

2022-23
Assembly Budget Proposal

INTRODUCTION

Section 54 of the Legislative Law requires, among other things, a “comprehensive, cumulative report” to be made available to Members of the Assembly prior to action on budget bills advanced by the Governor. The following *“Summary of the Assembly Recommended Changes to the Executive Budget”* is prepared by Ways and Means Committee staff and is intended to provide a concise presentation of all additions, deletions, re-estimates and policy changes that are provided in the Assembly proposal, embodied in Assembly Resolution E. 644. The budget proposal of the Assembly Majority addresses each appropriation, as well as programmatic language that was first advanced in the Executive Budget.

**OVERVIEW OF ASSEMBLY BUDGET PROPOSAL
State Fiscal Year 2022-23**

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Financial Plan Overview

Financial Plan Overview

Adjustments to the Executive SFY 2022-23 Financial Plan

Including the use of the \$2 billion set aside for COVID-19 pandemic relief, disbursements under the Executive Budget are projected at \$97.6 billion, a growth of 7.6 percent or \$6.9 billion over SFY 2021-22.

The Assembly spending plan is \$5.5 billion or 5.6 percent over the Executive plan, for an annual growth of \$12.4 billion or 13.6 percent. The Assembly plan prioritizes support for children and families, increased wages for essential workers in healthcare, mental hygiene and social services agencies, homeowner and rental assistance programs, higher education, prekindergarten, hospitals and residential utility relief.

Table 1

Size of the Budget							
	Adjusted Executive Proposal SFY 2022-23	Assembly Proposal SFY 2022-23	Difference	% Change	Close-out Estimate SFY 2021-22	Executive Annual Change	Assembly Annual Change
General Fund	97,551	103,047	5,496	5.63%	90,694	7.56%	13.62%
State Operating Funds	120,907	127,068	6,161	5.10%	115,226	4.93%	10.28%
State Funds	137,022	143,333	6,311	4.61%	128,781	6.40%	11.30%
All Funds	218,469	226,373	7,904	3.62%	212,926	2.60%	6.32%

All Funds

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

The Assembly proposes an All Funds budget of \$226.4 billion for State Fiscal Year (SFY) 2022-23, which is \$7.9 billion or 3.6 percent over the Executive proposal. This increase is largely attributed to additional spending on healthcare (\$3.2 billion); housing (\$2.3 billion); child care (\$2 billion); higher education programs (\$911 million); residential utility arrears relief (\$500 million); and increased support for assigned counsel (\$210 million).

All Funds receipts under the Assembly proposal are projected at \$213.6 billion, an increase of \$1.9 billion over the Executive estimate and a decrease of \$30.3 billion or 12.4 percent below the current state fiscal year. This is mainly attributed to the decline of pandemic-era federal aid, coupled with the impact of Pass-Through Entity Tax (PTET) payments.

State Funds

State Funds spending consists of the General Fund, Debt Service Funds, Capital Projects Funds and Other State Funds. State Funds spending under the Assembly spending plan is projected to total \$143.3 billion in SFY 2022-23, representing an increase of \$6.3 billion or 4.6 percent over the Executive Plan, and an increase of \$14.6 billion over SFY 2021-22.

The Assembly projects State Funds SFY 2022-23 receipts of \$127.3 billion, an increase of \$325 million over the Executive estimate, and a decrease of \$16.7 billion or 11.6 percent from SFY 2021-22.

State Operating Funds

The State Operating budget includes all State spending from the General Fund, State Special Revenue Funds, and Debt Service Funds. This measure excludes Capital Projects Funds and Federal spending. The Assembly proposal assumes State Operating Funds spending of \$127 billion, an increase of \$6.2 billion or 5.1 percent over the Executive's plan and an increase of \$11.8 billion or 10.3 percent over SFY 2021-22.

State Operating Fund receipts are estimated at \$116.2 billion, an increase of \$325 million or 0.3 percent over the Executive estimate; and a decrease of \$18.5 billion or 13.7 percent from SFY 2021-22.

General Fund

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

The SFY 2022-23 Assembly Financial Plan projects that General Fund spending will total \$103 billion, which is \$5.5 billion over the Executive proposal.

The Assembly General Fund Spending represents an increase of \$12.4 billion or 13.6 percent from SFY 2021-22 estimated levels.

In SFY 2022-23, General Fund receipts are estimated to total \$92.9 billion. The proposed Assembly receipts are \$257 million or 0.3 percent over the Executive forecast and \$19.1 billion or 17 percent below SFY 2021-22 levels.

Summary of Changes

Receipts Revisions

- The Assembly Financial Plan assumes \$1.2 billion in re-estimates of State revenues, and the Assembly accepts the Executive proposal of \$2.2 billion for homeowner tax rebate credit and an acceleration of the middle-class tax cuts. The Assembly denies \$22 million in new revenue related to the Executive proposal to tax vacation rentals and proposes \$831 million in new tax cuts and enhanced credits to provide inflationary relief for families and support small businesses, including:
 - \$731 million in advanced EITC payments;
 - \$50 million to establish zero percent tax rate for Pass-Through Manufactures;
 - \$30 million for the establishment of a small business hardship account; and
 - \$20 million for electric vehicles sales tax exemptions.

Disbursement Revisions

COVID-19 Pandemic Relief

- The Assembly proposes to allocate \$2 billion in reserves from the COVID-19 Public Health Fund as follows:
 - \$1.25 billion for the Emergency Rental Assistance Program (ERAP);
 - \$400 million for the Landlord Rental Assistance Program (LRAP);
 - \$100 million to the distressed public hospitals fund;
 - \$50 million for the Governor's Office of Storm Recovery for homeowner repairs that are above the amounts covered by FEMA or insurance;
 - \$50 million for Nursing Home Long Term Care Retention and Recruitment;
 - \$41 million for Pay-As-You-Go (PAYGO) capital;
 - \$40 million to support the recovery of the New York Arts Community;
 - \$25 million for the New York Restaurant Resiliency Grant Program;
 - \$20 million for the Hunger Prevention Nutrition Assistance Program;
 - \$15 million for Homeowner Protection Program (HOPP);
 - \$7 million for Double Up Food Bucks & SNAP Access to New York State Parks; and
 - \$2 million for Nutrition Outreach & education Program (NOEP).

Child Care

- The Assembly proposal provides \$3 billion for child care spending in state and Federal funds through the following actions:
 - \$2 billion to expand the Executive proposal to increase eligibility for subsidized child care to 400 percent for the Federal Poverty Level (FPL);

- \$425 million to increase stabilization grants, for a total of \$500 million;
- \$370 million to increase reimbursement for subsidized child care from the 69th to the 90th percentile;
- \$200 million in capital funding to support the expansion of access to child care, with an emphasis on child care deserts;
- \$75 million to maintain the cap on family copays at 10 percent of income above FPL for subsidized child care;
- \$55.2 million for the Foster Care Block grant;
- \$30 million to restore the State’s child welfare reimbursement from 62 percent to 65 percent; and
- \$26.9 million for adoption subsidies.

Medicaid: Health Care Wages and Hospitals

- The Assembly provides over \$5.9 billion for health care wages and for hospitals including:
 - \$2.5 billion for Fair Pay for Home Care workers;
 - \$1.4 billion for the human service COLA to 11 percent;
 - \$750 million for safety-net healthcare providers;
 - \$400 million for all other non-homecare health care workers;
 - \$345 million for essential plan coverage for undocumented individuals;
 - \$250 million for major public hospitals;
 - \$100 million to the distressed hospital provider pool;
 - \$100 million for Nursing Home Retention and Recruitment supplement;
 - \$45 million for a rate increase to Early Intervention programs of 11 percent; and
 - \$42 million to preserve “prescriber prevails” in the Medicaid pharmacy benefit.

Housing

- The Assembly provides over \$2.4 billion to housing programs including:
 - \$1.25 billion for the emergency rental assistance program (ERAP);
 - \$400 million for the landlord rental assistance program (LRAP);
 - \$400 million for Homeowner Assistance Fund (HAF);
 - \$250 million for Housing Assistance Voucher Program (HAVP);
 - \$50 million for homeowner repairs due to natural disasters;
 - \$15 million for legal representation for evictions proceedings (for a total \$50 million); and
 - \$10 million for lead remediation support to landlords.

