

of New York school of education and (B) the remaining percentage of the evaluation shall be based on at least one unannounced observation by an administrator or principal from the same school; and (iii) a scoring rubric which ensures that it is possible to receive any one of four ratings limited to highly effective, effective, developing and ineffective, with explicit minimum and maximum scoring ranges for each category and with scoring bands for the state assessments and other comparable measures subcomponent and the other measures of teacher and leader effectiveness subcomponent as set by the department in regulations, provided that if a classroom teacher or building principal receives an ineffective rating on any one of these subcomponents, the highest overall composite rating he or she may receive is developing."

Page 107, Line 6, After "contrary,", insert

"in order to ensure that the incremental funds appropriated herein achieve maximum education impact, and in order to ensure that the public schools maximize student achievement, promote excellence in teaching through accountability, offer students alternatives to low performing and failing schools and are effectively and efficiently administered,"

Page 107, Line 6, Strike out "not"

Page 107 Line 7, Strike out "an"
and insert "any"

Page 107 Line 8, After "schools", insert ", including"

Page 107, Line 9, After "herein", insert ",,"

Page 107, Line 10, Strike out "or"
and insert "and"

Page 107, Line 14, Strike out "unless"
and insert "if"

Page 107, Line 22, After "S.2010", insert "-A"

Page 107, Line 22, After "A.3010", insert "-A"

Page 107, Line 28, Strike out "paragraph"
and insert "two paragraphs"

Page 107, Line 41, After "year.", insert

"Provided, however, that the sum of the ineligible amounts pursuant to the immediately preceding two paragraphs of this appropriation shall not be greater than the amount by which the school district's apportionment of general support for public schools from the funds appropriated herein for the applicable school year would otherwise exceed the amount apportioned to such school district in the prior school year.

Page 109, Between lines
15 and 16, Insert

"Provided further that notwithstanding any provision of law, rule or regulation to the contrary, for the 2015-16 and 2016-17 school years a school district shall be eligible for an apportionment computed pursuant to section 3602-e of the education law equal to the amount set forth for such school district as "UNIVERSAL PREKINDERGARTEN" under the heading "2014-15 ESTIMATED AIDS" in the school aid computer listing produced by the commissioner of

education in support of the budget for the 2014-15 school year and entitled "SA141-5".

Page 110, Line 13, Strike out "and"

Page 110, Line 15, After "enactment", insert

"of a chapter or chapters of law identical to legislation submitted by the governor pursuant to article VII of the New York constitution as legislative bill numbers S.2010-A and A.3010-A"

Page 110, Line 16, Strike out " achievement of"
and insert "failure to meet"

Page 110, Line 16, Strike out " applicable"

Page 110, Line 18, After "to", insert "such"

Page 110, Lines 19-22, Strike out

"submitted by the governor pursuant to article VII of the New York constitution as legislative bill numbers S.2010 and A.3010"

and insert

", and (3) any amounts withheld in the 2015-16 fiscal year from school districts that have not submitted documentation that has been approved by the commissioner of education by September 1, 2015 demonstrating that they have fully implemented the standards and procedures for conducting annual professional performance reviews of classroom teachers and building principals as set forth in this appropriation"

Page 110, Line 52, After "2014", insert

"or set forth in chapter 53 of the laws of 2014 as amended"

Page 144, Line 6, After "2014", insert

"or set forth in chapter 53 of the laws of 2014 as amended"

Page 145, Line 11, After "2014", insert

"or set forth in chapter 53 of the laws of 2014 as amended"

Page 145, Line 52, Strike out "(14)"
and insert "14"

Page 155, Between lines
33 and 34, Insert

"Notwithstanding any inconsistent provision of law, for general support for public schools, for the 2014-15 and 2015-16 state fiscal years, including aid for the 2015-16 state fiscal year payable pursuant to section 3609-d of the education law, provided, however, that not more than [39.78637965] 39.90502308 percent of this appropriation shall be available for payments for the 2014-15 state fiscal year for general support for public schools for the 2014-15 school year, nor more than [18.64636879] 18.13080036 percent of this appropriation shall be available for remaining payments for the 2014-15 school year payable in the 2015-16 state fiscal year and provided further that notwithstanding any inconsistent provision of law, the remaining amounts available for the 2015-16 school year

shall be apportioned to school districts pursuant to the education law and subject to the limitations of this appropriation including the gap elimination adjustment as provided for herein.

Provided that, notwithstanding any inconsistent provision of law, the commissioner shall reduce payments due to each school district for the 2014-15 school year pursuant to section 3609-a of the education law by an amount equal to the gap elimination adjustment for the 2014-15 school year computed for such school district, and such amount shall be deducted from moneys apportioned for the purposes of payments made pursuant to section 3609-a of the education law and if the reduction is greater than the sum of the amounts available for such deductions, the remainder of the reduction shall be withheld from payments scheduled to be made to the school district pursuant to section 3609-a for the 2015-16 school year in the 2015-16 state fiscal year, and the commissioner shall also reduce payments due to each school district for the 2015-16 school year pursuant to section 3609-a of the education law by an amount equal to the gap elimination adjustment for the 2015-16 school year computed for such school district, and such amount shall be deducted from moneys apportioned for the purposes of payments made pursuant to section 3609-a of the education law in the 2015-16 state fiscal year, and provided further that an amount equal to the amount of such deduction shall be deemed to have been paid to the school district pursuant to section 3602 of the education law for the school year for which such deduction is made. The commissioner shall compute such gap elimination adjustment and shall provide a schedule of such reduction in payments to the state comptroller, the director of the budget, the chair of the senate finance committee and the chair of the assembly ways and means committee, and provided further that the gap elimination adjustment for the 2014-15 school year shall be the sum of the gap elimination adjustment for the 2013-14 school year and the gap elimination adjustment restoration amount for the 2014-15 school year, where the gap elimination adjustment for the 2013-14 school year shall equal the amount set forth for each school district as "GAP ELIMINATION ADJUSTMENT" under the heading "2013-14 ESTIMATED AIDS" in the school aid computer listing produced by the commissioner of education in support of the enacted budget for the 2013-2014 school year and entitled "SA131-4".

Provided further that notwithstanding any inconsistent provision of law, the gap elimination adjustment restoration amount for the 2014-15 school year for a school district shall be computed based on data on file with the commissioner of education and in the database used by the commissioner of education to produce an updated electronic data file in support of the enacted budget for the 2014-15 state fiscal year and entitled "SA141-5" and shall equal the greater of: (i) the product of 14.13 percent [(0,,1413.)'] (0.1413) multiplied by the gap elimination adjustment for the base year or (ii) the positive difference of (a) the product of twenty-nine percent (0.29) multiplied by the absolute value of[,] the amount set forth for such school district as "GAP ELIMINATION ADJUSTMENT" under the heading "2011-12 ESTIMATED[','] AIDS" ['An the:::sthool] in the school aid computer listing produced by the commissioner of education in support of the executive budget request submitted for the 2011-12 state fiscal year and entitled "BT111-2" minus the gap elimination adjustment for the base year or (iii) seventy thousand dollars (\$70,000) or (iv) the sum of (A) the product of the FRPL restoration amount multiplied by the base year public school district enrollment as computed pursuant to subparagraph 2 of paragraph n of subdivision 1 of section 3602 of the education law multiplied by the three-year average free and reduced price lunch percent, provided further, for the purposes of this appropriation the FRPL restoration amount shall equal (1) for a city school district of a city having a population in excess of one hundred twenty-five thousand and less than one million, five dollars (\$5.00) or (2) for a city school district of a city having a population in excess of one million, one hundred four dollars and forty cents (\$104.40) or (3) for all other school

