1.6 billion to establish the Health Care Facility Transformation Program IV for capital projects by expanding the categories of eligible providers and increasing the amount allocated for awards for community-based organizations and mental health clinics.
- The Legislature does not include the Executive proposal to reform the Certificate of Need process.
- The Legislature modifies the Executive proposal on nursing home reforms by excluding funding received from FEMA grants from the definition of revenue for the nursing home direct care spending calculation, and by excluding funding under the cash receipt assessment program and capital portion of reimbursement rates for certain nursing homes based on their Centers for Medicare and Medicaid Services (CMS) star rating; requiring the Department of Health (DOH) to publish the criteria, evaluation process, and guidance for Vital Access Provider Access Program (VAPAP) awards on their website; and authorizing enforcement of direct care spending requirements on a pro rata basis.
- The Legislature modifies the Executive proposal related to health equity for long term care and individuals with disabilities by providing Medicaid coverage for individuals 65 and over, regardless of their immigration status; increasing the Medicaid eligibility level for vulnerable seniors to 138 percent of the federal poverty level; increasing the resource threshold for Medicaid eligibility; and expanding eligibility under the Medicaid Savings Program to 186 percent of the federal poverty level.

- The Legislature modifies the Executive proposal to increase rates for private duty nursing services for medically fragile adults and replace the evidence-based validated uniform task-based assessment tool for determinations for home care utilization with guidelines developed by the DOH by making technical changes. The Legislature does not include the Executive proposal related to streamlining the licensure process for Programs of All-Inclusive Care for the Elderly (PACE) organizations.
- The Legislature modifies the Executive proposal to procure Medicaid managed care plans, Medicaid managed long term care plans, and Health and Recovery Plans (HARP) by requiring the DOH to conduct a study on the status of services offered by managed care organizations contracted with the state, an analysis of competitively procuring managed care plans, and an evaluation of new performance standards that could be imposed on managed care plans through the model contract; and accepts the Executive proposal to require health plans to include National Cancer Institute-designated cancer centers in their provider network.
- The Legislature modifies the Executive proposal to expand coverage under the Essential Plan by increasing the income eligibility threshold to up to 250 percent of the federal poverty level and to expand Essential Plan coverage for pregnant enrollees and their newborns for one-year postpartum by eliminating cost sharing requirements.
- The Legislature modifies the Executive proposal to expand prenatal and postpartum care and services under the Medicaid program and expand postpartum Medicaid coverage to one-year following the end of pregnancy by delineating the services covered and covering postpartum individuals, regardless of their immigration status.
- The Legislature does not include the Executive proposal to require syphilis screening during the third trimester of pregnancy.
- The Legislature modifies the Executive proposal on expanding Child Health Plus coverage of behavioral health services to require reimbursement at the Ambulatory Patient Group (APG) rate; accepts the elimination of co-pays for certain households; accepts the transfer of rate setting from the Department of Financial Services to the DOH; and includes an expansion of postpartum coverage under Child Health Plus (CHP) for one year postpartum.
- The Legislature modifies the Executive proposal on utilization reviews of Medicaid services by adding protective language to ensure the review could not be used to determine a recipient's access to care, services or supplies under the Medicaid program.
- The Legislature does not include the Executive proposal to rename the Office of Minority Health under the DOH to the Office of Health Equity and expand the scope of the populations served.

- The Legislature does not include the Executive proposal to eliminate prescriber prevails protections for certain medications under the Medicaid program.
- The Legislature modifies the Executive proposal related to extending various authorizations in the public health law to align with historic practices.
- The Legislature modifies the Executive proposal to extend the authority to waive duplicative regulatory requirements for providers involved in Delivery System Reform Incentive Payment (DSRIP) replicating projects by extending the authorization by two years.
- The Legislature does not include the Executive proposal to require pharmacies to maintain a minimum 30-day supply of both an opioid antagonist and an opioid partial agonist to the extent permitted by the federal wholesaler limits for the treatment of opioid use disorders.
- The Legislature does not include the Executive proposal to authorize homeless youth to give consent for medical, dental, health and hospital services.
- The Legislature expands the number of fiscal intermediaries that may contract with the DOH to provide fiscal intermediary services to consumers in the Consumer Directed Personal Assistance Program.
- The Legislature sunsets the legal authority for the DOH to contract with a third party to provide certain administrative services for the Medicaid program through 2025 and 2026.
- The Legislature requires an increase in the minimum wage for home care workers by \$3.00 an hour over a two-year period, increasing their wages by \$2.00 an hour on October 1, 2022, and by an additional \$1.00 an hour on October 1, 2023.
- The Legislature authorizes fire departments, companies, and districts to receive reimbursement under the Medicaid program when they provide emergency medical services.
- The Legislature authorizes the DOH to conduct a study on ways to improve access to health services and facilities in Kings County, including the need for capital improvements to regional perinatal care centers.
- The Legislature provides \$100 million for the Distressed Provider Pool to reduce the local tax intercept by \$50 million for NYC, and \$50 million for counties outside of NYC.

Recommended Changes to the Executive Budget Office of The Medicaid Inspector General

The Legislature provides an All Funds appropriation of \$57.5 million.

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Department of Mental Hygiene

The Assembly provides an All Funds appropriation of \$600 million.

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Office of Addiction Services and Supports

The Legislature provides an All Funds appropriation of \$1.48 billion, a decrease of \$50.3 million from the Executive proposal.

State Operations

- The Legislature does not include \$750,000 to expand the scope of the Alcohol Awareness Program.