Higher Education

- The Assembly provides over \$911 million in operating assistance for higher education including:
 - \$200 million in operating support for CUNY and SUNY;
 - \$95 million to increase maximum TAP awards over two years;
 - \$75 million to provide a subsidy to SUNY Hospitals;
 - \$68 million to SUNY Hospitals for debt relief;
 - \$60 million each to SUNY system for community college operating aid to increase the State's share of community college funding;
 - \$35 million fulltime faculty support;
 - \$28.8 million each to CUNY and SUNY for mental health services;
 - \$14 million to increase minimum TAP awards from \$500 to \$1,000;
 - \$7 million for CUNY graduate students;
 - \$2.5 million each to CUNY and SUNY to increase the capacity of nursing programs; and
 - \$2 million in increased funding for students with disabilities.

Education: Universal Prekindergarten (UPK):

- The Assembly provides \$150 million to UPK funding as follows:
 - \$125 million for grants for new \$10,000/student grants; and
 - \$25 million to increase UPK rates for current programs.

Education – All Other

- The Assembly provides funding to support various Education programs including:
 - \$100 million for community schools;
 - \$40 million mental health services in schools;
 - \$27.7 million to increase the reimbursable salary cap for career technical education (CTE) teachers;
 - \$15 million for digital inclusion grants;
 - \$14.3 million for teacher resource and computer training centers;
 - \$11.6 million for private schools for the blind and deaf;
 - \$10 million for library aid; and
 - \$2.5 million for adult literacy education.

Mental Hygiene

- The Assembly provides funding for mental hygiene programs including:
 - \$1.4 billion for the human service COLA to 11 percent;
 - \$53 million in Children and Youth Services including increasing Medicaid rates, as well as funding for various community non-residential programs;
 - \$6 million for crisis intervention teams in the Office of Mental Health (OMH);
 - \$5 million for the expansion of crisis intervention services in the Office for People with Developmental Disabilities (OPWDD);
 - \$4 million for diversion training in the Office of Mental Health (OMH);
 - \$2 million for substance abuse prevention and intervention specialists; and
 - \$2 million for a pilot program for integrated mental hygiene services in State operated facilities.

Public Protection

- The Assembly provides funding to support anti-gun violence, crime prevention and legal services including:
 - \$210 million for assigned counsel, including \$150 million in grants to counties to increase counsel rates and \$60 million for suballocation to the Unified Court system to increase counsel rates;
 - \$19 million for gun violence prevention programs, including increases for SNUG, Cure Violence, the Gun Involved Violence Elimination (GIVE) initiative, and other programs aimed at reducing gun violence in communities;
 - \$9.9 million for expenses related to providing no-cost phone calls in State correctional facilities;
 - \$5 million for Alternatives to Incarceration (ATI) programs throughout New York State; and
 - \$5 million for pretrial services including job placement programs, drug treatment, and counseling services; and
 - \$2.5 million to support parental representation in Family Court.

Environment and Agriculture

- The Assembly provides operating support to the following areas including:
 - \$500 million for residential utility arrears;
 - \$20 million for a sales tax exemption from the first \$35,000 of an electric vehicle (EV) purchase;
 - \$19.2 million for utility ratepayer relief;
 - \$15 million for NYSERDA for charging stations installed at public, workplace, and multi-unit dwelling parking lots;

- \$3.2 million for agricultural programs;
- \$2 million for beginning farmers; and
- \$1.2 million for urban farms and community gardens.

All Other

- The Assembly provides funding for various programs including:
 - \$150 million for an increase in AIM to municipalities;
 - \$82.5 million for arts grants;
 - \$54.6 million for Upstate Transit Operating Assistance;
 - \$40 million to support the recovery of the New York arts community;
 - \$25 million to provide training for high tech jobs; and
 - \$300,000 to provide no-cost bus service to State employees in Albany, NY.

Table 2

Financial Plan Summary (\$ in Millions)			
	SFY 2022-23		
	SFY 2020-21 Actual	Executive Estimate	SFY 2022-23 Assembly
State Operating Funds Budget			
Size of Budget	104,207	115,226	127,068
Annual Growth	2.0%	10.57%	10.3%
Other Budget Measure (Annual Growth)			
General Fund (with Transfers)	74,095	90,694	103,047
Annual Growth	-4.4%	22.4%	13.6%
Capital Budget (Federal and State)	12,331	15,434	18,716
Annual Growth	2.8%	25.2%	21.3%
Federal Operating Aid	70,049	82,266	80,588
Annual Growth	19.1%	17.4%	-2.0%
All Governmental Funds	186,587	212,926	226,373
Annual Growth	7.9%	14.1%	6.3%
Inflation (CPI) Growth	1.2%	5.9%	3.3%
All Funds Receipts			
Taxes	82,376	101,161	100,028
Miscellaneous receipts	30,772	26,017	27,491
Federal grants	78,152	99,960	86,036
Total Receipts	191,300	227,138	213,555
General Fund Receipts			
Taxes	40,675	54,559	48,780
Miscellaneous receipts	7,515	1,839	1,766
Transfer from Other Funds	23,877	48,037	42,423
Total Receipts	74,312	112,046	92,969
Total General Fund Reserves (Year-end)			
Tax Stabilization/Rainy Day Reserves	2,476	3,351	4,271
Extraordinary Monetary Settlements	2,083	2,035	1,741
Economic Uncertainties	1,490	5,598	4,493
Timing of PTET/PIT Credits		16,710	7,660
Reserve for Pandemic Assistance		2,000	0
All Other Reserves/Fund Balances	3,112	819	2,270
Debt			
Debt Service as % of All Funds Receipts	4.6%	3.6%	2.6%
State Related Debt Outstanding	58,881	62,880	69,420
Debt Outstanding as % Personal Income	4.1%	4.1%	4.6%

Assembly Financial Plan Actions

Table 3
Financial Plan Summary
SFY 2022-23
(\$ in Millions)

	<u>General Fund</u>	<u>State Operating Funds</u>	<u>State Funds</u>	<u>All Funds</u>
Executive Opening Balance	30,513	36,957	36,678	49,756
EXECUTIVE RECEIPTS	92,712	115,863	126,942	211,638
<i>Tax Avails</i>	1	1	1	1
<i>Tax Cuts</i>	(853)	(853)	(853)	(853)
<i>Misc. Receipts/Fees</i>	(23)	(23)	(23)	(23)
<i>Sweeps</i>	(68)	0	0	0
<i>Tax & Misc Rec Reestimates</i>	1,200	1,200	1,200	1,200
Federal				1,592
Assembly Receipts	92,969	116,188	127,267	213,555
Change in Receipts	257	325	325	1,917
Executive Disbursements	97,551	120,907	137,022	218,469
<i>Spending Addition</i>	5,554	6,219	6,302	7,919
<i>Spending Reduction</i>	(57)	(57)	9	(15)
Assembly Disbursement	103,047	127,068	143,333	226,373
Change in Disbursements	5,496	6,161	6,311	7,904
Assembly Other Financing Changes	0	(379)	4,594	(144)
Assembly Change in Fund Balance	(10,078)	(11,259)	(11,472)	(12,961)
Assembly Closing Fund Balance	20,435	25,698	25,206	36,795

As part of the revenue consensus process, the Assembly agreed to increase the revenue forecast by \$1.2 billion in SFY 2022-23. The Assembly proposal includes this re-estimate and provides a series of tax cuts that decrease revenue receipts by \$831 million including \$731 million in advanced Earned Income Tax Credits.

Reserves

Table 4

SFY 2022-23 Estimated General Fund Closing Balance (\$ in Millions)		
	Executive Adjusted	Assembly
Tax Stabilization Reserve Fund	1,553	1,553
Statutory Rainy Day Reserve Fund	2,718	2,718
Contingency Reserve Fund	21	21
Community Projects Fund	19	19
Reserved for Timing of PIT/PTET	7,660	7,660
Reserved for Debt Management	1,355	1,355
Reserved for Labor	875	875
Reserved for Economic Uncertainty	9,732	4,493
Settlement Funds	1,741	1,741
Total	25,674	20,435

The Assembly Budget estimates a closing fund balance \$20.4 billion in reserves at the end of SFY 2022-23, a \$5.2 billion decrease from the Executive proposal. This is primarily attributed to additional spending that reduces reserves for economic uncertainties.