districts forty-three dollars (\$43.00) and (B) for a school district with (1) a three-year average free and reduced price lunch percent greater than sixty-five percent (0.65) and (2) base year public school district enrollment as computed pursuant to subparagraph 2 of paragraph n of subdivision 1 of section 3602 of the education law greater than thirty-five hundred (3,500) and for which (3) the quotient ['of-'] of (a) the positive difference, if any, [.the,] of the absolute value of the amount set forth for such [;:School a strict 'aS] school district as "GAP ELIMINATION ADJUSTMENT" under["] the heading [72011-12] "2011-12 ESTIMATED AIDS" in the school aid[.: computer', sting:.] computer listing produced by the commissioner of education in support[, -or-,] of the executive budget request submitted for the 2011-12[:,:] state fiscal year and entitled "BT111-2" minus the positive difference of the absolute value of the amount set forth for such school district as "GAP ELIMINATION ADJUSTMENT" under the heading "2014-15 ESTIMATED AIDS" in the school aid computer listing produced by the commissioner of education in support of the executive budget request submitted for the 2014-15 state fiscal year and entitled "BT141-5" divided by (b) the absolute value of the amount set forth for such school district as "GAP ELIMINATION['] ADJUSTMENT" under the heading "2011-12 ESTIMATED AIDS" in the school aid computer listing produced by the commissioner of education in support of the executive budget request submitted for the 2011-12 state fiscal year and entitled "BT111-2" is less than sixty percent (0.60), the product of one hundred and forty-three dollars (\$143.00) multiplied by the base year public school district enrollment as computed pursuant to subparagraph 2 of paragraph n of subdivision 1 of section 3602 of the education law and (C) for a school district other than a city school district of a city having a population in excess of one million for which the quotient of (a) the positive difference, if any, of the limited English proficient count for the base year minus the limited English proficient count for the 2008-09 school year divided by (b) the limited English proficient count [for...the] for the two thousand eight -- two thousand nine school year is["] greater than five percent (0.05), the product of one thousand-five hundred dollars (\$1,500) multiplied by the positive difference, if any of the limited English proficient count[,] for the base year minus the limited English proficient count for the 2008-09 school year multiplied by such districts extraordinary needs percent as computed pursuant to paragraph w of subdivision 1 of section 3602 of the education law and (D) for a school district for which the quotient of the number of persons aged 5 to 17 [Within] within the school district, based on the most recent [decennial-census] decennial census as tabulated by the National Center on Education Statistics, who were enrolled in public schools and whose families had incomes below the poverty level, divided by the total number of persons aged five to seventeen within the school district, based on such decennial census, who were enrolled in public schools, computed to four decimals without rounding is greater than eighteen percent (0.18), the product of four hundred and ninety-five dollars (\$495) multiplied by the positive difference, if any of the base year public school district enrollment as computed pursuant to subparagraph two of paragraph n of subdivision 1 of section 3602 of the education law minus the 2010-11 public school district enrollment, as computed pursuant to subparagraph 2 of paragraph n of subdivision 1 of section 3602 of the education law and (E) for a school district for which (1) the quotient of the 2013-14 gap elimination adjustment divided by the total general fund expenditures for such district for the base year exceeds five percent (0.05), the product of ninety dollars (\$90.00) multiplied by the base year public school district enrollment, as computed pursuant to paragraph n of subdivision 1 of section 3602 of the education law and (F) for school districts for which the quotient of non public school district enrollment divided by the sum of the non public school district enrollment and the base [:]year['] public

school district enrollment as computed pursuant to subparagraph 2 of paragraph n of subdivision 1 of section [3,602] 3602 of the education law is greater than twenty-five hundredths [0;25] (0.25), the product of (1) the quotient of non public [School] school district enrollment divided by the sum of the non public school district enrollment and the base year public [School] school district enrollment as computed pursuant to subparagraph[,] 2 paragraph n of subdivision one of section 3602 of the education["] law multiplied by (2) the extraordinary needs percent as computed pursuant to paragraph w of subdivision 1 of section 3602 of the education law multiplied by (3) the base year public school district enrollment as computed pursuant to subparagraph 2 of paragraph n of subdivision 1 of section 3602 of the education law multiplied by (4) three hundred and fifty dollars (\$350.00) and (G) for school districts that: (1) were designated as average need pursuant to clause (c) of subparagraph 2 of paragraph c of subdivision 6 of section 3602 of the education law for the school aid computer listing produced by the commissioner of education in support of the enacted budget for the 2007-08 school year and entitled "SA0708" and (2) a combined wealth ratio computed pursuant to subparagraph one of paragraph c of subdivision 3 of section 3602 of the education law of less than one (1.0) or for a school district designated as high need [urban suburban] urban-suburban pursuant to clause (c) of subparagraph 2 of paragraph c of subdivision 6 of section [3.602] 3602 of the education law for the school aid computer listing produced by the commissioner of education in support of the enacted budget for the 2007-08 school year and entitled "SA0708", the product of fifty-one dollars (\$51.00) multiplied by the base year public [,]school district enrollment as computed pursuant to subparagraph two of paragraph n of subdivision 1 of section 3602 of [tle '] the education law and (H) for a school district designated as rural[.] high need pursuant to clause (c) of subparagraph 2 of paragraph c of subdivision 6 of section 3602 of the education law for the school aid computer listing[:.] produced by the commissioner of education in support[. . o] of the enacted budget for the 2007-08 school year and entitled "SA0708", the product of two hundred dollars (\$200.00) multiplied by the base year public school district enrollment as computed pursuant to subparagraph two of paragraph n of subdivision [':.]1 of section 3602 of the education law and (I) for school districts that were designated as small city school districts or central school districts whose boundaries include a portion of a small city for the school aid computer listing produced by the commissioner of education in support of the enacted budget for the 2014-15 school year and entitled "SA1415" the product of twenty-five dollars (\$25.00) multiplied by the base year public school district enrollment as computed pursuant to subparagraph two of paragraph n of subdivision 1 of section 3602 of the education law and for school districts for which the quotient, computed [']to two decimals without rounding, of the public school enrollment of the school district on the date enrollment was counted for the base year divided by the square miles of the district, as determined by the commissioner of education is less than two hundred and fifty (250), the product of sixteen dollars (\$16.00) multiplied by the base year public school district enrollment as computed pursuant to subparagraph 2 of paragraph n of subdivision 1 of section 3602 of the education law and (J) For a district for which (1) the quotient, computed to two decimals without rounding, of the public school enrollment of the school district on the date enrollment was counted for the base year divided by the square miles of the district, as determined by the commissioner of education is greater than eight hundred (800) and (2) the tax effort ratio, as defined in subdivision 16 [of-section] of section 3602 of the education law is greater than four and (3) the base year public school district enrollment as computed pursuant to subparagraph 2 of paragraph n of subdivision [I] 1 of section [1 360.2] 3602 of the education law is greater than the 2010-11[.] public school district enrollment as

computed [16] pursuant to subparagraph 2 of paragraph n of subdivision 1 of section 3602 of the education law, the product of two hundred and fifty dollars (\$250.00) multiplied by the base year public school district enrollment as [computed-pursuant] computed pursuant to subparagraph 2 of paragraph n of subdivision 1 of section 3602 of the education law, provided that such amount shall not exceed one million dollars (\$1,000,000) and (K) For school districts that were: (1) designated as low or average need pursuant to clause (c) of subparagraph 2 of paragraph c of subdivision six of section 3602 of the education [20] law for the school aid computer listing produced by the commissioner of education in support of the enacted budget for the 2007-08 school year and entitled "SA0708", or in the case of a reorganized district that had a predecessor district that was so designated and (2) designated as high need pursuant to the regulations of the commissioner of education in the most recently available study included in the school aid computer listing produced by the commissioner of education in support of the enacted budget for the 2013-14 state fiscal year and entitled "SA131-4" known as the 2008 need resource capacity category code, the product of (a) the positive difference, if any, of the absolute value of the amount set forth for such school district as "GAP ELIMINATION ADJUSTMENT" under the heading "2011-12 ESTIMATED AIDS" in the school aid computer listing produced by the commissioner of education in support of the executive budget request submitted for the 2011-12 state fiscal year and entitled "BT111-2", minus [theorbduct] the product of six and eight tenths percent (0.068): multiplied by the [']total general fund expenditures of such district for the 2010-11 school year, multiplied by (b) fifty-five hundredths [A0.55]] (0.55) and (L) the amount set forth [by] for such school district as "GEA RESTORATION['.-']" under the [he4ding12014-15] heading "2014-15 ESTIMATED AIDS" in the school aid [']computer listing produced by the commissioner of education in[,] support of the executive budget request submitted for the 2014-15 state fiscal year and entitled "BT141-5". Provided further, notwithstanding any provision of law to the contrary, that a district's gap elimination adjustment restoration for the 2014-15 school year shall not exceed the product of seventy percent (0.70) and the gap elimination adjustment for the base year for the district. [Provided further that the gap elimination adjustment restoration amount for the 2015-16 school year and thereafter shall equal the product of the gap elimination percentage for such district and the gap elimination adjustment restoration allocation established pursuant to subdivision 18 of section 3602 of the education law.]

Provided further that the gap elimination adjustment restoration amount for the 2015-2016 school year [and thereafter] shall equal [the product of the gap elimination percentage for such district and] the gap elimination adjustment restoration allocation established pursuant to subdivision 18 of section 3602 of the education law.