Aid to Localities

- The Legislature provides \$6 million to support the statewide expansion of the MATTERS program, for a total of \$8 million.
- The Legislature provides \$2 million to fund Substance Abuse Prevention and Intervention Specialists (SAPIS) in New York City Schools.
- The Legislature provides support for the following programs:
 - \$800,000 for Family and Children’s Association;
 - \$450,000 for Save the Michaels of the World, Inc.;
 - \$350,000 for Family and Children’s Association Recovery Community and Outreach Center;
 - \$250,000 for Alcoholism and substance Abuse Providers of New York State;
 - \$250,000 for Addiction Recovery Supportive Transportation Services Demonstration Program; and
 - \$100,000 for the Rockland Council on Alcoholism, Inc.
- The Legislature provides \$208 million, a decrease of \$57 million below the Executive proposal to better match disbursements of the Opioid Settlement Fund.

Capital Projects

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

Article VII

- The Legislature modifies the Executive proposal to establish a voluntary certification process for recovery residences by outlining minimum regulations for certification and including prohibited practices of providers who operate or purport to operate a certified recovery residence.
- The Legislature does not include the Executive proposal to rename the “Alcohol Awareness Program” to the “Substance Use Awareness Program” and expand the scope of the program to include a focus on the health effects and social costs of cannabis use.

Recommended Changes to the Executive Budget Office of Mental Health

The Legislature provides an All Funds appropriation of \$5.2 billion, an increase of \$67.9 million over the Executive proposal.

State Operations

- The Legislature provides \$10.2 million to create 100 residential beds in state operated facilities.

Aid to Localities

- The Legislature provides \$27.5 million to increase Medicaid rates for psychiatric inpatient beds.
- The Legislature provides \$9 million to support the recruitment and retention of psychiatrists and psychiatric nurse practitioners in mental health programs.
- The Legislature provides \$3.9 million to support healthcare workforce bonuses.
- The Legislature provides \$2 million for Crisis Intervention Teams.
- The Legislature provides funding for the following programs:
 - \$1.06 million for Comprehensive Care Centers for Eating Disorders;
 - \$1 million for various initiatives;
 - \$400,000 for FarmNet;
 - \$400,000 for Self-Directed Care Demonstration Program;
 - \$300,000 for Crisis Services of Buffalo;
 - \$250,000 for Veterans Mental Health Training Initiative;
 - \$200,000 for Westchester Jewish Community Services;
 - \$175,000 for North Fork Mental Health Initiative;
 - \$175,000 for South Fork Behavioral Health Initiative;
 - \$125,000 for Rainbow Heights Club;
 - \$125,000 for The Harris Project – Encompass Program;
 - \$120,000 for The Harris Project – Include Program;
 - \$100,000 for Family Service League;
 - \$100,000 for Mental Health Association in New York State Inc.; and
 - \$50,000 for Inwood Community Services.

Capital Projects

- The Legislature provides \$10 million in capital funds for municipal and non-profit organizations for increased capacity and expansion of mental health and substance use treatment services.

Article VII

- The Legislature accepts the Executive proposal to establish a 5.4 percent COLA for programs within the Office of Mental Health (OMH), the Office of Developmental Disabilities (OPWDD), the Office of Addiction Services and Supports (OASAS), the Office of Children and Family Services (OCFS), the Office of Temporary Disability and Assistance (OTDA), and the State Office for the Aging (SOFA).
- The Legislature modifies the Executive proposal to establish the 988 Suicide and Behavioral Health Crisis Hotline by adding behavioral health professionals and peers to the definition of mobile crisis teams, adding veterans and members of rural communities to those high risk and vulnerable populations that a crisis center must provide crisis services in accordance with state and national standards, and adding reporting metrics to evaluate the outcomes for the use of mobile crisis teams and other crisis intervention teams in response to a mental health or substance use crisis.
- The Legislature modifies the Executive proposal which authorized the OMH to recoup and reinvest savings related to managed care providers who failed to meet its contractual obligations regarding spending targets for behavioral health services by requiring OMH to provide information related to the amount of reinvestment funds available and recovered from each provider.
- The Legislature accepts the Executive proposal to extend the use of the Ambulatory Patient Group (APG) rate for reimbursement of behavioral health services under managed care until March 31, 2027 and add crisis stabilization services to programs receiving the APG rate.
- The Legislature modifies the Executive proposal related to Kendra's Law and the Assisted Outpatient Treatment (AOT) program by accepting the extension of the program for five years, until June 30, 2027. Also, the Legislature modifies the Executive proposal to allow an AOT order to be renewed if it has expired within the last six months, and if the subject of the expired AOT order has had a substantial increase in

mental health symptoms, that interferes with life activities determined by a physician. Furthermore, the legislature modifies the Executive proposal to authorize a Director of Community Services (DCS) to require an inpatient psychiatric service facility to provide contemporaneous information concerning the person receiving AOT and is deemed necessary by DCS to coordinate and monitor the care of the individual under an AOT order.

- The Legislature accepts the Executive proposal to allow OMH to reimburse supportive housing programs for certain property costs, such as mortgage payments, principal, and interest on loans.

Recommended Changes to the Executive Budget Office for People with Developmental Disabilities

The Legislature provides an All Funds appropriation of \$7.2 billion, an increase of \$4.2 million over the Executive proposal.

State Operations

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

Aid to Localities

- The Legislature provides an additional \$2.4 million to support healthcare workforce bonuses.
- The Legislature provides \$110,000 to restore the Medicaid rate add-on for Article 16 clinics that was eliminated by the original Medicaid Redesign Team.
- The Legislature provides funding for the following programs:
 - \$270,000 for Jawonio, Inc.;
 - \$200,000 for Autism Society of the Greater Capital Region;
 - \$150,000 for Best Buddies New York;
 - \$150,000 for New York Special Olympics;
 - \$130,000 for Autism Services, Inc.;
 - \$25,000 for Backyard Players and Friends; and
 - \$25,000 for Center for Career Freedom.

