

# Legislation Required for the Budget

## Education, Labor and Family Assistance

- Enact various provisions necessary to implement the education portion of the 2012-13 Executive Budget, including School Aid and other education-related programs.
- Reform the Teacher Disciplinary Hearing Process.
- Authorize the pass-through of the 2013 Federal Cost of Living Adjustment.
- Phase in the scheduled Public Assistance Grant increase.
- Authorize administration of the State Supplemental Security Income Supplementation Program.
- Reauthorize Child Welfare Financing Provisions.
- Enact Juvenile Justice Reform.
- Extend the New York State Higher Education Capital Matching Grant Program.
- Provide for the development of a master agreement with general terms and conditions and the use of memoranda of understanding between State agencies and Cornell University, to facilitate the provision of services and technical assistance to the State.
- Rationalize the Financing System for Preschool Special Education.

## Health and Mental Hygiene

- Reform the Early Intervention Program.
- Establish requirements for continued State funding to Roswell Park Cancer Institute.
- Implement Electronic Death Registration System to modernize the process of issuing burial or funeral permits outside of City of New York.
- Make statutory changes necessary to implement Medicaid Redesign Team recommendations, including those advanced through Phase Two workgroups and technical refinements to previous recommendations.
- Establish the New York Health Benefit Exchange to serve as a marketplace for the purchase and sale of qualified health plans in the State of New York.
- Provide additional relief to counties by reducing growth in local Medicaid expenditures for all counties and New York City and implement a phased-takeover of local government administration of the Medicaid program.

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- Extend the authority for previously enacted Medicaid initiatives.
- Repeal the Human Services Cost-of-Living Adjustment, and provide authorization for future annual increases, and direct agencies to establish limits on reimbursements for the costs of executive compensation and administration.
- Establish pilot programs in accordance with the “People First 1115 Waiver” application.
- Streamline the organizational structure of the Office for Persons with Developmental Disabilities to help improve management oversight of services to individuals with developmental disabilities.
- Extend authorization for the Comprehensive Psychiatric Emergency Program.
- Permit the Commissioners of the Department of Health, the Office of Mental Health, the Office for People with Developmental Disabilities and the Office of Alcoholism and Substance Abuse Services to integrate health and behavioral health services.
- Establish a pilot program to restructure educational services for children and youth residing in Office of Mental Health hospitals.
- Create efficiencies in the Department of Mental Hygiene by: creating a Behavioral Health Advisory Council to replace and assume the responsibilities of the Office of Alcoholism and Substance Abuse Services and the Office of Mental Health; consolidating the statewide comprehensive planning process for OMH; and authorizing other efficiency measures.
- Ensure the efficient operation of hospitals by the Office of Mental Health and the provision of appropriate community services.
- Amend various provisions of the Sex Offender Management and Treatment Act.
- Provide for outpatient capacity restoration of felony defendants, or restoration at psychiatric units of jails or Article 28 hospitals.
- Continue the fiscal periods for which the Office of Mental Health is authorized to recover exempt income for community residence and family based treatment programs.

## Public Protection and General Government

- Expand the list of offenses for which DNA samples will be collected and entered into the State DNA Databank.
- Repeal the requirement for a pistol and revolver ballistic identification database, known as CoBIS and replace with a nationally recognized alternative.
- Require that the trial date for a traffic violation must be a date subsequent to the date of an initial appearance.

- Provide the Department of Corrections and Community Supervision and the Board of Parole with more flexibility in determining which offenders have earned, through their positive programming and good behavior, an early release from community supervision or a transfer to a work release facility.
- Provide more flexible probation sentencing options for the courts.
- Expand the authority of State judges to order the forfeiture of proceeds in a sentencing.
- Continue provisions relating to the disposition of certain monies recovered by county district attorneys.
- Improve emergency response and disaster preparedness.
- Establish a Tier VI retirement benefit for new employees of the State and local governments.
- Expand 2010 Medicare Part B reform to include employees and retirees of public authorities.
- Lapse aged State and local reappropriations.
- Modify the schedule of payments in lieu of taxes (PILOTs) made to the City of Albany.
- Modify outdated Statewide procurement procedures and printing practices.
- Make various reforms to the Civil Service Law to provide increased flexibility with respect to hiring and transferring State employees.
- Authorize transfers, temporary loans, repeal of the Community Projects Fund and amendments to miscellaneous capital/debt provisions, including bond caps.
- Rename the Office for Technology as the Office of Information Technology Services.
- Accelerate Aid and Incentives for municipalities funding for the city of Rochester.
- Extends provisions to defer payments to the fund for uninsured employers.

## **Revenue**

- Extend fees for the establishment of oil and gas unit of production values.
- Establish STAR benefit recovery program for unpaid tax liabilities.
- Reform the Tobacco Products Excise Tax.
- Extend the alternative fuels tax exemptions for five years.
- Make technical amendments to the tax classification of diesel motor fuel.
- Expand criteria to refuse to issue sales tax Certificates of Authority.