Provided further that the gap elimination adjustment for the 2015-16 school year shall be equal to the gap elimination adjustment for the 2014-15 school year, [plus, if the preliminary growth amount exceeds the allowable growth amount, the product of the gap elimination adjustment percentage for such school district and the positive difference, if any, between the preliminary growth amount less the allowable growth amount, and] less the gap elimination adjustment restoration amount for the 2015-16 school year, if any, allocated pursuant to a chapter of the laws of New York.

Provided further that, notwithstanding any inconsistent provision of law, for the 2014-2015 school year, in lieu of the apportionment computed pursuant to subdivision 4 of section 3602 of the education law, a school district, other than a special act school district as defined in subdivision [6] 8 of section 4001 of the education law, from funds appropriated herein shall be eligible for total foundation aid equal to the sum of the total foundation aid base

computed pursuant to paragraph j of subdivision 1 of section 3602 of the education law, plus the phase-in foundation increase factor, which shall equal for the 2014-15 school year: (1) for a city school district in a city having a population of one million or more, four and thirty-two hundredths percent (0.0432) or (2) for a school district other than a city school district having a population of one million or more for which (A) the quotient of the positive difference of the foundation formula aid minus the foundation aid base computed pursuant to paragraph j of subdivision one of this section divided by the foundation formula aid is greater than twenty-two percent (0.22) and (B) a combined wealth ratio less than thirty-five hundredths (0.35), seven percent (0.07) or (3) for all other school districts, four and thirty-one hundredths percent (0.0431), provided further that, notwithstanding any inconsistent provision of law, for the 2014-15 school year a city school district of a city having a population of one million or more may use amounts apportioned pursuant to this subdivision for afterschool programs.

Provided further that notwithstanding any inconsistent provision of law, no school district shall be eligible for an apportionment of general support for public schools from the funds appropriated herein for the 2014-15 school year [or 2015-16 school year] in excess of the amount apportioned to such school district in the base year, as defined in subdivision 1 of section 3602 of education law, unless such school district has submitted documentation that has been approved by the commissioner of education by September 1 of the current year, as defined in subdivision 1 of section 3602 of the education law, demonstrating that it has fully implemented the standards and procedures for conducting annual professional performance reviews of classroom teachers and building principals in accordance with the requirements of section 3012-c of the education law and the commissioner of education's regulations, and provided further that, any apportionment withheld pursuant to this appropriation shall not occur prior to April 1 of the current year and shall not have any effect on the base year calculation for use in the subsequent school year.

Provided further that, if any payments of ineligible amounts pursuant to the immediately preceding paragraph of this appropriation were made, and the school district has not submitted documentation that has been approved by the commissioner of education by September 1 of the current school year demonstrating that it has fully implemented the standards and procedures for conducting annual professional performance reviews of classroom teachers and building principals in accordance with the requirements of section 3012-c of the education law and the regulations of the commissioner of education, the total amount of such payments shall be deducted from future payments to the school district; provided further that, if the amount of the deduction is greater than the sum of the amounts available for such deductions in the applicable school year, the remainder of the deduction shall be withheld from payments from funds appropriated herein scheduled to be made to the school district pursuant to section 3609-a of the education law for the subsequent school year.

Provided however that, notwithstanding any inconsistent provision of law, in order to ensure that the incremental funds appropriated herein achieve maximum education impact, and in order to ensure that the public schools maximize student achievement and promote excellence in teaching through accountability, a school district shall be eligible for any apportionment of general support for public schools, including from the funds appropriated herein, for the 2015-16 school year in excess of the amount apportioned to such school district in the base year, as defined in subdivision 1 of section 3602 of the education law, if such school district has submitted documentation, including a plan adopted by the governing board of the school district, that has been approved by the commissioner by September 1 of the current year, as defined in subdivision 1 of section 3602 of the education law, demonstrating that it has fully implemented at a minimum the following standards

and procedures for conducting annual professional performance reviews of classroom teachers and building principals to determine teacher and principal effectiveness that provide for: (i) state assessments and other comparable measures of student growth which shall comprise 50 percent of the evaluation and which shall be prescribed by the commissioner in regulations and require that any comparable measures of student growth be measured on an annual basis, provided that the evaluation shall contain no locally selected measures of student achievement subcomponent; (ii) subjective measures of effectiveness that have been approved by the commissioner which shall comprise 50 percent of the evaluation and be locally developed, provided that (A) at least 35 percent of the evaluation shall be based on at least one unannounced observation by an independent evaluator, which may include a building principal or administrator from outside of the school, a trained evaluator from a list determined by the commissioner, or appointed faculty at a state university of New York or city university of New York school of education and (B) the remaining percentage of the evaluation shall be based on at least one unannounced observation by an administrator or principal from the same school; and (iii) a scoring rubric which ensures that it is possible to receive any one of four ratings limited to highly effective, effective, developing and ineffective, with explicit minimum and maximum scoring ranges for each category and with scoring bands for the state assessments and other comparable measures subcomponent and the other measures of teacher and leader effectiveness subcomponent as set by the department in regulations, provided that if a classroom teacher or building principal receives an ineffective rating on any one of these subcomponents, the highest overall composite rating he or she may receive is developing.

Notwithstanding any provision of law to the contrary, in order to ensure that the incremental funds appropriated herein achieve maximum education impact, and in order to ensure that the public schools maximize student achievement, promote excellence in teaching through accountability, offer students alternatives to low-performing and failing schools and are effectively and efficiently administered, a school district shall be eligible for any apportionment of general support for public schools, including from the funds appropriated herein, for the 2015-16 school year in excess of the amount apportioned to such school district in the base year, as defined in subdivision 1 of section 3602 of the education law, if (i) the director of the budget has notified the commissioner of education in writing that by March 31 of the base year the legislature has enacted a chapter or chapters of law identical to legislation submitted by the governor pursuant to article VII of the New York constitution as legislative bill numbers S.2010-A and A.3010-A, and (ii) all other applicable eligibility criteria and conditions established pursuant to such legislation have been met.

Provided further that, if any payments of ineligible amounts pursuant to the immediately preceding two paragraphs of this appropriation were made, the total amount of such payments shall be deducted from future payments to the school district; provided further that, if the amount of the deduction is greater than the sum of the amounts available for such deductions in the applicable school year, the remainder of the deduction shall be withheld from payments from funds appropriated herein scheduled to be made to the school district pursuant to section 3609-a of the education law for the subsequent school year. Provided, however, that the sum of the ineligible amounts pursuant to the immediately preceding two paragraphs of this appropriation shall not be greater than the amount by which the school district's apportionment of general support for public schools from the funds appropriated herein for the applicable school year would otherwise exceed the amount apportioned to such school district in the prior school year. Provided, however, that any apportionment withheld pursuant to this

appropriation shall not have any effect on the base year calculation for use in the subsequent school year.

Provided further that notwithstanding any inconsistent provision of law, expenditures from a school district's smart schools allocation, as authorized in a chapter of the laws of 2014 implementing the smart schools bond act of 2014, shall not be eligible for an apportionment of the funds appropriated herein.

Provided further that notwithstanding any inconsistent provision of law, for the purposes of this appropriation and of calculating the allocable growth amount for the 2014-15 school year pursuant to paragraph gg of subdivision 1 of section 3602 of the education law, the allowable growth amount shall equal the sum of (i) the product of the positive difference of the personal income growth index minus one, multiplied by the statewide total of the sum of (1) the apportionments, including the gap elimination adjustment, due and owing during the base year to school districts and boards of cooperative educational services from the general support for public schools as computed based on an electronic data file used to produce the school aid computer listing produced by the commissioner in support of the enacted budget for the base year plus (2) the competitive awards amount for the base year, and (ii) \$388,000,000 to support increased foundation aid and gap elimination adjustment restoration for the 2014-15 school year.

Provided further that notwithstanding any other provision of law to the contrary, for the purposes of this appropriation and of calculating the allocable growth amount for the 2015-16 school year pursuant to paragraph gg of subdivision 1 of section 3602 of the education law, the allowable growth amount for the 2015-16 school year shall equal the sum of (1) the product of the positive difference of the personal income growth index minus one, multiplied by the statewide total of (i) the apportionments, including the gap elimination adjustment, due and owing during the base year, to school districts and boards of cooperative educational services from the general support for public schools as computed based on an electronic data file used to produce the school aid computer listing produced by the commissioner in support of the enacted budget for the base year, excluding any such apportionments [paid or to be paid from funds] appropriated for such purpose from the commercial gaming revenue fund plus (ii) the competitive awards amount for the base year [computed pursuant to paragraph ee of subdivision 1 of section 3602 of the education law], and (2) \$687,000,000.