Capital Projects

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

Article VII

- The Legislature modifies the Executive proposal to extend the Office for People with Disabilities (OPWDD) and the Office of Mental Health's (OMH) authority to appoint a temporary operator, by extending such authority for three years.

Recommended Changes to the Executive Budget Justice Center for the Protection of People with Special Needs

The Legislature provides an All Funds appropriation of \$60.9 million.

State Operations

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

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**TRANSPORTATION, ECONOMIC
DEVELOPMENT &
ENVIRONMENTAL CONSERVATION**

By Agency

Recommended Changes to the Executive Budget Adirondack Park Agency

The Legislature provides an All Funds appropriation of \$35.2 million.

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

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

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Department of Agriculture and Markets

The Legislature provides an All Funds appropriation of \$316.6 million, an increase of \$43.7 million over the Executive proposal.

State Operations

- The Legislature modifies the Executive proposal to transfer the School Lunch Program from the Education Department, and instead transfers administration of the Farm to School program.
- The Legislature provides \$47.5 million for the Federal Food and Nutrition Services Fund, an increase of \$12 million above the Executive proposal, to accommodate a potential award related to a federal grant application.

Aid to Localities

- The Legislature provides \$52.99 million for agricultural programs, an increase of \$10.05 million over the Executive proposal as follows:
 - \$4 million to provide grants to socially and economically disadvantaged farmers;
 - \$1 million to provide grants to beginning farmers;
 - \$850,000 for the New York Farm Viability Institute;
 - \$750,000 for Farm to School grants (transferred from the Education Department);
 - \$500,000 for Farmland for the New Generation;
 - \$481,000 for Cornell University “Core” Diagnostic Lab;
 - \$300,000 for Cornell University Hops Breeding Research and Extension Program;
 - \$300,000 for Northern NY Agricultural Development;
 - \$279,000 for New York State Apple Growers Association;
 - \$250,000 for Cornell University Pro Dairy;
 - \$250,000 for Various Agricultural Initiatives;
 - \$199,000 for Cornell University Farm Labor Specialist;
 - \$150,000 for Turfgrass Stewardship;
 - \$150,000 for Northeast Organic Farming Association;
 - \$100,000 for Black Farmers United of NYS;
 - \$100,000 for John May Safety Fund;
 - \$100,000 for Cornell CCE of Dutchess County;

- \$88,000 for NYS Cannabis Growers and Processors Association;
 - \$84,000 for Cornell CCE Bridging the Upstate Downstate Food Network Divide;
 - \$75,000 for Cornell University Maple Research;
 - \$75,000 for Cornell University Vegetable Research;
 - \$75,000 for Maple Producers Association;
 - \$75,000 for Volunteers Improving Neighborhood Environment;
 - \$50,000 for Cornell University Barley Research;
 - \$50,000 for Cornell University Concord Grape Research;
 - \$50,000 for Hop Growers of NY;
 - \$50,000 for Sheep Producers Association;
 - \$50,000 for Pitney Meadows Community Farm;
 - \$50,000 for Comfort Food Community; and
 - \$20,000 for Cornell University Onion Research.
- The Legislature provides \$6 million for Taste NY, a reduction of \$500,000 from the Executive proposal.

Capital Projects

- The Legislature provides \$5 million for capital improvements at county and local fairgrounds.
- The Legislature provides \$5 million for Cornell’s Climate Adaptive Research Farms for demonstration projects.
- The Legislature provides \$5 million for meat processing expansion grants.
- The Legislature provides \$4 million for Grow NYC for the Bronx food hub.
- The Legislature provides \$3 million for capital improvements to municipal and non-profit humane societies and animal shelters, for a total of \$8 million.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Department of Economic Development

The Legislature provides an All Funds appropriation of \$103.6 million, an increase of \$4.42 million over the Executive proposal.

State Operations

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

Aid to Localities

- The Legislature restores \$1 million in additional support for Local Tourism Matching Grants for total support of \$3.45 million.
- The Legislature provides support for the following programs:
 - \$1.97 million in additional support to provide \$1 million in total support for each of the 14 Centers of Excellence; and
 - \$1.44 million in additional support for the Centers for Advanced Technology for total support of \$15 million.

Capital Projects

- Not applicable.

Article VII

- The Legislature accepts the Executive proposal to expand the Excelsior Linked Deposit Program by authorizing Community Development Financial Institutions to participate as borrowers in the Program for projects in which loans will be available to small businesses.
- The Legislature does not include the Executive proposal to establish a new salon assistance license, creating a traineeship license, and repeal of license requirements for natural hair braiders.

Recommended Changes to the Executive Budget New York State Energy Research and Development Authority

The Legislature provides an All Funds appropriation of \$23.6 million.

State Operations

- Not applicable.

Aid to Localities

- Not applicable.

Capital Projects

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

Article VII

- The Legislature accepts the Executive proposal to extend for one year the authorization for New York State Energy Research and Development Authority (NYSERDA) to receive funds from an assessment on gas and electric corporations.
- The Legislature does not include the Executive proposal to transfer \$23 million from the Regional Greenhouse Gas Initiative (RGGI) to the General Fund, and instead repurposes these funds to projects consistent with the RGGI operating plan, including \$15 million for electric vehicle charging stations.
- The Legislature does not include the Executive proposal to revise certain appliance and energy review procedures and establish building benchmarking requirements and enforcement.

Recommended Changes to the Executive Budget Department of Environmental Conservation

The Legislature provides an All Funds appropriation of \$10.64 billion, an increase of \$431.16 million from the Executive proposal.

State Operations

- The Legislature removes a \$2 million appropriation related to the oil spill program which was duplicative of an appropriation in the Department of Law.

Aid to Localities

- The Legislature funds the following programs, totaling \$1.16 million:
 - \$500,000 for Adirondack Lake Survey Corporation for a climate change and Adirondack lake ecosystem survey;
 - \$500,000 for various environmental conservation initiatives;
 - \$140,000 for the Hope Program; and
 - \$20,000 for water quality monitoring in Setauket Harbor.