The Assembly accepts the Executive's statutory reserves of \$4.3 billion. The Assembly proposal estimates \$4.5 billion is reserved for economic uncertainties, a reduction of \$5.2 billion over the Executive proposal.

Emergency Appropriations

- The Assembly modifies the Special Emergency appropriation (\$2 billion) to restore competitive bidding procedures and the authority of the Comptroller to review contracts.
- The Assembly modifies the Special Public Health Emergency appropriation (\$6 billion) to restore competitive bidding procedures and the authority of the Comptroller to review contracts as well making spending from the appropriation subject to Section 53 of State Finance Law which includes conditions and limitation for the use of such funds including legislative approval of the transfer of funds.
- The Assembly modifies the Reserve for COVID-19 Public Health Response (\$2 billion) to restore competitive bidding procedures and the authority of the Comptroller to review contracts as well making spending from the appropriation subject to Section 53 of State Finance Law which includes conditions and limitation for the use of such funds including legislative approval of the transfer of funds.

Appropriations Preamble Language

- The Assembly does not include language in the preamble of the State Operations, Aid to Localities, and Capital Executive appropriation bills that would provide authority for the Division of Budget to:
 - credit refunded amounts back to an original appropriation and reduce expenditures in the year the credit is received;
 - reduce amounts owed to New York City if any State agencies incurs any cost related to the administration of New York City's rent regulation program;
 - require the Legislature to act on the Aid to Localities bill prior to the State operations bill; and
 - increase or decrease by interchange or transfer without limit, the amount of any state operations appropriations with any other appropriation of any department, agency or public authority.

Table 5

CASH FINANCIAL PLAN				
ALL FUNDS				
Estimated 30-Day Closeout 2021-22 vs Assembly Plan 2022-23				
(\$ in millions)				
	2021-22 Estimated Closeout	2022-23 Legislative Plan	Change	% Change from 21-22 to 22-23
Opening fund balance	18,751	49,756	31,005	165.4%
Receipts:				
Taxes	117,871	100,028	(17,843)	(15.1%)
Miscellaneous receipts	26,017	27,491	1,474	5.7%
Federal grants	99,960	86,036	(13,924)	(13.9%)
Total Receipts	243,848	213,555	(30,293)	(12.4%)
Disbursements:				
Grants to local governments	160,733	174,086	13,353	8.3%
State operations	25,732	24,046	(1,686)	(6.6%)
General State charges	10,253	10,581	328	3.2%
Debt service	8,371	5,612	(2,759)	(33.0%)
Capital projects	7,837	12,047	4,210	53.7%
Total Disbursements	212,926	226,373	13,447	6.3%
Other financing sources (uses)				
Transfers from other funds	65,115	53,291	(11,825)	(18.2%)
Transfers to other funds	(65,465)	(53,868)	11,598	(17.7%)
Bond and note proceeds	433	433	0	0.0%
Net other financing sources (uses)	83	(144)	(227)	(273.5%)
Change in fund balance	31,005	(12,961)		
Closing fund balance	49,756	36,795		

Table 6

**CASH FINANCIAL PLAN
STATE FUNDS**

**Estimated 30-Day Closeout 2021-22 vs Assembly Plan 2022-23
(\$ in millions)**

	2021-22 Estimated Closeout	2022-23 Legislative Plan	Change	% Change from 21-22 to 22-23
Opening fund balance	14,372	36,678	22,306	155.2%
Receipts:				
Taxes	117,871	100,028	(17,843)	(15.1%)
Miscellaneous receipts	25,654	26,959	1,305	5.1%
Federal grants	434	280	(154)	(35.5%)
Total Receipts	143,959	127,267	(16,692)	(11.6%)
Disbursements:				
Grants to local governments	83,766	96,141	12,375	14.8%
State operations	20,741	20,918	177	0.9%
General State charges	9,261	10,195	934	10.1%
Debt service	8,329	5,612	(2,717)	(32.6%)
Capital projects	6,684	10,467	3,783	56.6%
Total Disbursements	128,781	143,333	14,552	11.3%
Other financing sources (uses)				
Transfers from other funds	65,491	53,652	(11,840)	(18.1%)
Transfers to other funds	(58,796)	(49,491)	9,306	(15.8%)
Bond and note proceeds	433	433	0	0.0%
Net other financing sources (uses)	7,128	4,594	(2,534)	(35.5%)
Change in fund balance	22,306	(11,472)		
Closing fund balance	36,678	25,206		

Table 7

CASH FINANCIAL PLAN				
STATE OPERATING FUNDS				
Estimated 30-Day Closeout 2021-22 vs Assembly Plan 2022-23				
(\$ in millions)				
	2021-22 Estimated Closeout	2022-23 Legislative Plan	Change	% Change from 21-22 to 22-23
Opening fund balance	14,934	36,957	22,023	147.5%
Receipts:				
Taxes	116,559	98,552	(18,007)	(15.4%)
Miscellaneous receipts	17,653	17,361	(292)	(1.7%)
Federal grants	429	275	(154)	(35.9%)
Total Receipts	134,641	116,188	(18,453)	(13.7%)
Disbursements:				
Grants to local governments	76,895	90,343	13,448	17.5%
State operations	20,741	20,918	177	0.9%
General State charges	9,261	10,195	934	10.1%
Debt service	8,329	5,612	(2,717)	(32.6%)
Capital projects	0	0	0	0.0%
Total Disbursements	115,226	127,068	11,842	10.28%
Other financing sources (uses)				
Transfers from other funds	60,099	47,539	(12,560)	(20.9%)
Transfers to other funds	(57,491)	(47,918)	9,573	(16.7%)
Bond and note proceeds	0	0	0	
Net other financing sources (uses)	2,608	(379)	(2,987)	(114.5%)
Change in fund balance	22,023	(11,259)		
Closing fund balance	36,957	25,698		

Table 8

CASH FINANCIAL PLAN				
GENERAL FUND				
Estimated 30-Day Closeout 2021-22 vs Assembly Plan 2022-23				
(\$ in millions)				
	2021-22 Estimated Closeout	2022-23 Legislative Plan	Change	% Change from 21-22 to 22-23
Opening fund balance	9,161	30,513	21,352	233.1%
Receipts:				
Taxes				
Personal Income Tax	32,125	23,493	(8,633)	(26.9%)
User taxes and fees	4,627	6,917	2,290	49.5%
Business taxes	16,514	17,083	569	3.4%
Other taxes	1,293	1,288	(5)	(0.4%)
Miscellaneous Receipts	1,839	1,766	(73)	(4.0%)
Federal grants		0	0	0.0%
Transfers from other funds				
- PIT Revenue Bond	26,567	20,289	(6,279)	(23.6%)
- PTET Revenue Bond	8,355	7,540	(815)	(9.8%)
- ECEP Revenue Bond	7	7	0	0.0%
- LGAC	4,034	2,141	(1,894)	(46.9%)
- LGAC	7,763	7,210	(553)	(7.1%)
- RETT	1,311	990	(321)	(24.5%)
- All other	7,611	4,247	(3,364)	(44.2%)
Total Receipts	112,046	92,969	(19,077)	(17.0%)
Disbursements:				
Grants to local governments	61,215	72,312	11,097	18.1%
State operations	13,618	12,645	(973)	(7.1%)
General State charges	8,155	9,036	881	10.8%
Transfers to other funds				
- Debt service	339	329	(10)	(2.9%)
- Capital projects	4,618	5,355	737	15.9%
- State Share Medicaid			0	0.0%
- SUNY Operations	1,336	1,460	124	9.3%
- Other purposes	1,413	1,911	498	35.2%
Total Disbursements	90,694	103,047	12,353	13.6%
Change in fund balance	21,352	(10,078)		
Closing fund balance	30,513	20,435		

Revenue

Pursuant to the provisions of Section 23 of the State Finance Law, the Director of the Budget, the Secretary of the Senate Finance Committee, and the Secretary of the Ways and Means Committee are required to issue a joint report containing a consensus economic forecast and revenue estimate, no later than March 1st.

If there is a failure to issue a consensus report, the State Comptroller is required, no later than March 5th, to provide estimates of available revenues for the current and upcoming fiscal year.

The Executive and the Legislature reached consensus and provides the following update:

ECONOMIC AND REVENUE CONSENSUS REPORT FY 2023

This report contains the results of the consensus economic and revenue forecasting process conducted by the Executive and the Legislature in advance of the enactment of the FY 2023 Budget, pursuant to the provisions of Chapter 309 of the Laws of 1996.