Provided further that notwithstanding any provision of law to the contrary, the competitive awards amount for purposes of calculating the allocable growth amount shall be fifty million dollars for the 2015-16 school year.

Provided further that notwithstanding any provision of law to the contrary, for the 2014-15 and 2015-16 school years, the apportionments computed pursuant to subdivision 5-a of section 3602 of the education law shall equal the amounts set forth for such school district as "SUPPLEMENTAL PUB EXCESS COST" under the heading "2013-14 ESTIMATED AIDS" in the school aid computer listing produced by the commissioner of education in support of the budget for the 2014-15 school year and entitled "SA141-5" and that for the 2014-15 and 2015-16 school years the apportionments computed pursuant to subdivisions 12 and 16 of section 3602 shall equal the amounts set forth for such school district as "ACADEMIC ENHANCEMENT" and "HIGH TAX AID" under the heading "2014-15 ESTIMATED AIDS" in the school aid computer listing produced by the commissioner of education in support of the budget for the 2014-15 school year and entitled "SA141-5".

Provided further that notwithstanding any provision of law to the contrary, for the 2015-16 school year a school district shall be eligible for an apportionment computed pursuant to section 3602-e of the education law equal to the amount set forth for such school district as "UNIVERSAL PREKINDERGARTEN" under the heading "2014-15 ESTIMATED AIDS" in the school aid computer listing produced by the

commissioner of education in support of the budget for the 2014-15 school year and entitled "SA141-5".

Provided further that to the extent required by federal law, each board of cooperative educational services receiving a payment pursuant to section 3609-d of the education law in the 2015-16 school year shall be required to set aside from such payment an amount not less than the amount of state aid received pursuant to subdivision 5 of section 1950 of the education law in the base year that was attributable to cooperative services agreements (CO-SERs) for career education, as determined by the commissioner of education, and shall be required to use such amount to support career education programs in the current year.

Provided further that notwithstanding any provision of law to the contrary, in determining the final payment for the state fiscal year pursuant to section 3609-a of the education law, the general support for public schools appropriations for the state fiscal year ending March 31, 2016 shall be deemed to include the portion of this appropriation made available for 2014-15 state fiscal year payments for general support for public schools as provided for herein added to the sum of other such designated appropriated amounts, and the director of the budget, in approving the final payment for the state fiscal year pursuant to clause (iii) of subparagraph (3) of paragraph b of subdivision 1 of section 3609-a of the education law, may direct the commissioner of education to apportion an advance in an amount less than that reported by the commissioner of education pursuant to such clause (iii) of subparagraph (3) of paragraph b of subdivision 1 of section 3609-a of the education law, and provided further that for the 2014-15 state fiscal year such reduction shall not exceed the sum of (1) the amount by which the 2014-15 state fiscal year need computed based on the electronic data file used to produce the school aid computer listing produced by the commissioner in support of the enacted budget for the 2014-15 state fiscal year and entitled "SA141-5" is less than the amount appropriated for payments for the 2014-15 state fiscal year for general support for public schools, (2) any amounts withheld in the 2014-15 fiscal year from school districts that have not submitted documentation that has been approved by the commissioner of education by September 1 of the 2014-15 school year demonstrating that it has fully implemented the standards and procedures for conducting annual professional performance reviews of classroom teachers and building principals in accordance with the requirements of section 3012-c of the education law and the commissioner of education's regulations and (3) \$91,700,000; and provided further that for the 2015-16 state fiscal year such reduction shall not exceed the sum of (1) the amount by which the 2015-16 state fiscal year need computed based on the electronic data file used to produce the school aid computer listing produced by the commissioner in support of the enacted budget for the 2015-16 state fiscal year is less than the amount appropriated for payments for the 2015-16 state fiscal year for general support for public schools, (2) any amounts withheld in the 2015-16 fiscal year due to lack of the notification of enactment of a chapter or chapters of law identical to legislation submitted by the governor pursuant to article VII of the New York constitution as legislative bill numbers S.2010-A and A.3010-A and the failure to meet all other eligibility criteria and conditions established pursuant to such legislation, and (3) any amounts withheld in the 2015-16 fiscal year from school districts that have not submitted documentation that has been approved by the commissioner of education by September 1, 2015 demonstrating that they have fully implemented the standards and procedures for conducting annual professional performance reviews of classroom teachers and building principals as set forth in this appropriation.

Provided further that, notwithstanding any inconsistent provision of law, subject to the approval of the director of the budget, funds appropriated herein may be interchanged with any other item of appropriation for general support for public schools within the

general fund local assistance account office of prekindergarten through grade twelve education program. Notwithstanding any provision of law to the contrary, funds appropriated herein shall be available for payment of liabilities heretofore accrued or hereafter to accrue.

Notwithstanding any other law, rule or regulation to the contrary, funds appropriated herein shall be available for payment of financial assistance net of any disallowances, refunds, reimbursement and credits, and may be suballocated to other departments and agencies to accomplish the intent of this appropriation subject to the approval of the director of the budget. Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2014-15 shall supersede and replace any appropriation for this item covering fiscal year 2014-15 set forth in chapter 53 of the laws of 2013. Notwithstanding section 40 of the state finance law or any provision of law to the contrary, this appropriation shall lapse on March 31, 2016 [30,344,968,000] 30,254,748,000 (re. \$18,181,583,827) "

Page 155, Line 42, Strike out and insert "] "

Page 166, Line 44, Strike out "turnaround strategies for chronically underperforming schools" and insert "takeover and restructuring of failing schools or school districts pursuant to sections 211-f and 211-g of the education law"

Page 171, Line 33, Strike out "turnaround strategies for chronically underperforming schools" and insert "takeover and restructuring of failing schools or school districts pursuant to sections 211-f and 211-g of the education law "

Page 171, Line 36, After "turnaround", insert "or intervention"

Page 171, Line 36, After "such", insert "school districts or"

Page 177, Line 48, Strike out "turnaround strategies for chronically underperforming schools "

and insert

"takeover and restructuring of failing schools or school districts pursuant to sections 211-f and 211-g of the education law "

Page 179, Line 31, After "teachers", insert

"in math, science and related fields and up to 20 percent of such stipends to high performing teachers"

Page 182, Line 39, Strike out

"turnaround strategies for chronically underperforming schools "

and insert

"takeover and restructuring of failing schools or school districts pursuant to sections 211-f and 211-g of the education law"

Page 182, Line 42, After "turnaround", insert

"or intervention"

Page 182, Line 42, After "such", insert

"school districts or"

Page 197, Line 21, Insert

"Special Revenue Funds - Other
State Lottery Fund
State Lottery Account - 20901

The appropriation made by chapter 53, section 1, of the laws of 2014, is hereby amended and reappropriated to read:

For general support for public schools for the 2014-15 and 2015-16 school years, provided that, notwithstanding any other provision of law to the contrary, in computing the additional lottery grant pursuant to subparagraph (4) of paragraph b of subdivision 4 of section 92-c of the state finance law for the 2014-15 school year, the base grant shall not exceed \$2,024,980,000. Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2014-15 shall supersede and replace any appropriation for this item covering fiscal year 2014-15 set forth in chapter 53 of the laws of 2013. Notwithstanding section 40 of the state finance law or any provision of law to the contrary, this appropriation shall lapse on March 31, 2016
[4,036,960,000] 4,003,960,000 (re. \$1,978,980,000)

Special Revenue Funds - Other
State Lottery Fund
VLT Education Account - 20904

The appropriation made by chapter 53, section 1, of the laws of 2014, is hereby amended and reappropriated to read:

For general support for public schools for the 2014-15 and 2015-16 school years, for grants awarded pursuant to subparagraph (2-a) of paragraph b of subdivision 4 of section 92-c of the state finance law, provided that no more than \$950,604,000 shall be available for the 2014-15 state fiscal year payments for general support for

public schools for the 2014-15 school year. Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2014-15 shall supersede and replace any appropriation for this item covering fiscal year 2014-15 set forth in chapter 53 of the laws of 2013. Notwithstanding section 40 of the state finance law or any provision of law to the contrary, this appropriation shall lapse on March 31, 2016
 [1,927,604,000] 1,902,604,000 (re. \$952,000,000)"

OFFICE OF CHILDREN AND FAMILY SERVICES

- Page 210, Line 48, Strike out "and"
and insert ", "
- Page 210, Line 49, After "home",
insert "and legally exempt"