Capital Projects

Environmental Protection Fund (EPF)

- The Legislature includes the Executive Proposal to fund the EPF at \$400 million. The Legislature makes the following changes to the Executive proposal:
 - \$26 million for municipal parks, including \$13 million for underserved communities, an increase of \$3 million;
 - \$22.5 million for Oceans and Great Lakes, an increase of \$500,000, including \$450,000 for the Peconic Estuary Partnership, an increase of \$250,000;
 - \$21 million for farmland protection, an increase of \$1 million;
 - \$20 million for zoos, botanical gardens, and aquaria, an increase of \$2 million;
 - \$19 million for municipal recycling, an increase of \$2.25 million, including \$2.5 million for food waste diversion, an increase of \$500,000;
 - \$16.5 million for waterfront revitalization, including \$10.5 million for underserved communities, an increase of \$1.5 million;
 - \$8 million for Catskill and Adirondack visitor safety and wilderness protection;

- \$7.5 million for the Hudson River Estuary Plan, an increase of \$1 million;
 - \$4.25 million for the Pollution Prevention Institute, an increase of \$250,000, including \$250,000 for the Interstate Chemicals Clearinghouse, an increase of \$150,000;
 - \$4 million for Land Acquisition in DEC regions 1, 2 & 3, an increase of \$1 million;
 - \$4 million for Children’s Environmental Health Centers, an increase of \$2 million;
 - \$3.2 million for urban forestry, an increase of \$2.2 million, including \$200,000 for municipal grants for re-treeing public lands impacted by invasive species;
 - \$3 million for Albany Pine Bush Commission, an increase of \$325,000;
 - \$3 million for Land Trust Alliance, an increase of \$500,000;
 - \$2.5 million for Long Island Pine Barrens Commission, an increase of \$500,000;
 - \$2.5 million for Finger Lakes, Lake Ontario Watershed, an increase of 200,000;
 - \$2.1 million for Timbuctoo Pipeline Summer Climate and Careers Institute;
 - \$1 million for the Long Island Shore Estuary, an increase of \$100,000;
 - \$1 million for municipal electric vehicle fast chargers;
 - \$600,000 for a visitor use management framework in the Adirondack Park;
 - \$500,000 for Cornell CALS and SUNY ESF Applied Forestry Institute;
 - \$500,000 for the City of Long Beach salt storage dome;
 - \$500,000 for the Camp Santanoni Historic Area;
 - \$375,000 for SUNY ESF and Paul Smith’s Interpretive Centers, an increase of \$75,000;
 - \$350,000 for the Buffalo Museum of Science - Tifft Nature Preserve Accessibility Trail;
 - \$300,000 for the Adirondack Diversity Initiative, an increase of \$50,000;
 - \$300,000 for the Delaware River Basin Restoration Program; and
 - \$100,000 for the mitigation and eradication of the water chestnut in Onondaga County.
- The Legislature shifted funding from Public Access and Stewardship (\$1.4 million), Climate Resilient Farming (\$750,000), Brownfield Opportunity Areas (\$1.05 million), Waterfront Revitalization (\$500,000), Soil and Water Conservation Districts (\$500,000), Water Quality Improvement (\$3 million), Smart Growth (\$500,000), and Climate Smart Communities (\$1.2 million) to reprogram the Executive proposal.

Environmental Bond Act of 2022

- The Legislature includes \$4.2 billion for the Environmental Bond Act, an increase of \$200 million over the Executive proposal, and \$1.2 billion over the SFY 2021-22 Enacted Budget. The Legislature provides the following allocations:
 - \$1.1 billion for restoration and flood risk reduction, a decrease of \$100 million from the Executive proposal, including not less than \$100 million for shoreline protection, not less than \$100 million for inland flooding and the local

waterfront revitalization program, and not more than \$250 million for a voluntary real property buy-out program. Other eligible projects include:

- habitat restoration and forest conservation;
 - repairing or relocating flood-prone or repeatedly flooded roadways; and
 - removing, altering, and/or right-sizing dams, bridges, and culverts.
- \$650 million for open space land conservation and recreational projects, including:
- not less than \$300 million for open space land conservation, an increase of \$100 million over the Executive proposal;
 - not less than \$150 million for farmland protection, an increase of \$50 million over the Executive proposal; and
 - not more than \$75 million for fish hatcheries.
- \$1.5 billion for climate change mitigation projects, an increase of \$400 million over the Executive proposal, including:
- not less than \$500 million for zero-emissions school buses and supporting infrastructure;
 - not less than \$400 million for green buildings, including renewable heating and cooling systems, renewable energy and weatherization for state buildings and public school buildings, an increase of \$50 million over the Executive proposal;
 - not less than \$200 million to reduce or eliminate air and water pollution in disadvantaged communities;
 - not less than \$100 million for climate adaptation and mitigation projects; and
 - other eligible projects include urban forestry and urban heat island reduction.
- \$650 million for water quality improvement projects, including not less than \$200 million for Water Infrastructure Improvement Act (WIIA) projects and not less than \$250 million for municipal stormwater grants, an increase of \$150 million over the Executive proposal. Other eligible projects include:
- green infrastructure;
 - agricultural nutrient runoff reduction and the promotion of soil health;
 - harmful algal bloom abatement;
 - sewer line construction to replace failing septic systems; and
 - lead service line replacement.

- \$300 million is unallocated, a decrease of \$100 million from the Executive proposal.

Water Projects

- The Legislature includes funding for the following local sewer projects:
 - \$22 million for the expansion of the Huntington Station Sewer Treatment Center Network in Suffolk County;
 - \$5 million for upgrades and improvements at North Tonawanda Wastewater Treatment Plant in Niagara County; and
 - \$5 million to the Great Neck Water Pollution Control District for the Manhasset Sewer Installation Project.