The Consensus Forecasting Conference was held on February 28, 2022. Based on the testimony of experts at the Conference, the baseline outlook for both the economy and revenue remains positive with continuing growth, albeit at a slower pace. However, the economy remains vulnerable to substantial headwinds from domestic fiscal/monetary policies, recurrent waves of the coronavirus, and worldwide uncertainties.

Economic Forecast Review

The economic forecasts contained in the Executive Budget and Legislative reports portray recovering national and State economies for both the 2022 and 2023 calendar years. It is important to note that all parties' forecasts were completed prior to the February 28 Consensus Forecasting Conference.

All parties agree that the national economy, as measured by inflation-adjusted Gross Domestic Product, will increase at a slower pace in 2022, following growth of 5.7 percent in 2021. The consensus forecast for U.S. real GDP growth for 2022 is 3.8 percent, followed by growth of 2.8 percent for 2023.

All parties expect national employment growth to continue to recover. The consensus forecast calls for employment growth of 3.8 percent in 2022 and 1.8 percent in 2023, following an increase of 2.8 percent in 2021. All parties expect substantially higher inflation for 2022, as measured by the Consumer Price Index. All parties consent to an inflation rate projection of 5.0 percent for 2022 and 2.3 percent for 2023. Consistent with expectations pertaining to both employment and inflation, all parties consent to a wage growth projection of 8.3 percent for 2022 and 5.2 percent for 2023, following growth of 9.1 percent for 2021. Similarly, all parties consent to a personal

income growth projection of 1.7 percent for 2022 and 4.9 percent for 2023, following growth of 7.3 percent for 2021. The consensus forecast for U.S. corporate profits with capital consumption and inventory valuation adjustments included, calls for 24.8 percent growth in 2021 with growth of 5.2 percent in 2022 and 3.0 percent in 2023. All parties agree that the yearly yield on 3-Month Treasury bills will average 0.55 percent in 2022 and 1.38 percent in 2023, based on the parties' baseline forecast assumptions.

Table 9

CONSENSUS U.S. FORECAST		
CALENDAR YEAR		
Percent Change		
	<u>CY2022</u>	<u>CY2023</u>
REAL GDP	3.8	2.8
PERSONAL INCOME	1.7	4.9
WAGES	8.3	5.2
CORP PROFITS	5.2	3.0
NONFARM EMPLOYMENT	3.8	1.8
3-MONTH T-BILL RATE	0.55	1.38
CPI	5.0	2.3

The parties agree that payroll employment in New York State will increase by 4.2 percent in FY 2023 following a 6.7 percent increase in FY 2022. The consensus forecast for personal income growth is 1.5 percent for FY 2022 and FY 2023. The consensus forecast calls for wage growth of 3.7 percent for FY 2023, following an increase of 11.9 percent for FY 2022.

Table 10

CONSENSUS N.Y. FORECAST		
FISCAL YEAR		
Percent Change		
	<u>FY 2022</u>	<u>FY 2023</u>
NONFARM EMPLOYMENT	6.7	4.2
PERSONAL INCOME	1.5	1.5
WAGES	11.9	3.7
Note: The Senate and Assembly Minority construct their personal income and wage series based on BEA data, whereas all other parties use NYS Department of Labor QCEW data; the two series can deviate substantially from one another.		

All parties agree that there are multiple and elevated risks to the economic outlook for the national and State economies including a resurgence of the COVID virus and geopolitical conflicts.

A weaker or more volatile equity market could trigger unexpected layoffs that would slow the employment and wage recovery. Likewise, prolonged supply-chain disruptions and sustained inflationary pressures could hinder the economic recovery.

Risks to both the national and the New York forecasts also stem from monetary and fiscal policy actions. A more aggressive tightening of monetary policy and higher interest rates than reflected in the consensus forecast could hamper the economic recovery and reduce business investment and hiring. All parties identify the financial market outlook as critical for the health of the State economy and the underlying tax base. The impact of the federal tax law changes on taxpayer behavior, especially the state and local taxes (SALT) deduction limitation, will continue to present a major source of risk to the State's housing market, especially in certain downstate markets. In addition, the persistence of telework, the relocation of urban workers out of State, and domestic outmigration pose a long-term risk to the New York State economy.

Revenue Forecast Review

Section 23 of the State Finance Law defines receipts subject to consensus as the combined total of All Funds tax receipts, General Fund miscellaneous receipts, and lottery revenues. The revenue estimates from all parties for FY 2022 and projections for FY 2023 exhibited significant variance, but participants reached consensus on a two-year revenue total range that is \$800 million to \$1.2 billion above the Executive Budget estimate.

SFY 2022-23 Assembly Tax and Revenue Proposals

- **Part A – Accelerate the Implementation of the Middle-Class Personal Income Tax (PIT) Cut:** The Assembly accepts the Executive proposal to accelerate the phase-in of the middle-class PIT cut, which began in 2018 and is scheduled to be fully phased-in by tax year 2025, to instead have the reduced tax rates take effect in tax year 2023.
- **Part B – Enhance Tax Credits for Farmers:** The Assembly modifies the Executive proposal to establish a new refundable tax credit to offset any overtime hours paid by farm employers, between 40 hours per week and 60 hours per week, to make the credit advanceable within the tax year and include fringe costs within the calculation of the credit. The Assembly accepts the Executive proposal to increase the investment tax credit for farmers that are actively engaged in farming and agriculture from the current four or five percent credit to a 20 percent credit; and to extend the farm workforce retention credit through the 2025 tax year, and double such credit from \$600 to \$1,200 per eligible employee.
- **Part C – Small Business Tax Cut:** The Assembly accepts the Executive proposal to increase the small business subtraction modification from 5 percent to 15 percent of net business income or farm income, and to expand this benefit to include pass-through entities with less than \$1.5 million in New York-sourced gross income.
- **Part D – Establish a Tax Exemption for Student Loan Forgiveness Awards:** The Assembly modifies the Executive proposal to exclude loan forgiveness awards under programs administered by the Higher Education Services Corporation from State taxation, to expand the exemption to include all New York State loan forgiveness programs.
- **Part E – Establish a Tax Credit for Small Business COVID-19 Related Expenses:** The Assembly modifies the Executive proposal to establish a \$250 million refundable tax credit program to support small business capital expenses resulting from the COVID-19 pandemic, to add reporting requirements. Under this program, small businesses with \$2.5 million or less of gross receipts would be eligible for a credit of 50 percent of their qualifying costs up to \$25,000.
- **Part F – Modify the New York City Musical and Theatrical Production Tax Credit:** The Assembly modifies the Executive proposal to extend the New York City Musical and Theatrical Production Tax Credit and expand the credit from \$100 million to \$200 million, to include certain labor and wage requirements and maintain the existing uses of any funds that are remitted to the Council on the Arts Cultural Program Fund.

- **Part G – Modify the Rate Calculation for the Article 9-A MTA Surcharge:** The Assembly modifies the Executive proposal to establish a permanent 30 percent tax rate for the MTA Article 9-A surcharge, to instead require the tax rate be no less than 30 percent.
- **Part H – Extend and Enhance the Hire-A-Vet Credit:** The Assembly modifies the Executive proposal that would extend the Hire-A-Vet Credit for an additional three years; expand eligibility for the credit; and increase the credit percentage, to maintain the enhanced benefit for hiring a disabled veteran and to further expand program eligibility to include the NOAA Commissioned Officer Corps and the Public Health Service.
- **Part I – Provide Tax Credits for the Phase Out of a Certain Grade of Fuel Oil:** The Assembly accepts the Executive proposal to establish a refundable tax credit equal to 50 percent of the cost of converting a building or facility, located outside of New York City, from the use of No. 6 fuel oil to biodiesel heating fuel or a geothermal system.
- **Part J – Increase the State Low-Income Housing Tax Credit Aggregate Cap Growth:** The Assembly accepts the Executive proposal to increase the yearly aggregate amount allocable for the State’s low-income housing tax credit by \$7 million per year for each of the next four years.
- **Part K – Extend the Clean Heating Fuel Tax Credit:** The Assembly accepts the Executive proposal to extend the expiration dates for corporate and personal income tax credits available for purchasing bio-heating fuel for residential purposes for three years, from January 1, 2023, to January 1, 2026.
- **Part L – Extend the Tax Credit for Companies that Provide Transportation to Individuals with Disabilities:** The Assembly accepts the Executive proposal to extend the corporate franchise tax credit for companies who provide transportation to individuals with disabilities, for six years, through 2028.
- **Part M – Extend the Film Tax Credit:** The Assembly accepts the Executive proposal to extend the Empire State Film Production Credit and Empire State Film Post-Production Credit for an additional three years until January 1, 2030, increase the required contribution to the Empire State Entertainment Diversity Job Training Fund from 0.25 percent to 0.5 percent, and require future applicants to file a diversity plan with the State.
- **Part N – Extend the New York Youth Jobs Program Tax Credit:** The Assembly accepts the Executive proposal to extend the New York Youth Jobs Program Tax Credit for an additional five years through 2027.