DEPARTMENT OF HEALTH

- Page 430, Lines 12-28, Strike out
 "Notwithstanding any inconsistent provision of law, rule or regulation, for state aid purposes, commencing on July 1, 2015, provision of prenatal clinical health care services shall be eligible for state aid for uninsured women of any age, provided that the municipality makes good faith efforts to assist such women with insurance enrollment and only until such time as enrollment becomes effective; provided, however, that if this chapter appropriates sufficient additional funds to support the provision of state aid for prenatal services for all women, regardless of insurance enrollment, then this language shall be considered null and void as of March 31, 2015"
- Page 432, Line 46, After "health:", insert
 "study of racial disparities, minority male wellness and screening, Latino health outreach,"
- Page 441, Line 33, After "of", insert "the"
- Page 444, Line 38, Strike out "paragraph"
and insert "subdivision"
- Page 451, Line 23, After "of", insert "the"
- Page 454, Line 25, Strike out "paragraph"
and insert "subdivision"
- Page 455, Line 25, Strike out "1"
and insert "(1)"
- Page 455, Line 40, Strike out "4"
and insert "(4)"

Page 458, Between lines
16 and 17, Insert

"Notwithstanding any inconsistent provision of law, in order to complement and enhance the fiscal management and programmatic integrity of the Medicaid program, funds from this appropriation may not be spent unless the director of the budget has notified the commissioner of health by March 31, 2015 that the legislature has enacted a chapter or chapters of law that contains part B (sections 1-7, 11-14, 25-34 and 37), part D (sections 1, 2, 4-12, 14-15, 17, 20-24 and 29), part E and part F in a form identical to legislation submitted by the governor pursuant to article VII of the New York constitution as legislative bill numbers S. 2007-A/A. 3007-A."

Page 459, Between lines
15 and 16, Insert

"Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2015 through March 31, 2017, benefits under the medical assistance program shall be furnished to applicants in cases where, although such applicant has a responsible relative with sufficient income and resources to provide medical assistance, the income and resources of the responsible relative are not available to such applicant because of the absence of such relative and the refusal or failure of such absent relative to provide the necessary care and assistance. In such cases, however, the furnishing of such assistance shall create an implied contract with such relative, and the cost thereof may be recovered from such relative in accordance with title six of article three of the social services law and other applicable provisions of law."

Page 459, Between lines
39 and 40, Insert

"Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2015 through March 31, 2017, the commissioner of health may negotiate directly with a pharmaceutical manufacturer for the provision of supplemental rebates, including supplemental rebates relating to pharmaceutical utilization by enrollees of Medicaid Managed Care plans, relating to any of the drugs it manufactures for the purpose of funding medical assistance program benefits; provided, however, that this paragraph shall apply only to covered outpatient drugs for which the manufacturer has in effect a rebate agreement with the federal Secretary of Health and Human Services pursuant to 42 U.S.C. §1396r-8.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2015 through March 31, 2017, medical assistance payments for prescription drugs dispensed by pharmacies shall be, in the case of a multiple source prescription drug or a brand-name prescription drug for which no specific upper limit has been set by the federal Centers for Medicare and Medicaid Services, the lower of the estimated acquisition cost of such drug to pharmacies or the dispensing pharmacy's usual and customary price charged to the general public. For sole and multiple source brand name drugs, estimated acquisition cost means the average wholesale price of a prescription drug based upon the package size dispensed from, as reported by the prescription drug pricing service used by the department of health, less twenty-four percent thereof, or the wholesale acquisition cost of a prescription drug based upon package size dispensed from, as reported by the prescription drug pricing service used by the department of health, minus nine percent thereof, and updated monthly by the department of health. In addition, for prescription drugs categorized as brand-name prescription drugs by the prescription drug pricing service used by the department of health, the

department shall pay a pharmacy a dispensing fee for each such prescription drug dispensed in the amount of eight dollars per prescription.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2015 through March 31, 2017, the commissioner of health may require prior authorization under the Clinical Drug Review Program for any drug, prior to obtaining the evaluation and recommendation of the Drug Utilization Review Board, after considering: (a) whether the drug requires monitoring of prescribing protocols to protect both the long-term efficacy of the drug and the public health; (b) the potential for, or a history of, overuse, abuse, drug diversion or illegal utilization; and (c) the potential for, or a history of, utilization inconsistent with approved indications. Where the commissioner of health finds that a drug meets at least one of these criteria, in determining whether to make the drug subject to prior authorization under the Clinical Drug Review Program, the commissioner of health shall consider whether similarly effective alternatives are available for the same disease state and the effect of that availability or lack of availability. The Drug Utilization Review Board may recommend to the commissioner of health that any prior authorization requirement imposed pursuant to this paragraph be modified, continued or removed.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2015 through March 31, 2017, the commissioner of the department of health may require a pharmaceutical manufacturer to provide a minimum supplemental rebate for drugs that are eligible for state public health plan reimbursement, including such drugs as set forth in paragraph (g-1) of subdivision two of section three hundred sixty-five-a of the social services law. If such a minimum supplemental rebate is not provided by the manufacturer, prior authorization may be required by the commissioner of the department of health.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2015 through March 31, 2017, the medical assistance program may authorize payment for a drug that is not on the preferred drug list if certain criteria are met, including:

- (i) the preferred drug has been tried by the patient and has failed to produce the desired health outcomes; (ii) the patient has tried the preferred drug and has experienced unacceptable side effects; (iii) the patient has been stabilized on a non-preferred drug and transition to the preferred drug would be medically contraindicated; or (iv) other clinical indications identified by the committee for the patient's use of the non-preferred drug, which shall include consideration of the medical needs of special populations, including children, elderly, chronically ill, persons with mental health conditions, and persons affected by HIV/AIDS.

In the event that the patient does not meet this criteria, the prescriber may provide additional information to the medical assistance program to justify the use of the drug. The program shall provide a reasonable opportunity for the prescriber to reasonably present his or her justification of prior authorization. The program will consider the additional information and the justification presented to determine whether the use of a prescription drug that is not on the preferred drug list is warranted.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2015 through March 31, 2017, claims for payment of outpatient prescription drugs submitted to a Medicaid Managed Care plan by a covered entity pursuant to section 340B of the federal public health service act (42 USCA § 256b) or by such covered entity's authorized contract pharmacy shall be at such covered entity's or contract pharmacy's actual acquisition cost for the drug. For purposes of this paragraph, "actual acquisition cost" means the invoice price for the drug

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2015 through March 31, 2017, medical assistance payments for prescription drugs dispensed by pharmacies shall be, in the case of a multiple source prescription drug or a brand-name prescription drug for which no specific upper limit has been set by the federal Centers for Medicare and Medicaid Services, the lower of the estimated acquisition cost of such drug to pharmacies or the dispensing pharmacy's usual and customary price charged to the general public. For sole and multiple source brand name drugs, estimated acquisition cost means the average wholesale price of a prescription drug based upon the package size dispensed from, as reported by the prescription drug pricing service used by the department of health, less twenty-four percent thereof, or the wholesale acquisition cost of a prescription drug based upon package size dispensed from, as reported by the prescription drug pricing service used by the department of health, minus nine percent thereof, and updated monthly by the department of health. In addition, for prescription drugs categorized as brand-name prescription drugs by the prescription drug pricing service used by the department of health, the department shall pay a pharmacy a dispensing fee for each such prescription drug dispensed in the amount of eight dollars per prescription.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2015 through March 31, 2017, the commissioner of health may require prior authorization under the Clinical Drug Review Program for any drug, prior to obtaining the evaluation and recommendation of the Drug Utilization Review Board, after considering: (a) whether the drug requires monitoring of prescribing protocols to protect both the long-term efficacy of the drug and the public health; (b) the potential for, or a history of, overuse, abuse, drug diversion or illegal utilization; and (c) the potential for, or a history of, utilization inconsistent with approved indications. Where the commissioner of health finds that a drug meets at least one of these criteria, in determining whether to make the drug subject to prior authorization under the Clinical Drug Review Program, the commissioner of health shall consider whether similarly effective alternatives are available for the same disease state and the effect of that availability or lack of availability. The Drug Utilization Review Board may recommend to the commissioner of health that any prior authorization requirement imposed pursuant to this paragraph be modified, continued or removed.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2015 through March 31, 2017, the commissioner of the department of health may require a pharmaceutical manufacturer to provide a minimum supplemental rebate for drugs that are eligible for state public health plan reimbursement, including such drugs as set forth in paragraph (g-1) of subdivision two of section three hundred sixty-five-a of the social services law. If such a minimum supplemental rebate is not provided by the manufacturer, prior authorization may be required by the commissioner of the department of health.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2015 through March 31, 2017, the medical assistance program may authorize payment for a drug that is not on the preferred drug list if certain criteria are met, including:

- (i) the preferred drug has been tried by the patient and has failed to produce the desired health outcomes; (ii) the patient has tried the preferred drug and has experienced unacceptable side effects; (iii) the patient has been stabilized on a non-preferred drug and transition to the preferred drug would be medically contraindicated; or (iv) other clinical indications identified by the committee for the patient's use of the non-preferred drug, which shall include consideration of the medical needs of special populations, including children, elderly, chronically ill,

persons with mental health conditions, and persons affected by HIV/AIDS.