Article VII

- The Legislature accepts the Executive proposal to increase the amount of Real Estate Transfer Tax (RETT) funds deposited into the Environmental Protection Fund.
- The Legislature accepts the Executive proposal to require the State to pay taxes on real property acquired by the Hudson River Black River Regulating District.
- The Legislature accepts the Executive proposal to make school districts eligible for funding from the State Water Pollution Control Revolving Loan Fund.
- The Legislature includes language that would remove the existing prohibition on EPF funding for land acquisition related to climate adaptation and mitigation projects.
- The Legislature modifies the following Executive proposals that would:
 - amend eligibility and funding availability for the Brownfield Opportunity Area (BOA) Program to include certain climate and environmental justice activities;
 - extend the administration of the waste tire fee by providing an extension until 2025;
 - remove the \$25 million funding cap from the Solid Waste Mitigation Program activities by raising the cap to \$50 million;
 - revise DEC's authority to regulate freshwater wetlands by redefining freshwater wetlands to include wetlands of at least 7.4 acres and smaller wetlands that are of unusual importance; and

- amend the \$3 billion Environmental Bond Act to \$4 billion, rename the Act to the “Clean Water, Clean Air, Green Jobs Environmental Bond Act of 2022,” and further increase the bond act to \$4.2 billion by allocating funds to specific purposes, and including prevailing wage, project labor agreement, and buy American provisions.
- The Legislature does not include the following Executive proposals that would:
 - establish a producer take-back program for certain packaging and paper products;
 - prohibit the use of certain toxic chemicals in packaging; and
 - authorize Suffolk County to establish a wastewater management district and impose a water quality restoration fee.

Recommended Changes to the Executive Budget Metropolitan Transportation Authority

The Legislature provides an All Funds appropriation of \$3.9 billion. In addition, the Legislature provides a contingency appropriation of \$901.8 million, reflecting no change from the Executive proposal.

State Operations

- Not applicable.

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

- The Legislature accepts the Executive proposal to increase the mandatory design-build procurement threshold for Metropolitan Transportation Authority (MTA) projects from \$25 million to \$200 million for new projects and \$400 million for rehabilitation projects.
- The Legislature modifies the Executive proposal to make various changes to the MTA procurement process by including the proposals to increase the threshold requiring competitive bidding from \$1 million to \$1.5 million for contracts awarded to small businesses, disabled veteran owned businesses, or minority or women-owned businesses, and the proposal to allow the MTA to piggyback off certain existing contracts.
- The Legislature modifies the Executive proposal to extend the MTA Tax Increment Financing program to 2032 by instead providing a one-year extension.
- The Legislature includes language to require the MTA to publish certain data related to the MTA capital program on the MTA's website.

- The Legislature does not include the Executive proposal to require utility corporations to perform utility relocation work related to MTA capital projects on a schedule established by the MTA.
- The Legislature does not include the Executive proposal to increase penalties related to assault and harassment crimes against MTA workers.
- The Legislature does not include the Executive proposal to make various changes related to toll violation enforcement.

Recommended Changes to the Executive Budget New York State Gaming Commission

The Legislature provides an All Funds appropriation of \$497.8 million, an increase of \$4 million over the Executive proposal.

State Operations

- The Legislature provides \$4 million to allow for the Gaming Facility Location Board to contract with an outside consulting service.

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

- The Legislature accepts the Executive proposal to extend the current pari-mutuel tax rates and provisions related to the simulcasting of out-of-state thoroughbred and harness races for one year.
- The Legislature modifies the Executive proposal to authorize the use of capital funds by certain off-track betting corporations for one year by authorizing Catskill OTB to use these funds and requiring that both Capital and Catskill off-track betting corporations submit an expenditure plan to the Gaming Commission for their approval to determine the need to use these funds for the purposes of statutory obligations, payroll, and expenditures necessary to accept authorized wagers.
- The Legislature modifies the Executive proposal to authorize up to three additional commercial casinos through a competitive bidding process by establishing local advisory committees to approve of an application prior to selection, requiring applicants to comply with all applicable zoning requirements, establishing minimum tax rates and licensing fees, creating siting criteria based on diversity, and ensuring that racing support payments and monies for education aid are held harmless.

- The Legislature extends provisions that allow the New York Thoroughbred Horsemen's Association to utilize \$2 million from the unpaid purse cushion account through 2025 to help offset the premium increase for the New York Jockey Injury Compensation Fund.

Recommended Changes to the Executive Budget Department of Motor Vehicles

The Legislature provides an All Funds appropriation of \$571.9 million.

State Operations

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

Aid to Localities

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

Capital Projects

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

Article VII

- The Legislature accepts the Executive proposal to extend, the Internet Point Insurance Reduction Program (I-PIRP), for two years.
- The Legislature accepts the Executive proposal to extend, for two years, provisions related to the increase of certain Department of Motor Vehicles (DMV) fees, the deposit of such fees into the Dedicated Highway and Bridge Trust Fund, and the payment of certain DMV costs from such Fund.
- The Legislature modifies the Executive proposal to authorize the Commissioner of Motor Vehicles to waive the fee for the issuance of a non-driver identification card to an individual incarcerated by the state by establishing an Identification Card Program.
- The Legislature modifies the Executive proposal to transfer the Commercial Driver's License (CDL) Class A young driver training program from Department of Transportation to DMV to reflect technical changes.
- The Legislature does not include the Executive proposal to authorize the City of New York to establish a permanent photo enforcement program for bus operation-related traffic restrictions and make permanent the current bus lane photo enforcement program authorization for the City.

Recommended Changes to the Executive Budget Olympic Regional Development Authority

The Legislature provides an All Funds appropriation of \$116.6 million.