- **Part O – Extend the Empire State Apprenticeship Tax Credit:** The Assembly accepts the Executive proposal to extend the Empire State Apprenticeship Tax Credit Program for an additional five years through 2027.
- **Part P – Extend the Alternative Fuels and Electric Vehicle Recharging Property Credit:** The Assembly accepts the Executive proposal to extend the Alternative Fuels and Electric Vehicle Recharging Property Credit for five years, from December 31, 2022, to December 31, 2027.
- **Part Q – Extend the Workers with Disabilities Tax Credit:** The Assembly accepts the Executive proposal to extend the Workers with Disabilities tax credit for an additional six years through 2029.
- Part R – Intentionally Omitted.
- **Part S – Eliminate the Investment Tax Credit for Production of Master Tapes:** The Assembly accepts the Executive proposal to exclude tangible personal property used in the production or duplication of a master or any visual or audio recording, including films, television shows or commercials, from being eligible for the investment tax credit.
- Part T – Intentionally Omitted.
- Part U – Intentionally Omitted.
- Part V – Intentionally Omitted.
- **Part W – Modify the Withholding Table and Quarterly Interest Rate Publication:** The Assembly accepts the Executive proposal to modify the public notice requirements related to withholding tables and quarterly interest rates to allow the Department of Taxation and Finance to publish this information on the Department’s website instead of requiring full publication in the State Register.
- **Part X – Expand the Financial Institution Data Management Program:** The Assembly accepts the Executive proposal to include virtual currency businesses licensed by the Department of Financial Services in the definition of “financial institution” as it relates to the Financial Institution Data Management Program.
- **Part Y – Extend and Modify the Telecommunications Assessment Ceiling Program:** The Assembly modifies the Executive proposal to extend the Telecommunications Assessment Ceiling Program for four years, from January 1, 2023, to January 1, 2027, and to modify the process by which assessments are challenged under the program, to include confidentiality requirements related to any reports that are shared during the challenge proceedings.

- **Part Z - Modify School Tax Relief (STAR) Program Administration:** The Assembly accepts the Executive proposals to authorize the Tax Department to mail STAR checks directly to a taxpayer in the event they had a late application for the STAR Exemption program; to clarify that the second most recent income tax year should be used to determine eligibility for the Basic STAR Credit program; and to authorize the Tax Department to provide reports of deceased persons directly to local assessors. The Assembly modifies the Executive proposal to authorize the Tax Department to share lists of STAR credit recipients with local assessment officials outside of New York State, to maintain language in current law requiring a state-level agreement. The Assembly does not include the Executive proposal to require that property owners that elect to switch from the STAR exemption to the STAR credit must do so at least 45 days prior to the filing date of the final assessment roll, instead of 15 days prior under current law; and does not include the proposal to establish a formal mechanism for an heir, executor, or other responsible party to notify local officials directly of a property owner's death.
- **Part AA – Modify the Challenge Process for the Solar and Wind Valuation Program:** The Assembly accepts the Executive proposal to modify the process for a taxpayer to challenge a property tax assessment based on the Tax Department's solar and wind valuation model to only allow challenges to the local board of assessment review concerning the model inputs used by local assessors, instead of challenges on the validity of the model itself, which would only be conducted under Article 78 of the New York Civil Practice Law and Rules.
- **Part BB – Homeowner Tax Rebate Credit:** The Assembly accepts the Executive proposal to establish a one-year, \$2.2 billion property tax relief credit for households that are eligible for STAR or Enhanced STAR, and that have incomes at or below \$250,000. This credit would be calculated on a sliding scale based on household income and would be equal to a percentage of a homeowner's current STAR benefit. The credit would be provided as an advanced payment in the fall of 2022, however no credit would be provided where the calculated benefit is less than \$100.
- Part CC – Intentionally Omitted.
- **Part DD – Extend Authorized Use of Capital Funds by Certain Off-Track Betting (OTB) Corporations:** The Assembly modifies the Executive proposal to extend the authorization of Capital OTB Corporation to use monies from the Capital Acquisition Fund for the purposes of statutory obligations, payroll, and other expenditures, by authorizing Catskill OTB Corporation to use monies from the Capital Acquisition Fund as well.
- **Part EE – Extend Pari-Mutuel Tax Rate and Simulcast Provisions:** The Assembly accepts the Executive proposal to extend the current pari-mutuel tax rate structure and other racing-related provisions for one year.

- **Part FF – Expand the Earned Income Tax Credit (EITC) and the Child Tax Credit.** The Assembly includes language that would:
 - expand the State EITC, by:
 - increasing the State EITC credit by 25 percent, from 30 percent of the federal EITC credit, to 37.5 percent of the federal credit;
 - doubling the benefit for low-income individuals with no qualifying children;
 - expanding the credit to include taxpayers with an Individual Taxpayer Identification Number (ITIN);
 - making the EITC credit advanceable, which would be paid out in three installments of 25 percent throughout the year, with the remainder paid out when a taxpayer files their taxes;
 - expand the State Child Tax Credit, by:
 - expanding the current State child tax credit for people with incomes up to \$100,000, as follows:
 - a 100 percent increase for families under \$10,000;
 - a 75 percent increase for families between \$10,000 and \$25,000;
 - a 50 percent increase for families between \$25,000 and \$50,000;
 - a 25 percent increase for families between \$50,000 and \$100,000;
 - and
 - expanding the child tax credit to include families with children under the age of four, which were previously excluded from the State credit.
- **Part GG – Zero Percent Tax Rate on Pass-Through Manufacturers:** The Assembly includes language to establish a zero percent tax rate for pass-through manufacturers. The current tax rate on these entities would be phased out over three years, beginning in tax year 2022.
- **Part HH – Historic Buildings Rehabilitation Credit:** The Assembly includes language to extend the Historic Buildings Rehabilitation Tax Credit for seven years, from 2025 to 2032, and establish an annual reporting requirement.

- **Part II – Cannabis Industry Expense Deductions:** The Assembly includes language to allow licensed cannabis businesses to make ordinary and necessary business deductions from New York State taxes.
- **Part JJ - New York Jockey Injury Compensation Fund:** The Assembly includes language that allows the New York Thoroughbred Horsemen’s Association to utilize up to \$2.5 million from the unpaid purse cushion account through SFY 2024-25 to help offset the premium increase for the New York Jockey Injury Compensation Fund.
- **Part KK - Upstate Musical and Theatrical Production Tax Credit:** The Assembly includes language to increase the Upstate Musical and Theatrical Production Tax Credit by an additional \$5 million per year, from \$8 million to \$13 million annually.
- **Part LL – Electric Vehicle Tax Incentives:** The Assembly includes language to establish an electric vehicle sales tax exemption, which would apply to the first \$35,000 spent on a new or used electric vehicle. This language would authorize local governments to provide a similar exemption, at local option.
- **Part MM – Small Business Hardship Savings Account:** The Assembly includes language to allow qualified small businesses with fewer than 25 employees, to make contributions, up to 10 percent of net income, into a tax-deferred savings account. During times of specified economic hardship, these small businesses would be able to withdraw from the account tax-free for purposes of job retention or creation.
- **Part NN - Geothermal Tax Credit:** The Assembly includes language to establish a PIT credit to offset 25 percent of the costs associated with the purchase and installation of residential geothermal energy systems, up to \$5,000 per taxpayer.
- **Part OO – False Claims Act:** The Assembly includes language to enhance the False Claims Act, by including individuals that knowingly or improperly fail to file a tax return.
- **Part PP – Vending Machine Sales Tax Exemption:** The Assembly includes language to extend current sales tax exemption for purchases of food or drink from a vending machine, for three years, and increase the exemption thresholds from \$1.50 to \$2.50 for cash transactions \$2.00 to \$2.50 for cashless transactions.
- **Part QQ – Eastport-South Manor School District:** The Assembly would include language to restore State payments to the Eastport-South Manor School District, related to State owned lands located within the core preservation area of the Central Pine Barrens.
- **Part RR – STAR Retirement Income Disregard:** The Assembly includes language to exempt up to \$20,000 of pension, 401k, or similar retirement plan income from the eligibility determinations made under the STAR program. Under current law, only

distributions from an individual retirement account (IRA) are excluded from these determinations.