In the event that the patient does not meet this criteria, the prescriber may provide additional information to the medical assistance program to justify the use of the drug. The program shall provide a reasonable opportunity for the prescriber to reasonably present his or her justification of prior authorization. The program will consider the additional information and the justification presented to determine whether the use of a prescription drug that is not on the preferred drug list is warranted.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2015 through March 31, 2017, claims for payment of outpatient prescription drugs submitted to a Medicaid Managed Care plan by a covered entity pursuant to section 340B of the federal public health service act (42 USCA § 256b) or by such covered entity's authorized contract pharmacy shall be at such covered entity's or contract pharmacy's actual acquisition cost for the drug. For purposes of this paragraph, "actual acquisition cost" means the invoice price for the drug to the covered entity or the covered entity's authorized contract pharmacy, minus the amount of all discounts and other cost-reductions attributable to the drug."

Page 470,	Line 44,	After "of", insert	"the"
Page 473,	Line 46,	Strike out and insert	"paragraph" "subdivision"
Page 474,	Line 45,	Strike out and insert	"1" "(1)"
Page 475,	Line 7,	Strike out and insert	"4" "(4)"
Page 475,	Between lines 51 and 52,	Insert	

"Notwithstanding any inconsistent provision of law, in order to complement and enhance the fiscal management and programmatic integrity of the Medicaid program, funds from this appropriation may not be spent unless the director of the budget has notified the commissioner of health by March 31, 2015 that the legislature has enacted a chapter or chapters of law that contains part B (sections 1-7, 11-14, 25-34 and 37), part D (sections 1, 2, 4-12, 14-15, 17, 20-24 and 29), part E and part F in a form identical to legislation submitted by the governor pursuant to article VII of the New York constitution as legislative bill numbers S. 2007-A/A. 3007-A."

Page 479,	Line 18,	Strike out and insert	"paragraph" "subdivision"
Page 480,	Line 17,	Strike out and insert	"1" "(1)"
Page 480,	Line 32,	Strike out and insert	"4" "(4)"
Page 481,	Between lines 10 and 11,	Insert	

"Notwithstanding any inconsistent provision of law, in order to complement and enhance the fiscal management and programmatic integrity of the Medicaid program, funds from this appropriation may not be spent unless the director

of the budget has notified the commissioner of health by March 31, 2015 that the legislature has enacted a chapter or chapters of law that contains part B (sections 1-7, 11-14, 25-34 and 37), part D (sections 1, 2, 4-12, 14-15, 17, 20-24 and 29), part E and part F in a form identical to legislation submitted by the governor pursuant to article VII of the New York constitution as legislative bill numbers S. 2007-A/A. 3007-A."

Page 482,	Line 29,	After "of", insert	"the"
Page 485,	Line 31,	Strike out and insert	"paragraph" "subdivision"
Page 486,	Line 32,	Strike out and insert	"1" "(1)"
Page 486,	Line 47,	Strike out and insert	"4" "(4)"
Page 487,	Between lines 11 and 12,	Insert	

"Notwithstanding any inconsistent provision of law, in order to complement and enhance the fiscal management and programmatic integrity of the Medicaid program, funds from this appropriation may not be spent unless the director of the budget has notified the commissioner of health by March 31, 2015 that the legislature has enacted a chapter or chapters of law that contains part B (sections 1-7, 11-14, 25-34 and 37), part D (sections 1, 2, 4-12, 14-15, 17, 20-24 and 29), part E and part F in a form identical to legislation submitted by the governor pursuant to article VII of the New York constitution as legislative bill numbers S. 2007-A/A. 3007-A."

HIGHER EDUCATION SERVICES CORPORATION

Page 540,	Between lines 32 and 33,	Insert
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"Provided, however, notwithstanding any law, rule or regulation to the contrary, an applicant for an award funded by this appropriation must either (a) have been a legal resident of New York state for at least one year immediately preceding the beginning of the semester, quarter or term of attendance for which application for assistance is made, or (b) be a legal resident of New York state and have been a legal resident during his or her last two semesters of high school either prior to graduation, or prior to admission to college.

Provided, further, that an applicant for an award funded by this appropriation who is not a legal resident of New York state eligible pursuant to the preceding paragraph, but is a United States citizen, an alien lawfully admitted for permanent residence in the United States, an individual of a class of refugees paroled by the attorney general of the United States under his or her parole authority pertaining to the admission of aliens to the United States, or an individual without lawful immigration status shall be eligible for an award funded by this appropriation provided that the applicant: (a) attended a registered New York state high school for two or more years, graduated from a registered New York state high school, lived continuously in New York state while attending a registered New York state high school, applied for attendance at the institution of higher education for the undergraduate study for which an award is sought, and attends such institution within five years of receiving a New York state high school diploma; or (b) attended an approved New York state program for a state high school equivalency diploma, lived continuously in New York state while attending an approved

New York state program for a general equivalency diploma, received a state high school equivalency diploma, subsequently applied to attend the institution of higher education for the undergraduate study for which an award is sought, earned admission based on that general equivalency diploma, and attends the institution of higher education for the undergraduate study for which an award is sought within five years of receiving a state high school equivalency diploma. Provided, further, that an applicant without lawful immigration status shall also be required to file an affidavit with such institution of higher education stating that the student has filed an application to legalize his or her immigration status, or will file such an application as soon as he or she is eligible to do so.

Provided, further, that recipients of an award funded by this appropriation shall comply with all requirements promulgated by the corporation for the administration of an award including, but not limited to, an application form and procedures established by the president of the corporation that shall allow an applicant that meets the requirements set forth in the preceding paragraph to apply directly to the corporation for an award without having to submit information to any other state or federal agency; provided, all information contained with the applications filed with such corporation shall be deemed confidential, except that the corporation shall be entitled to release information to participating institutions as necessary for the administration of an award to the extent required pursuant to article six of the public officers law or otherwise required by law."

Page 541 Line 6, Strike out "..... 1,020,000,000"
and insert ". "

Page 541, Between lines
6 and 7, Insert

"Provided, however, notwithstanding the foregoing, funds from this appropriation shall not be spent unless (i) the legislature enacts, by no later than March 31, 2015, a chapter of law identical to legislation submitted by the Governor pursuant to Article VII of the New York Constitution as Part D of legislative bill numbers S. 2006 and A. 3006 relating to the establishment by the president of the higher education services corporation of an application form and procedures that shall allow a student applicant that meets the requirements set forth in subparagraph (ii) of paragraph (a) or subparagraph (ii) of paragraph b of subdivision 5 of section 661 of the education law to apply directly to the higher education services corporation for applicable awards without having to submit information to any other state or federal agency, and (ii) the legislature enacts, by no later than March 31, 2015, a chapter of law identical to legislation submitted by the Governor pursuant to Article VII of the New York Constitution as Part E of legislative bill numbers S. 2006 and A. 3006 relating to an education tax credit program that would make available \$100 million in tax credits annually to provide a tax credit incentive to encourage individual and business donations to support public schools' educational improvement programs as well as public and non-public school scholarships for elementary and secondary school student 1,020,000,000"

Page 541, Line 10, After "1990", insert

", provided further that, a portion of the moneys hereby appropriated shall be available for expenses already accrued for payment of awards approved, but not fully disbursed, prior to the 2015-16 academic year"

Page 542, Lines 9-10, Strike out "2013-14"
and insert "2014-15"

Page 544, Line 38, Strike out ", "
and insert "and"

Page 544, Lines 38-41 Strike out
"and/or the applicant's parents as reported on the prior
year's filed New York state income tax return"
and insert ", if applicable"

DIVISION OF HOUSING AND COMMUNITY RENEWAL

Page 565, Lines 5-7, Strike out
"residential emergency services to offer (Home) repairs to
the elderly (RESTORE) program"
and insert

"housing opportunities program for the elderly (RESTORE) to
provide residential emergency services or home repairs to
correct any condition which poses a threat to the life,
health or safety of a low income elderly homeowner"

Page 566, Line 29, After "to", insert "subdivision 14 of"

Page 566, Line 30, Strike out "(14)"

Page 567, Line 21, Strike out "services"
and insert "supervision"