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

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

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Office of Parks, Recreation, and Historic Preservation

The Legislature provides an All Funds appropriation of \$663.2 million, an increase of \$53.4 million above the Executive proposal.

State Operations

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

Aid to Localities

- The Legislature funds the following programs:
 - \$3 million for various parks initiatives;
 - \$250,000 for the Hudson River Museum; and
 - \$125,000 for the Riverside Park Conservancy.

Capital Projects

- The Legislature provides \$252.5 million in New York Works funding for projects at State parks, an increase of \$50 million above the executive proposal, and includes appropriation language to ensure that electric vehicle charging infrastructure is an eligible expense.

Article VII

- The Legislature accepts an Executive proposal to repeal the surcharge associated with the vessel registration fee.
- The Legislature accepts an Executive proposal to remove the functional oversight of the State Council of Parks, Recreation and Historic Preservation and the Regional Parks, Recreation and Historic Preservation Commissions to reflect their advisory role.

Recommended Changes to the Executive Budget Department of Public Service

The Legislature provides an All Funds appropriation of \$367.5 million, an increase of \$250 million above the Executive proposal.

State Operations

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

Aid to Localities

- The Legislature provides \$250 million to reduce residential gas and electric utility arrears. Eligible utility companies are electric and gas utility companies regulated by the Public Service Commission or municipalities and includes the Long Island Power Authority. The eligibility period for arrears is between March 7, 2020, through March 1, 2022, and the PSC would ensure disbursements by August 1, 2022.

Capital Projects

- Not applicable.

Article VII

- The Legislature accepts the Executive proposal to extend for one year the authorization for certain State agencies to receive funding from assessments on utilities.
- The Legislature does not include the Executive proposal to eliminate the requirement that gas utilities provide a minimum length of natural gas line at no cost to new residential customers.

Recommended Changes to the Executive Budget Department of State

The Legislature provides an All Funds appropriation of \$523.3 million, an increase of \$24.97 million above the Executive proposal.

State Operations

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

Aid to Localities

- The Legislature provides \$10 million in support for Asian American Pacific Islander crisis intervention.
- The Legislature restores support for the following programs:
 - \$10 million for community-based programs which will combat biased-related crimes;
 - \$2 million for the NYS Immigration Coalition;
 - \$1.35 million in total to support the Public Utility Law Project (PULP);
 - \$790,000 in grants-in-aid to certain municipalities and non-profit institutions;
 - \$200,000 for the Doe Fund, Inc.;
 - \$75,000 for the NY Legal Assistance Group; and
 - \$50,000 for the Brighton Neighborhood Association, Inc.
- The Legislature provides \$500,000 for code enforcement efforts in Rockland County.

Capital Projects

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

Article VII

- The Assembly does not include Executive proposals that would make comprehensive changes to update the state's fire prevention and building code and the state energy conservation code while expanding enforcement capabilities.

Recommended Changes to the Executive Budget Department of Taxation and Finance

The Legislature provides an All Funds appropriation of \$478.8 million, an increase of \$3.6 million over the Executive proposal.

State Operations

- The Legislature provides an appropriation of \$1.1 million to support the administration of the Supplemental Earned Income Tax Credit and Supplemental Child Tax Credit programs.
- The Legislature provides an appropriation of \$2.5 million to support an independent, comprehensive analysis of each tax credit, tax deduction, and tax incentive which relates to increasing economic development.

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

- The Legislature accepts the Executive proposal that establishes a one-year \$2.2 billion Homeowner Tax Rebate Credit for households that are eligible for STAR or Enhanced Senior STAR, and that have incomes below \$250,000. This credit would be calculated on a sliding scale based on household income and would be provided as an advanced payment in the fall of 2022.
- The Legislature accepts the Executive proposal expanding the definition of “financial institution” to include virtual currency businesses as it relates to the Financial Institution Data Management program.
- The Legislature accepts the Executive proposal to extend the Telecommunications Assessment Ceiling Program for four years, from January 1, 2023 to January 1, 2027, and

modifies the process by which assessments are challenged under the program to include confidentiality requirements related to any reports that are shared during the challenge proceedings.

- The Legislature accepts the Executive proposal to modify the process for a taxpayer to challenge a property tax assessment based on the Tax Department's solar and wind valuation model to only allow challenges to the local board of assessment review concerning the model inputs that are used by local assessors, instead of challenges on the validity of the model itself, which would only be conducted under Article 78 of the New York Civil Practice Law and Rules.
- The Legislature includes language to require an independent, comprehensive analysis of each tax credit, tax deduction, and tax incentive which relates to increasing economic development.

Recommended Changes to the Executive Budget Division of Tax Appeals

The Legislature provides an All Funds appropriation of \$3.3 million.

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Department of Transportation

The Legislature provides an All Funds appropriation of \$13.68 billion, an increase of \$8.5 million above the Executive proposal.

State Operations

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

Aid to Localities

- The Legislature provides \$269.1 million for upstate transit operating assistance, an increase of \$8.5 million or 3.3 percent above the Executive proposal, and 17.7 percent above the SFY 2021-22, including:
 - \$5 million of formula funding for upstate transit systems;
 - \$2 million for the CDTA's expansion to Montgomery County;
 - \$750,000 for CENTRO to provide transit services related to the State Fair; and
 - \$750,000 for NFTA for a study.
- The Legislature modifies appropriation language related to the South Fork Commuter Connection to allow alternative transportation services to become an eligible expense.

Capital Projects

- The Legislature modified the Executive proposal to establish the Pave Our Potholes program by ensuring that funds are disbursed through the PAVE NY formula.