- **Part SS – New York City Child Care Property Tax Abatement:** The Assembly includes language to authorize a five-year property tax abatement for property owners in the City of New York that create a new child care center or expand an existing center.
- **Part TT – New York City EITC Expansion:** The Assembly includes language to authorize NYC to increase its EITC from the current rate of 5 percent of the federal credit, to a new sliding scale benefit between 30 percent and 10 percent of the federal credit.
- **Part UU - New York City Child Care Business Tax Credit:** The Assembly includes language to authorize New York City to establish a 20 percent City business tax credit for the creation or expansion of child care slots.
- **Part VV - Empire State Digital Gaming Media Production Credit:** The Assembly includes language to establish a \$20 million tax credit program to support the emerging industry of video game production, a portion of which would support a Diversity Job Training Development Fund.
- **Part WW – Mobile Sports Wagering:** The Assembly includes language to require the New York State Gaming Commission to, no later than July 1, 2022, issue a new request for applications to solicit additional mobile sports wagering licenses; to authorize up to 16 mobile sports wagering operators; and to establish a goal to award 30 percent of mobile sports wagering licenses to businesses owned by minorities.
- **HMH Part CC – Distressed Hospital Funding Pool:** The Assembly modifies the Executive proposal to permanently extend the Distressed Provider Relief Fund and the related sales tax intercept language, to only extend these provisions for one year; to eliminate the \$50 million intercept of sales tax revenue outside of New York City; to reduce the New York City intercept from \$200 million to \$150 million; and to instead support these distressed provider payments with \$100 million in General Fund support.
- **TED Part PP - Modify the Disposition of the Real Estate Transfer Tax:** The Assembly accepts the Executive proposal to increase the amount of real estate transfer tax collections that are used to support the Environmental Protection Fund from \$119.1 million to \$257.4 million.
- **TED Part XX – Hudson River-Black River Regulating District (HRBRRD) Real Property Tax Obligation:** The Assembly accepts the Executive proposal to shift the responsibility for payment of real property taxes on State-owned land managed by HRBRRD to the State of New York.

Executive Revenue Proposals that are Not Included

- **Part R – Require S-Corporation Conformity with Federal Returns:** The Assembly does not include the Executive proposal to require that all corporations that are treated as subchapter S corporations for federal tax purposes be similarly treated as subchapter S corporations for New York tax purposes.
- **Part T – Exempt Certain Water Vessels from the Petroleum Business Tax:** The Assembly does not include language to exempt motor fuel, diesel motor fuel, or residual petroleum products used by tugboats and towboats from the petroleum business tax, and to allow such vessels to apply for reimbursement where the tax has already been paid.
- **Part U – Make Local Sales Tax Rate Authorizations Permanent:** The Assembly does not include language to make permanent all current law local sales tax-rate authorizations, and provide the 57 counties outside of New York City and the five cities that currently have additional tax rates with permanent authority to impose a one percent additional rate of sales tax or their currently authorized rate, whichever is higher.
- **Part V – Modify Taxation of the Vacation Rental Industry:** The Assembly does not include the Executive proposal to impose existing sales taxes on vacation rentals, make vacation rentals in New York City subject to the same use fee paid on hotel stays, and require vacation rental marketplace providers to collect sales tax on the vacation rentals that they facilitate.
- **Part CC – Downstate Casino Authorization:** The Assembly does not include the Executive proposal to remove the current restriction on casinos being located in Zone One (Downstate) and to authorize the Gaming Facility Location Board to issue a request for application for up to three unawarded casino licenses.
- **ELFA Part II – The Affordable Neighborhoods for New Yorkers Tax Incentive Program:** The Assembly does not include the Executive proposal to replace the Affordable New York program enacted under section 421-a of the Real Property Tax Law, which is scheduled to expire on June 15, 2022, with the Affordable Neighborhoods for New Yorkers Tax Incentive program.
- **TED Part LL – Extend and Modify the Brownfield Cleanup Program:** The Assembly does not include the Executive proposal to extend and modify the Brownfield Cleanup Program by providing new categories of eligibility for tangible property credits, establish a \$50,000 program fee to defray the cost of State staff, and extend the site preparation and groundwater remediation credits for sites that may have been unable to complete work due to the COVID-19 pandemic.

Table 11

**Fiscal Impact - Assembly Revenue Proposals
(\$ in Millions)**

Part	Proposal	FY 2023	FY 2024	FY 2025	FY 2026
A	Accelerate the Implementation of the Middle-Class PIT Cut	(162)	(615)	(360)	(44)
B	Enhance Tax Credits for Farmers	-	(16)	(41)	(51)
C	Small Business Tax Cut	(100)	(100)	(100)	(100)
D	Establish a Tax Exemption for Student Loan Forgiveness Awards	-	(1)	(1)	(1)
E	Establish a Tax Credit for Small Business COVID-19 Related Expenses	-	(250)	-	-
F	Modify the New York City Musical and Theatrical Production Tax Credit	-	(100)	-	-
G	Modify the Rate Calculation for the Article 9-A MTA Surcharge	-	-	-	-
H	Extend and Enhance the Hire-A-Vet Credit	-	-	(1)	(1)
I	Provide Tax Credits for the Phase Out of a Certain Grade of Fuel Oil	-	-	(17)	-
J	Increase the State Low-Income Housing Tax Credit Aggregate Cap Growth	-	(7)	(14)	(21)
K	Extend the Clean Heating Fuel Tax Credit	-	-	(6)	(6)
L	Extend the Individuals with Disabilities Transportation Tax Credit	-	-	(1)	(1)
M	Extend the Film Tax Credit	-	-	-	-
N	Extend the New York Youth Jobs Program Tax Credit	-	-	(40)	(40)
O	Extend the Empire State Apprenticeship Tax Credit	-	-	(10)	(10)
P	Extend the Alternative Fuels and EV Recharging Property Credit	-	-	(3)	(3)
Q	Extend the Workers with Disabilities Tax Credit	-	-	(1)	(1)
R	Eliminate the Investment Tax Credit for Production of Master Tapes	-	-	75	75
W	Modify the Withholding Table and Quarterly Interest Rate Publication	-	-	-	-
X	Expand the Financial Institution Data Management Program	-	25	25	25
Y	Extend and Modify the Telecommunications Assessment Ceiling Program	-	-	-	-
Z	Modify STAR Administration	-	-	-	-
AA	Modify the Challenge Process for the Solar and Wind Valuation Program	-	-	-	-
BB	Homeowner Tax Rebate Credit:	(2,200)	-	-	-
DD	Extend Authorized Use of Capital Funds by Certain OTB Corporations	-	-	-	-
EE	Extend Pari-Mutuel Tax Rate and Simulcast Provisions	-	-	-	-
FF	Expand the Earned Income Tax Credit (EITC)	-	(380)	(380)	(380)
	Advance the State EITC Payments	(731)	(285)		
	Expand the Child Tax Credit	-	(500)	(500)	(500)
GG	Zero Percent Tax Rate on Pass-Through Manufacturers	(50)	(100)	(150)	(150)
HH	Historic Buildings Rehabilitation Credit	-	-	-	-
II	Cannabis Industry Expense Deductions	-	-	-	-
JJ	New York Jockey Injury Compensation Fund	-	-	-	-
KK	Upstate Musical and Theatrical Production Tax Credit	-	(5)	(5)	(5)
LL	Electric Vehicle Tax Incentives	(20)	(20)	(20)	(20)
MM	Small Business Hardship Savings Account	(30)	(30)	(30)	(30)
NN	Geothermal Tax Credit	-	(1)	(1)	(1)
OO	False Claims Act	-	-	-	-
PP	Vending Machine Sales Tax Exemption	(2)	(2)	(2)	(1)
QQ	Eastport-South Manor School District	-	-	-	-
RR	STAR Retirement Income Disregard	-	-	-	-
SS	New York City Child Care Property Tax Abatement	-	-	-	-
TT	New York City EITC Expansion	-	-	-	-
UU	New York City Child Care Business Tax Credit	-	-	-	-
VV	Empire State Digital Gaming Media Production Credit	-	(20)	(20)	(20)
WW	Mobile Sports Wagering	-	-	-	-
Total Fiscal Impact		(3,295)	(2,407)	(1,603)	(1,286)

PUBLIC PROTECTION & GENERAL GOVERNMENT

By Agency

Assembly Budget Proposal SFY 2022-23 Division of Alcoholic Beverage Control

The Assembly accepts the Executive proposed All Funds appropriation of \$111.7 million.