OFFICE OF MENTAL HEALTH

Page 614, Lines 50-51, Strike out
"by the federal department of health and human services"

Page 615, Lines 8-9, Strike out
", associated with the awarded grant"

Page 626, Lines 17-37, Strike out
"Special Revenue Funds - Federal
Federal Health and Human Services Fund
Federal Health and Human Services Account - 25100

By chapter 53, section 1, of the laws of 2013:
For programs to assist and transition from homelessness (PATH) grants.
Notwithstanding any inconsistent provision of law, a portion of this
appropriation, consistent with the terms and conditions of the PATH
grant, may be transferred to other programs within the office of
mental health for aid to localities, administrative and support
services, including fringe benefits, associated with the grant
6,359,000 (re. \$2,621,000)

By chapter 53, section 1, of the laws of 2012:

For programs to assist and transition from homelessness (PATH) grants.
 Notwithstanding any inconsistent provision of law, a portion of this appropriation, consistent with the terms and conditions of the PATH grant, may be transferred to other programs within the office of mental health for aid to localities, administrative and support services, including fringe benefits, associated with the grant
 5,569,000 (re. \$2,446,000)"

Page 626, Line 51, Insert

" [Special Revenue Funds - Federal
 Federal Health and Human Services Fund
 Federal Health and Human Services Account - 25100]

By chapter 53, section 1, of the laws of 2013:

For programs to assist and transition from homelessness (PATH) grants.
 Notwithstanding any inconsistent provision of law, a portion of this appropriation, consistent with the terms and conditions of the PATH grant, may be transferred to other programs within the office of mental health for aid to localities, administrative and support services, including fringe benefits, associated with the grant
 6,359,000 (re. \$2,621,000)

By chapter 53, section 1, of the laws of 2012:

For programs to assist and transition from homelessness (PATH) grants.
 Notwithstanding any inconsistent provision of law, a portion of this appropriation, consistent with the terms and conditions of the PATH grant, may be transferred to other programs within the office of mental health for aid to localities, administrative and support services, including fringe benefits, associated with the grant
 5,569,000 (re. \$2,446,000)"

OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES

Page 630,	Line 5,	Strike out and insert	"6,437,000" "75,644,000"
Page 630	Line 6,	Strike out and insert	"2,302,500" "83,095,500"
Page 630,	Line 8,	Strike out and insert	"8,739,500" "158,739,500"
Page 636,	Line 38,	Strike out	"effective April 1, 2015,"
Page 636,	Lines 49-50,	Strike out	"as of June 30, 2015,"
Page 641,	Between lines 6 and 7,	Insert	

"For services and expenses of the community services program, net of disallowances, for community programs for people with developmental disabilities pursuant to article 41 of the mental hygiene law, and/or chapter 620 of the laws of 1974, chapter 660 of the laws of 1977, chapter 412 of the laws of 1981, chapter 27 of the laws of 1987, chapter 729 of the laws of 1989, chapter 329 of the laws of 1993 and other provisions of the mental hygiene law. Notwithstanding any inconsistent provision of law, the following appropriation shall be net of refunds, rebates, reimbursements, and credits.

Notwithstanding any inconsistent provision of law, the director of the budget is authorized to make suballocations from this appropriation to the department of health medical assistance program.

Notwithstanding any other provision of law, advances and reimbursement made pursuant to subdivision (d) of section 41.15 and section 41.18 of the mental hygiene law shall be allocated pursuant to a plan and in a manner prescribed by the agency head and approved by the director of the budget. No expenditure shall be made until a certificate of allocation has been approved by the director of the budget and copies thereof filed with the state comptroller, and the chairs of the senate finance and assembly ways and means committees. The moneys hereby appropriated are available to reimburse or advance localities and voluntary non-profit agencies for expenditures made during local fiscal periods commencing January 1, 2014, April 1, 2014 or July 1, 2014, and for advances for the 3 month period beginning January 1, 2015.

Notwithstanding the provisions of article 41 of the mental hygiene law or any other inconsistent provision of law, rule or regulation, the commissioner, pursuant to such contract and in the manner provided therein, may pay all or a portion of the expenses incurred by such voluntary agencies arising out of loans which are funded from the proceeds of bonds and notes issued by the dormitory authority of the state of New York.

Notwithstanding any other provision of law, the money hereby appropriated may be transferred to state operations and/or any appropriation of the office for people with developmental disabilities with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

Notwithstanding any inconsistent provision of law, moneys from this appropriation may be used for state aid of up to 100 percent of the net deficit costs of day training programs and family support services.

Notwithstanding any inconsistent provision of law, including section 1 of part C of chapter 57 of the laws of 2006, as amended by section 1 of part N of chapter 56 of the laws of 2013, for the period commencing on April 1, 2014 and ending March 31, 2015 the commissioner shall not apply any cost of living adjustment for the purpose of establishing rates of payments, contracts or any other form of reimbursement.

Notwithstanding any inconsistent provision of law, and pursuant to criteria established by the commissioner of the office for people with developmental disabilities and approved by the director of the budget, expenditures may be made from this appropriation for residential facilities which are pending recertification as intermediate care facilities for people with developmental disabilities.

Notwithstanding the provisions of section 41.36 of the mental hygiene law and any other inconsistent provision of law, moneys from this appropriation may be used for payment up to \$250 per year per client, at such times and in such manner as determined by the commissioner on the basis of financial need for the personal needs of each client residing in voluntary-operated community residences and voluntary-operated community residential alternatives, including individualized residential alternatives under the home and community based services waiver. The commissioner shall, subject to the approval of the director of the budget, alter existing advance payment schedules for voluntary-operated community residences established pursuant to subdivision (h) of section 41.36 of the mental hygiene law.

Notwithstanding the provisions of section 16.23 of the mental hygiene law and any other inconsistent provision of law, with relation to the operation of certified family care homes, including family care homes sponsored by voluntary not-for-profit agencies, moneys from this appropriation may be used for payments to purchase general

services including but not limited to respite providers, up to a maximum of 14 days, at rates to be established by the commissioner and approved by the director of the budget in consideration of factors including, but not limited to, geographic area and number of clients cared for in the home and for payment in an amount determined by the commissioner for the personal needs of each client residing in the family care home.

Notwithstanding the provisions of subdivision 12 of section 8 of the state finance law and any other inconsistent provision of law, moneys from this appropriation may be used for expenses of family care homes including payments to operators of certified family care homes for damages caused by clients to personal and real property in accordance with standards established by the commissioner and approved by the director of the budget.

Notwithstanding any inconsistent provision of law, moneys from this appropriation may be used for appropriate day program services and residential services including, but not limited to, direct housing subsidies to individuals, start-up expenses for family care providers, environmental modifications, adaptive technologies, appraisals, property options, feasibility studies and preoperational expenses.

Notwithstanding any inconsistent provision of law, moneys from this appropriation may be used for the operation of clinics licensed pursuant to article 16 of the mental hygiene law including, but not limited to, supportive and habilitative services consistent with the home and community based services waiver.

Notwithstanding any other provision of law to the contrary, and consistent with section 33.07 of the mental hygiene law, the directors of facilities licensed but not operated by the office for people with developmental disabilities who act as federally-appointed representative payees and who assume management responsibility over the funds of a resident may continue to use such funds for the cost of the resident's care and treatment, consistent with federal law and regulations.

Funds appropriated herein shall be available in accordance with the following:

For the state share of medical assistance services expenses incurred by the department of health for the provision of medical assistance services to people with developmental disabilities
1,681,693,000 (re. \$69,207,000)"

Page 641, Between lines
 39 and 40, Insert

"For services and expenses of the community services program, net of disallowances, for community programs for people with developmental disabilities pursuant to article 41 of the mental hygiene law, and/or chapter 620 of the laws of 1974, chapter 660 of the laws of 1977, chapter 412 of the laws of 1981, chapter 27 of the laws of 1987, chapter 729 of the laws of 1989, chapter 329 of the laws of 1993 and other provisions of the mental hygiene law. Notwithstanding any inconsistent provision of law, the following appropriation shall be net of refunds, rebates, reimbursements, and credits.

Notwithstanding any other provision of law, advances and reimbursement made pursuant to subdivision (d) of section 41.15 and section 41.18 of the mental hygiene law shall be allocated pursuant to a plan and in a manner prescribed by the agency head and approved by the director of the budget. No expenditure shall be made until a certificate of allocation has been approved by the director of the budget and copies thereof filed with the state comptroller, and the chairs of the senate finance and assembly ways and means committees. The moneys hereby appropriated are available to reimburse or advance localities and voluntary non-profit agencies for expenditures made during local fiscal periods commencing January 1, 2014, April 1, 2014 or July 1, 2014, and for advances for the 3 month period beginning January 1, 2015.