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- Make permanent certain modernization provisions of the Tax Law.
- Expand sales tax exemption for solar energy systems equipment and expand income tax credit for such systems.
- Extend Empire State Commercial Production Tax Credit for five years.
- Authorize additional credits of \$8 million for low-income housing credit for each of the next five fiscal years.
- Extend the Biofuel Production Tax Credit through the 2019 taxable year.
- Make permanent the Noncustodial Parent Earned Income Tax Credit.
- Prohibit banks from charging fees on levied bank accounts.
- Extend the recently enacted lower Metropolitan Commuter Transportation Mobility Tax Rates for employers to professional employer organizations.
- Extend for one year lower pari-mutuel tax rates and rules governing simulcasting of out-of-state races.
- Redistribute the statewide collected transmission tax between the upstate (PTOA) and downstate (MMTOA) transit accounts in an equitable manner, replacing the existing yearly transfer between the two accounts.

## Transportation, Economic Development and Environmental Conservation

- Provide the annual authorization for the CHIPS and Marchiselli programs, and extend the eligibility of certain highway work types.
- Consolidate the Department of Transportation's Accident Damage Account with the Dedicated Highway and Bridge Trust Fund.
- Implement a performance-based bus inspection program.
- Conform the Vehicle and Traffic Law to federal requirements governing operators of commercial motor vehicles and medical certification requirements pertaining to such operators.
- Raise the statutory limit on the amount of bonds, notes and other obligations the MTA, the New York City Transit Authority (NYCTA), and the Triborough Bridge and Tunnel Authority (TBTA) may issue.
- Establish an additional retention rate for county clerks acting as an agent of the Department of Motor Vehicles based upon internet transactions.
- Ensure State compliance with Federal Motor Safety Carrier Administration regulations and prevent the loss of half the State's Federal Motor Carrier Safety Administration Program funding.

- Pay the MTA for costs associated with promoting access to employment through reimbursements for E-ZPass tolls paid by residents of Broad Channel and the Rockaway Peninsula that travel over the Cross Bay Veterans Memorial Bridge.
- Eliminate certain tagging requirements, streamline various fish and wildlife licenses, permits and associated fees and extend the authority of the Department of Environmental Conservation to collect fees for ocean quahogs taken from all certified waters.
- Clarify that the State does not regulate Voice over Internet Protocol service, in order to facilitate competition for the benefit of consumers and businesses alike.
- Reduce costs on businesses by amending the formula for the imposition of the fees on hazardous waste and hazardous wastewater to incentivize the on-site recycling of such waste.
- Terminate unnecessary State Operating Fund support of the Environmental Facilities Corporation with respect to the Clean Water and Drinking Water State Revolving Funds.
- Eliminate the mandate that the New York State Agricultural Experiment Station be the exclusive seed testing entity in the State, and allow testing to be conducted by the Department of Agriculture and Markets or a qualified laboratory.
- Provide the Department of Agriculture and Markets with more comprehensive fee-for-service authority in order to recover normal costs related to services provided to other states.
- Redirect certain fees currently deposited to the Consumer Food Account and the Commercial Feed Licensing Account to the General Fund, as a result of the consolidation of these accounts into the General Fund.
- Authorize and direct the Comptroller to receive for deposit to the credit of the General Fund a payment of up to \$913,000 from the New York State Energy Research and Development Authority.
- Authorize the New York State Energy Research and Development Authority to finance a portion of its research, development and demonstration, and policy and planning programs, and to finance the Department of Environmental Conservation's climate change program, from an assessment on gas and electric corporations.
- Amend the Jacob K. Javits Convention Center enabling legislation to authorize disposal of adjacent properties.
- Make permanent the general loan powers of the New York State Urban Development Corporation.

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- Make permanent the Empire State Economic Development Fund.
- Provide general grant-making power for the New York State Urban Development Corporation.
- Provide a 3 percent linked loan savings for agricultural businesses.
- Authorize the Department of Health to finance certain activities with revenues generated from an assessment on cable television companies.
- Extend the renewal period for certain disciplines licensed by the Department of State.
- Make uncashed pari-mutuel vouchers subject to escheatment.
- Reduce Racing and Wagering Board employee costs.
- Enable the Commissioner of Agriculture and Markets to issue a dairy research and education order to fund research for the purpose of improving dairy industry production and increasing the efficiency and profitability of the State's dairy industry.
- Increase cost recovery from public authorities to support auditing and oversight work done by the Office of the State Comptroller.

## State Entity Mergers

- Merge the Division of the Lottery and the Racing and Wagering Board into the new New York State Gaming Commission.
- Merge the Department of Civil Service and the Office of Employee Relations into a new Department of Workforce Management.
- Transfer the operations and management of the Belleayre Mountain ski center from the Department of Environmental Conservation to the Olympic Regional Development Authority to foster more efficient operations.
- Elimination and/or merger of certain boards and commissions to foster more efficient government.