State Operations

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

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

- The Assembly does not include the Executive proposal to authorize email as a permissible form of community notification permitting the municipality in which the premise is located elects to accept such form of notification.
- The Assembly does not include the Executive proposal to modify the language governing the license application process by modifying, clarifying, and eliminating information collected from an applicant and reviewed by the State Liquor Authority.
- The Assembly does not include the Executive proposal to permanently authorize the sale of alcohol to-go by on-premises retailers for off-premises consumption.
- The Assembly proposes to modify the Executive proposal to grant the State Liquor Authority permanent authorization to issue temporary retail permits for new businesses to instead provide a one-year extension, from October 12, 2022, to October 12, 2023.
- The Assembly modifies the Executive proposal to authorize a private debt or equity fund to provide financial assistance to socially and economically disadvantaged individuals in relation to the establishment of cannabis retail dispensaries by including provisions for clarifying the administration of the program.

**Assembly Budget Proposal SFY 2022-23
Department of Audit and Control**

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

State Operations

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

Aid to Localities

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

Capital Projects

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

Article VII

- Not applicable.

Assembly Budget Proposal SFY 2022-23 Division of the Budget

The Assembly provides an All Funds appropriation of \$50.2 million.

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Assembly Budget Proposal SFY 2022-23 Department of Civil Service

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

State Operations

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

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

- The Assembly does not include the Executive proposal to permit the use of continuing eligible lists for all positions in the competitive class of the civil service.
- The Assembly does not include the Executive proposal to permit the Department of Civil Service to administer promotional examinations for positions in the competitive class to employees holding positions in the non-competitive and labor classes without holding open-competitive examinations for such positions, and to permit municipal civil service commissions to administer promotional examinations for entrance level positions in the competitive class to employees holding positions in the non-competitive and labor classes without holding open-competitive examinations for such positions.
- The Assembly does not include the Executive proposal to authorize the transfer of employees holding non-competitive positions through 55-b and 55-c programs into competitive class positions.
- The Assembly includes the Executive proposal to authorize the director of Classification and Compensation to implement a pay differential for all work shifts and to allow such differential to be paid at an hourly rate or an annual rate.

Assembly Budget Proposal SFY 2022-23
Department of Corrections and Community Supervision

The Assembly provides an All Funds appropriation of \$3.4 billion, an increase of \$9.9 million over the Executive proposal.

State Operations

- The Assembly provides \$9.9 million for expenses related to providing free voice communication services in State correctional facilities.

Aid to Localities

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

Capital Projects

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

Article VII

- The Assembly provides language to establish free voice communication services within the Department of Corrections and Community Supervision facilities.
- The Assembly accepts the Executive proposal to eliminate DOCCS monthly supervision fees.
- The Assembly does not include the Executive proposal to establish gender-affirming treatment of incarcerated individuals.
- The Assembly does not include the Executive proposal to expand educational release and furlough eligibility for incarcerated individuals.
- The Assembly does not include the Executive proposal to facilitate access to ID cards and other vital records to enhance opportunities for released individuals.
- The Assembly does not include the Executive proposal to establish employment for parole board members as full-time.

**Assembly Budget Proposal SFY 2022-23
State Commission of Correction**

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

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Assembly Budget Proposal SFY 2022-23 Division of Criminal Justice Services (DCJS)

The Assembly provides an All-Funds appropriation of \$593.8 million, an increase of \$109.8 million over the Executive proposal.

State Operations

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

Aid to Localities

- The Assembly provides an additional \$19 million for SNUG, Cure Violence, the Gun Involved Violence Elimination (GIVE) initiative, and other programs aimed at reducing gun violence in communities.
- The Assembly provides restorations for the following programs:
 - \$17 million to support criminal justice programs including re-entry programs, community dispute resolution centers, community-based organizations, civil or criminal legal services, and crime prevention programs;
 - \$1.2 million for New York State Defenders Association;
 - \$1.2 million for Prisoner's Legal Services;
 - \$609,000 in domestic violence related civil and criminal legal services programming;
 - \$600,000 in support for immigrant legal services; and
 - \$147,000 for rape crisis centers.
- The Assembly provides an additional \$5 million for Alternatives to Incarceration (ATI) programs.
- The Assembly provides an additional \$5 million for pretrial services including, but not limited to job placement, drug treatment, and counseling programs.

- The Assembly restores a legislative allocation of \$2.83 million in the Legal Services Assistance Fund (LSAF) to support for civil and criminal legal services grants.
- The Assembly restores a legislative allocation of \$300,000 for the Federal Edward Byrne Memorial Justice Assistance Grants.

Capital Projects

- The Assembly provides \$50 million in capital grants to counties for equipment, technology, and facility renovations to support and expand probation and parole services as well as ATI and re-entry programs.
- The Assembly provides \$10 million for local police department body-worn cameras.

Article VII

- The Assembly modifies the Executive proposal to make permanent the Criminal Justice Discovery Compensation Fund by instead extending the fund for two years, until March 31, 2024. The Assembly includes language that expands reporting requirements by Office of Court Administration (OCA) and DCJS related to criminal justice discovery reforms, and to require a notice of funds being allocated to various discovery-related expenditures throughout the State.
- The Assembly does not include the Executive proposal to enact the Clean Slate Act, which seals conviction records for certain crimes.

Assembly Budget Proposal SFY 2022-23 State Board of Elections

The Assembly provides an All Funds appropriation of \$30.4 million.

State Operations

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

Aid to Localities

- The Assembly modifies the Executive proposal to reject an authorization for the director of the Budget to transfer funds to the General Fund.

Capital Projects

- Not applicable.

Article VII

- The Assembly does not include the Executive proposal to expand the voter registration period by requiring local boards of elections to process any applications received no later than 10 days before an election and postmarked no later than 15 days before.
- The Assembly does not include the Executive proposal to require local boards of elections to establish one or more poll sites on college campuses whenever a contiguous property of a college or university contains 300 or more registered voters.

Assembly Budget Proposal SFY 2022-23 Office of Employee Relations

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

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Assembly Budget Proposal SFY 2022-23
Executive Chamber/Office of the Lieutenant Governor

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

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Assembly Budget Proposal SFY 2022-23 Department of Financial Services (DFS)

The Assembly provides an All Funds appropriation of \$480.9 million.

State Operations

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

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

- The Assembly does not include the Executive proposal to require commercial insurance coverage for pregnancy termination services.
- The Assembly does not include the Executive proposal to establish reimbursement parity for telehealth services.
- The Assembly modifies the Executive proposal on the Excess Medical Malpractice Program and does not include changes to the payment structure, and to accept the continued funding and extension of this program for an additional year.
- The Assembly does not include the Executive proposal on surprise billing and amending the independent dispute resolution process.
- The Assembly modifies the Executive proposal by adding language that would adjust the eligibility requirements for COBRA subsidies and the Entertainment Workers Demonstration Program. The Assembly proposal would qualify residents in a household having a gross monthly household income at or below 400 percent of the non-farm federal poverty level (instead of 208 percent) and members of a health plan that provides multi-tier benefit options. The Assembly proposal would also adjust the

subsidy from 50 percent to 75 percent of the premium for the period covered by such assistance and would provide that continuation assistance shall not be provided for more than 12 months within a five-year period. The Assembly proposal would accept the Executive proposal to extend the program for an additional year.