Notwithstanding the provisions of article 41 of the mental hygiene law or any other inconsistent provision of law, rule or regulation, the commissioner, pursuant to such contract and in the manner provided therein, may pay all or a portion of the expenses incurred by such voluntary agencies arising out of loans which are funded from the proceeds of bonds and notes issued by the dormitory authority of the state of New York.

Notwithstanding any inconsistent provision of law, including section 1 of part C of chapter 57 of the laws of 2006, as amended by section 1 of part N of chapter 56 of the laws of 2013, for the period commencing on April 1, 2014 and ending March 31, 2015 the commissioner shall not apply any cost of living adjustment for the purpose of establishing rates of payments, contracts or any other form of reimbursement.

Notwithstanding any other provision of law, the money hereby appropriated may be transferred to state operations and/or any appropriation of the office for people with developmental disabilities with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

Notwithstanding any inconsistent provision of law, moneys from this appropriation may be used for state aid of up to 100 percent of the net deficit costs of day training programs and family support services.

Notwithstanding the provisions of section 16.23 of the mental hygiene law and any other inconsistent provision of law, with relation to the operation of certified family care homes, including family care homes sponsored by voluntary not-for-profit agencies, moneys from this appropriation may be used for payments to purchase general services including but not limited to respite providers, up to a maximum of 14 days, at rates to be established by the commissioner and approved by the director of the budget in consideration of factors including, but not limited to, geographic area and number of clients cared for in the home and for payment in an amount determined by the commissioner for the personal needs of each client residing in the family care home.

Notwithstanding the provisions of subdivision 12 of section 8 of the state finance law and any other inconsistent provision of law, moneys from this appropriation may be used for expenses of family care homes including payments to operators of certified family care homes for damages caused by clients to personal and real property in accordance with standards established by the commissioner and approved by the director of the budget.

Notwithstanding any other provision of law to the contrary, and consistent with section 33.07 of the mental hygiene law, the directors of facilities licensed but not operated by the office for people with developmental disabilities who act as federally-appointed representative payees and who assume management responsibility over the funds of a resident may continue to use such funds for the cost of the resident's care and treatment, consistent with federal law and regulations.

Notwithstanding any other provision of law to the contrary, effective July 1, 2014, funds appropriated herein are available to reimburse in- and out-of-state private residential schools, pursuant to subdivision (c) of section 13.37-a and subdivision (g) of section 13.38 of the mental hygiene law, for costs of supporting the residential and day program services available to individuals who are over the age of 21 years of age, provided that the amount paid for residential services and/or maintenance costs as of June 30, 2014, is net of any supplemental security income benefit to which the individual receiving services is eligible, and provided further that funding for nonresidential services will be in an amount not to exceed the maximum reimbursement for appropriate day services delivered by the office for people with developmental disabilities certified or approved providers other than in- and out-of-state

private residential schools, unless otherwise authorized by the director of the budget.

Notwithstanding any inconsistent provision of law, moneys from this appropriation may be used for appropriate day program services and residential services including, but not limited to, direct housing subsidies to individuals, start-up expenses for family care providers, environmental modifications, adaptive technologies, appraisals, property options, feasibility studies and preoperational expenses.

For services and expenses related to the provision of residential services to people with developmental disabilities
214,619,000 (re. \$41,570,000)

For services and expenses related to the provision of day program services to people with developmental disabilities
49,357,000 (re. \$9,560,000)

For services and expenses related to the provision of family support services to people with developmental disabilities
76,705,000 (re. \$14,857,000)

For services and expenses related to the provision of workshop, day training and employment services to people with developmental disabilities. Notwithstanding any other provision of law, up to \$800,000 of this appropriation may be transferred to the New York State Education Departments' Adult Career and Continuing Education Services - Vocational Rehabilitation (ACCES-VR) program to support the Long-Term Sheltered Employment program operated by FEDCAP Rehabilitation Services, Inc. ... 44,921,000 (re. \$8,701,000)

For other services and expenses provided to people with developmental disabilities including but not limited to hepatitis B, care at home waiver, epilepsy services, Special Olympics New York, Inc. and voluntary fingerprinting ... 6,178,000 (re. \$1,197,000)"

Page 642, Between lines
 13 and 14, Insert

"By chapter 53, section 1, of the laws of 2013, as amended by chapter 53, section 1, of the laws of 2014:

For services and expenses of the community services program, net of disallowances, for community programs for people with developmental disabilities pursuant to article 41 of the mental hygiene law, and/or chapter 620 of the laws of 1974, chapter 660 of the laws of 1977, chapter 412 of the laws of 1981, chapter 27 of the laws of 1987, chapter 729 of the laws of 1989, chapter 329 of the laws of 1993 and other provisions of the mental hygiene law. Notwithstanding any inconsistent provision of law, the following appropriation shall be net of refunds, rebates, reimbursements, and credits.

Notwithstanding any other provision of law, advances and reimbursement made pursuant to subdivision (d) of section 41.15 and section 41.18 of the mental hygiene law shall be allocated pursuant to a plan and in a manner prescribed by the agency head and approved by the director of the budget. No expenditure shall be made until a certificate of allocation has been approved by the director of the budget and copies thereof filed with the state comptroller, and the chairs of the senate finance and assembly ways and means committees. The moneys hereby appropriated are available to reimburse or advance localities and voluntary non-profit agencies for expenditures made during local fiscal periods commencing January 1, 2013, April 1, 2013 or July 1, 2013, and for advances for the 3 month period beginning January 1, 2014.

Notwithstanding the provisions of article 41 of the mental hygiene law or any other inconsistent provision of law, rule or regulation, the commissioner, pursuant to such contract and in the manner provided therein, may pay all or a portion of the expenses incurred by such voluntary agencies arising out of loans which are funded from the proceeds of bonds and notes issued by the dormitory authority of the state of New York.

Notwithstanding any inconsistent provision of law, including section 1 of part C of chapter 57 of the laws of 2006, as amended by section 1 of part H of chapter 56 of the laws of 2012, for the period commencing on April 1, 2013 and ending March 31, 2014 the commissioner shall not apply any cost of living adjustment for the purpose of establishing rates of payments, contracts or any other form of reimbursement.

Notwithstanding any other provision of law, the money hereby appropriated may be transferred to state operations and/or any appropriation of the office for people with developmental disabilities with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

Notwithstanding any inconsistent provision of law, moneys from this appropriation may be used for state aid of up to 100 percent of the net deficit costs of day training programs and family support services.

Notwithstanding the provisions of section 16.23 of the mental hygiene law and any other inconsistent provision of law, with relation to the operation of certified family care homes, including family care homes sponsored by voluntary not-for-profit agencies, moneys from this appropriation may be used for payments to purchase general services including but not limited to respite providers, up to a maximum of 14 days, at rates to be established by the commissioner and approved by the director of the budget in consideration of factors including, but not limited to, geographic area and number of clients cared for in the home and for payment in an amount determined by the commissioner for the personal needs of each client residing in the family care home.

Notwithstanding the provisions of subdivision 12 of section 8 of the state finance law and any other inconsistent provision of law, moneys from this appropriation may be used for expenses of family care homes including payments to operators of certified family care homes for damages caused by clients to personal and real property in accordance with standards established by the commissioner and approved by the director of the budget.

Notwithstanding any inconsistent provision of law, moneys from this appropriation may be used for appropriate day program services and residential services including, but not limited to, direct housing subsidies to individuals, start-up expenses for family care providers, environmental modifications, adaptive technologies, appraisals, property options, feasibility studies and preoperational expenses.

For services and expenses related to the provision of residential services to people with developmental disabilities
214,619,000 (re. \$2,689,000)

For services and expenses related to the provision of day program services to people with developmental disabilities
49,357,000 (re. \$618,000)

For services and expenses related to the provision of family support services to people with developmental disabilities
76,705,000 (re. \$961,000)

For services and expenses related to the provision of workshop, day training and employment services to people with developmental disabilities. Notwithstanding any other provision of law, up to \$800,000 of this appropriation may be transferred to the New York State Education Departments' Adult Career and Continuing Education Services - Vocational Rehabilitation (ACCES-VR) program to support the Long-Term Sheltered Employment program operated by FEDCAP Rehabilitation Services, Inc. ... 44,921,000 (re. \$563,000)

For other services and expenses provided to people with developmental disabilities including but not limited to hepatitis B, care at home waiver, epilepsy services, Special Olympics New York, Inc. and voluntary fingerprinting ... 6,178,000 (re. \$77,000)"