Article VII

- The Legislature accepts the Executive proposal to include Montgomery County to the Capital District Transportation Authority (CDTA) district, thereby allowing State Transportation Operating Assistance (STOA) to be paid to CDTA for mass transportation services provided in Montgomery County.
- The Legislature does not include the Executive proposal to expand crimes committed against certain transportation workers, and modify laws relating to highway work zones,

crashed vehicles, motorist due care, illegal operation of commercial vehicles on parkways, Department of Transportation (DOT) work permits, and the use of global positioning systems (GPS) on commercial vehicles.

- The Legislature does not include the Executive proposal to increase the threshold under which Consolidated Local Highway Assistance Program (CHIPs) projects may be performed by a municipality's own forces or by competitive bid contract from \$350,000 to \$750,000.
- The Legislature does not include the Executive proposal to modify parameters of the Airport Improvement and Revitalization Program (AIR-99).
- The Legislature does not include the Executive proposal to authorize DOT to temporarily enter lands adjacent to a state highway, stream or creek beds to perform emergency repairs for the functionality and operation of State roads and bridges.

Recommended Changes to the Executive Budget Urban Development Corporation

The Legislature provides an All Funds appropriation of \$5.2 billion, an increase of \$1.22 billion over the Executive proposal.

State Operations

- Not applicable.

Aid to Localities

- The Legislature provides \$200 million for the COVID-19 Pandemic Small Business Seed Funding Grant Program to aid small businesses which were not eligible for other State and Federal assistance.
- The Legislature provides \$50 million for basic to advanced training in emerging energy efficient technologies, including \$5 million for SUNY and CUNY mental health training initiatives and \$10 million for workforce training at YouthBuild centers.
- The Legislature also provides funding for the following:
 - \$4.8 million for current expenses related to the retention of professional football in Western New York;
 - \$1.5 million for various economic development and community services organizations;
 - \$1.365 million in additional support for the Minority and Women-owned Business Development and Lending Program, for total support of \$2 million;
 - \$1 million for military base redevelopment and research efforts;
 - \$1 million for the Stony Brook Medicine's National Cancer Institute;
 - \$700,000 for CenterState CEO;
 - \$550,000 for the Bronx Overall Economic Development Corporation;
 - \$550,000 for the Brooklyn Alliance, Inc.;
 - \$500,000 for the Queens Chamber of Commerce;
 - \$225,000 for the North Country Chamber of Commerce;
 - \$150,000 for the Finger Lakes Tourism Alliance;
 - \$150,000 for Harlem Week, Inc.;
 - \$150,000 for Syracuse JazzFest Productions, Inc.;
 - \$150,000 for the Association of Community Employment Programs;
 - \$150,000 for the Brooklyn Chamber of Commerce;

- \$140,000 for the Kingsbridge-Riverdale-Van Cortland Development Corporation;
- \$100,000 for the Adirondack North Country Association;
- \$100,000 for the Brooklyn Neighborhood Improvement Association;
- \$100,000 for the Harlem Park to Park Initiative;
- \$100,000 for Kleinhans Music Hall Management, Inc.;
- \$100,000 for the Queens Economic Development Council; and
- \$50,000 for the Staten Island Economic Development Corporation.

Capital Projects

- The Legislature accepts a total of \$600 million in appropriations made for athletic facilities for professional football in Orchard Park, New York.
- The Legislature also provides the following:
 - \$350 million for the Long Island Investment Fund;
 - \$20 million for the Syracuse University stadium;
 - \$11 million for the Universal Hip Hop Museum;
 - \$10 million for the New York Hall of Science;
 - \$10 million for the Mohawk Harbor Events Center;
 - \$5 million for the Pace University Performing Arts Center; and
 - \$2.2 million for current expenses related to the retention of professional football in Western New York.

Article VII

- The Legislature modifies the Executive proposal to extend the general loan powers of the Urban Development Corporation (UDC) for one year rather than three.
- The Legislature modifies the Executive proposal to extend the authorization of the UDC to administer the Empire State Development Fund for one year rather than three.
- The Legislature modifies the Executive proposal to create the Small Business Seed Funding Grant Program to provide funding to support early-stage small and micro businesses by expanding the business eligibility criteria and adding reporting requirements.

- The Legislature modifies the Executive proposal to increase funding caps for demolition and rehabilitation of property as well as adding residential apartment units as eligible properties to receive rehabilitation funds under the RESTORE-NY program by including provisions for affordable housing related to residential apartment units, and to include participation of Minority-owned and Women-owned Businesses Enterprises.
- The Legislature creates in statute a searchable database of economic development programs.

Recommended Changes to the Executive Budget
Miscellaneous: Transportation, Economic Development and Environmental

Commercial Gaming Payment Reduction Offsets

Aid to Localities

- The Legislature provides \$10 million for payments to local governments related to commercial gaming.

Community Resiliency, Economic Sustainability, and Technology Program

- The Legislature provides \$385 million for payments to local governments and other eligible recipients for community development efforts.

Greenway Heritage Conservancy for the Hudson River Valley

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

Green Thumb

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

Hudson River Park Trust

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

Hudson Valley Greenway Communities Council

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

Local Community Assistance Program

- The Legislature provides \$185 million for payments to local governments and other eligible recipients for community development efforts.

New York Power Authority

State Operations

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

Article VII

- The Legislature does not include the Executive proposal to authorize New York Power Authority (NYPA) to create a pure captive insurance company.
- The Legislature does not include the Executive proposal to authorize NYPA to provide energy services to general hospitals.

New York State Thruway Authority

Article VII

- The Legislature modifies the Executive proposal to allow the Thruway Authority to accept electronic bids for highway construction work by establishing a structure for the acceptance of such submissions that matches the MTA.
- The Legislature does not include an Executive proposal that would increase the threshold beyond which the Thruway Authority must seek Board approval for procurement contracts from \$15,000 to \$50,000.

World University Games

- The Legislature modifies appropriation language to require the Olympic Regional Development Authority to report on all revenues and expenditures related to the World University Games.

LEGISLATURE & JUDICIARY

By Agency

Recommended Changes to the Executive Budget Judiciary

The Legislature provides an All Funds Appropriation of \$3.29 billion.

State Operations

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

Aid to Localities

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

Capital Projects

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

Article VII

- The Legislature modifies the Executive proposal to re-issue marriage certificates upon proof of name or gender designation changes by including a notarized affidavit as one form of proof required for such change.
- The Legislature does not include the Executive proposal to modify market interest rates on judgments and accrued claims.

DEBT SERVICE

Recommended Changes to the Executive Budget Debt Service/Capital Projects

The Legislature provides an All Funds Debt Service appropriation of \$15.7 billion. The Legislature provides All Funds Capital appropriations totaling \$32.9 billion, an increase of \$2.6 billion over the Executive.

State Operations

- Not applicable.

Aid to Localities

- Not applicable.

Capital Projects

- The Legislature modifies the Executive proposal to provide \$619 million in additional support for the Housing Capital Plan, including:
 - \$350 million for NYCHA;
 - \$100 million for Mitchell Lama/home-ownership capital;
 - \$100 million for Housing Our Neighbors with Dignity Act (HONDA);
 - \$50 million for public housing outside of the City of New York;
 - \$10 million for the Affordable Housing Corporation;
 - \$7 million for small rental housing; and
 - \$2 million for HOPE/Restore senior housing.
- The Legislature modifies the Executive proposal to provide additional support for the following capital initiatives:
 - \$300 million for expansion purposes at SUNY and CUNY, totaling \$1.15 billion;
 - \$200 million to the Clean Water, Clean Air, and Green Jobs Bond Act, for a total of \$4.2 billion;
 - \$50 million for Parks, Recreation and Historical Preservation, for a total of \$252 million;
 - \$20 million for Arts and Cultural Grants, for a total of \$40 million;
 - \$20 million for public libraries, for a total of \$34 million;
 - \$15 million for Higher Education Matching grants, for a total of \$45 million; and
 - \$10 million in Mental Hygiene Programs, for a total of \$659 million.

- The Legislature further provides the following initiatives:
 - \$385 million for the Community Resiliency, Economic Sustainability and Technology Program;
 - \$350 million for Long Island regional projects;
 - \$185 million for the Local Community Assistance Program;
 - \$182 million for the Buffalo Bills stadium;
 - \$75 million for UAlbany Engineering School;
 - \$50 million for child care facilities;
 - \$25 million for technology and software for criminal discovery databases;
 - \$22 million for the Huntington Station Sewer Treatment Center;
 - \$20 million for the Syracuse University Dome;
 - \$11 million for the Universal Hip Hop Museum;
 - \$10 million for the New York Hall of Science;
 - \$10 million for Regional Arts Councils;
 - \$10 million for pre-trial and Alternative to Incarceration (ATI) programs;
 - \$10 million for Educational Opportunity Centers;
 - \$5 million for Pace University;
 - \$5 million for Veterans Services;
 - \$5 million for Local Fairs;
 - \$5 million for the Manhasset Sewer Project;
 - \$5 million for North Tonawanda Wastewater Treatment plant;
 - \$5 million for meat processing plants;
 - \$4 million for Grow NY;
 - \$3 million for the CUNY Labor School;
 - \$3 million for the Legislative Law Library;
 - \$3 million for animal shelters; and
 - \$2.5 million for IT Modernization at the Public Employees Relations Board.

Article VII

- The Legislature accepts Article VII proposals that would:
 - authorize the use of Mental Health debt service appropriations to make arbitrage rebate payments to the federal government;
 - authorize the New York Power Authority to refinance \$195 million in debt related to energy efficiency projects for state agencies using PIT revenue bonds;
 - repeal redundant reporting requirements of certain capital funds by various authorities and state agencies;

- extend for one year the authorization to issue up to \$3 billion in short-term personal income tax (PIT) revenue anticipation notes;
 - extend for one year the authorization to enter into line-of-credit agreements of up to \$3 billion; and
 - authorize the county of Erie to transfer real property to the Stadium Corporation for sublease to the Buffalo Bills.
- The Legislature modifies the following Executive proposals:
 - extend DASNY’s ability to create subsidiaries for two years instead of three years; and
 - authorize the State’s contribution of no more than \$2.4 billion to the Gateway project by clarifying the definition of the Gateway Project to include the Hudson Tunnel Project.
- The Legislature does not include Executive proposals to:
 - allow DASNY to assist recipients of loans or grants from the NYS Downtown Revitalization Program, and to require that such work be performed in compliance with public works laws;
 - make not-for-profits presumptively eligible for DASNY construction, design and financing services for capital projects over \$15 million;
 - make any state authority presumptively eligible for DASNY construction, design and financing services for capital projects;
 - authorize DASNY to create a prequalified bidder program; and
 - authorize OASAS to use DASNY services in relation to voluntary-operated service facilities.
- The Legislature modifies the following bond caps:
 - SUNY Educational Facilities increased from \$16.4 billion to \$16.6 billion;
 - Economic Development Projects increased from \$11.3 billion to \$14.9 billion;
 - Housing Programs increased from \$12.5 billion to \$13.1 billion;
 - Mental Health services facilities increased from \$10.47 billion to \$10.94 billion;
 - CUNY Senior and Community Colleges increased from \$9.6 billion to \$10.3 billion;
 - Environmental infrastructure increased from \$7.1 billion to \$8.2 billion;

- State Facilities increased from \$1.3 billion to \$1.6 billion;
- Information Technology Services increased from \$974 million to \$1.2 billion;
- Youth Facilities increased from \$876 million to \$962.7 million;
- HECAP increased from \$300 million to \$345 million; and
- Library Facilities increased from \$299 million to \$333 million.