- The Assembly proposes to increase the minimum liability limits for bodily injury, death, and damages for commuter van vehicles from \$500,000 to \$1.5 million.

Assembly Budget Proposal SFY 2022-23 Office of General Services

The Assembly provides an All Funds appropriation of \$1.5 billion.

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

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

Article VII

- The Assembly includes a proposal to restore the State Comptroller's authority to pre-audit certain SUNY, CUNY, and OGS contracts.
- The Assembly includes a proposal to require state agencies to conduct a cost comparison review before entering into contracts for consultant services in order to determine whether such services can be performed at an equal or lower cost by utilizing State employees.
- The Assembly accepts the Executive proposal to codify New York's statewide language access policy by requiring State agencies that provide direct public services to coordinate with OGS to provide interpretation and translation services, to publish a language access plan, and to appoint a language access coordinator.
- The Assembly accepts the Executive proposal to require state agencies to update forms and data systems to include a gender "X" option.
- The Assembly accepts the Executive proposal to authorize state agencies to disclose records with the United States Department of Education in order to process credit for

state officers and employees under the Federal Public Service Loan Forgiveness Program.

- The Assembly modifies the Executive proposal to extend OGS's authority to enter into certain emergency construction contracts without formal competitive bidding for an additional five years, and instead extends the authority for an additional three years.
- The Assembly modifies the Executive proposal to extend the state and the City of New York design build programs for an additional five years, and instead extends the authority of both programs for an additional two years and includes additional labor protections for the state program.

Assembly Budget Proposal SFY 2022-23
Division of Homeland Security and Emergency Services

The Assembly proposes an All-Funds appropriation of \$4.9 billion, an increase of \$500,000 over the Executive proposal.

State Operations

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

Aid to Localities

- The Assembly provides \$500,000 for services and expenses of the American Red Cross.

Capital Projects

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

Article VII

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

Assembly Budget Proposal SFY 2022-23 Office of Indigent Legal Services

The Assembly provides an All-Funds appropriation of \$576.7 million, an increase of \$212.5 million over the Executive proposal.

State Operations

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

Aid to Localities

- The Assembly provides \$212.5 million to improve the quality of representation provided to persons who are entitled to counsel in court matters and are financially unable to obtain representation. This funding includes:
 - \$150 million for grants to counties for expenses related to increased counsel rates for adult representation in criminal court pursuant to Article 18-b of the County law;
 - \$60 million for the Unified Court System for expenses related to increased rates for Counsel for the Attorney for the Child Program; and
 - \$2.5 million to support parental representation in Family Court.

Capital Projects

- Not Applicable.

Article VII

- The Assembly includes language that will increase 18-b counsel rates from \$60 an hour to \$120 an hour for misdemeanor cases and from \$75 an hour to \$150 an hour for all other cases.

**Assembly Budget Proposal SFY 2022-23
Office of the State Inspector General**

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

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Assembly Budget Proposal SFY 2022-23 Interest on Lawyers Account

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

State Operations

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

Aid to Localities

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

Capital Projects

- Not Applicable.

Article VII

- Not Applicable.

Assembly Budget Proposal SFY 2022-23

Department of Law

The Assembly provides an All-Funds appropriation of \$311.1 million, an increase of \$6 million over the Executive proposal.

State Operations

- The Assembly provides an additional \$2 million for expenses related to the Law Enforcement Misconduct Investigative Office (LEMIO).
- The Assembly provides \$2 million for the Attorney General's office to conduct fair housing testing to identify discriminatory practices.
- The Assembly provides \$2 million for expenses related to collecting debt owed to the State University of New York.

Aid to Localities

- Not Applicable.

Capital projects

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

Article VII

- Not Applicable.

Assembly Budget Proposal SFY 2022-23 Division of Military and Naval Affairs

The Assembly provides an All Funds appropriation of \$214.6 million, an increase of \$350,000 over the Executive proposal.

State Operations

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

Aid to Localities

- The Assembly provides \$350,000 for the services and expenses of the New York Wing – Civil Air Patrol.

Capital Projects

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

Article VII

- Not applicable.

Assembly Budget Proposal SFY 2022-23 Office for the Prevention of Domestic Violence

The Assembly provides an All Funds appropriation of \$10.7 million, a reduction of \$253,000 from the Executive Proposal.

State Operations

- The Assembly does not include \$303,000 in funding related to establishing a gender-based domestic violence training institute.

Aid to Localities

- The Assembly restores \$50,000 for the Family Violence and Women's Rights Clinic at the SUNY Buffalo Law School.

Capital Projects

- Not applicable.

Article VII

- The Assembly does not include the Executive proposal to establish a gender-based violence training institute within the Office for the Prevention of Domestic Violence, including a mandatory 40-hour training for advocates and continuing education programs.

Assembly Budget Proposal SFY 2022-23 Commission on Prosecutorial Conduct

The Assembly provides an All Funds appropriation of \$1.7 million.

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**Assembly Budget Proposal: SFY 2022-23
Public Employment Relations Board**

The Assembly provides an All Funds Appropriation of \$4.3 million.

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**Assembly Budget Proposal SFY 2022-23
Joint Commission on Public Ethics**

The Assembly provides an All Funds appropriation of \$5.6 million.

State Operations

- The Assembly accepts the Executive’s proposed appropriation level and restores allocations related to reforms made in 2015.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- The Assembly does not include the Executive proposal for the Independent Ethics Commission Reform Act of 2022.

Assembly Budget Proposal SFY 2022-23 Judicial Commissions

The Assembly provides an All Funds appropriation of \$7.3 million.

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**Assembly Budget Proposal SFY 2022-23
Division of the State Police**

The Assembly provides an All Funds appropriation of \$1.1 billion.

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

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

Article VII

- Not applicable.

Assembly Budget Proposal SFY 2022-23 Statewide Financial System

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

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**Assembly Budget Proposal SFY 2022-23
Office of Information Technology Services**

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

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

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

Article VII

- Not applicable.

Assembly Budget Proposal SFY 2022-23 Office of Victims Services

The Assembly provides an All Funds appropriation of \$217.5 million.

State Operations

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

Aid to Localities

- The Assembly accepts the Executive proposal to include \$14.4 million annually through SFY 2025-26 to offset a reduction in Federal Victims of Crime Act (VOCA) funding.

Capital Projects

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

Article VII

- The Assembly accepts the Executive proposal to increase the benefit award cap from \$500 to \$2,500 for property reimbursement for victims of certain violent crimes.

Assembly Budget Proposal SFY 2022-23 Workers' Compensation Board

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

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Assembly Budget Proposal SFY 2022-23 General State Charges

The Assembly provides an All Funds Appropriation of \$7.3 billion, an increase of \$6 million over the Executive proposal.

State Operations

- The Assembly does not include the Executive language to require the rate of interest paid upon any judgment or accrued claim to be calculated based on a fluctuating market rate.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- The Assembly does not include the Executive proposal to allow retired public employees to be employed in public schools without a limitation on earnings or approval from the appropriate authority until June 30, 2024.

Assembly Budget Proposal SFY 2022-23
Miscellaneous: Public Protection and General Government

Local Government Assistance

The Assembly provides an All Funds appropriation of \$989.7 million, an increase of \$155.2 million over the Executive proposal.

State Operations

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

Aid to Localities

- The Assembly provides an additional \$150 million for Aid and Incentives to Municipalities (AIM) payments.
- The Assembly provides \$5 million for financially distressed municipal ambulance services.
- The Assembly provides an additional \$200,000 for a local government efficiency grant program to support municipal entities that were adversely impacted by the five percent withholding of funds from SFY 2021-22.

Capital Projects

- Not applicable.

Article VII

- The Assembly does not include the Executive proposal that would revise municipal conflict-of-interest disclosures and prohibitions.
- The Assembly does not include the Executive proposal that would revise the timeframes and application process for the County-Wide Shared Services Initiative.
- The Assembly modifies the Executive proposal that would restore State-funded AIM for cities, towns, and villages to make technical amendments.

Deferred Compensation Board

The Assembly provides an All Funds appropriation of \$920,000.

Data Analytics

The Assembly provides an All Funds appropriation of \$25 million.

Labor Management Committees

The Assembly provides an All Funds appropriation of \$25.49 million.

Health Care and Mental Hygiene Worker Bonuses

The Assembly accepts an All Funds appropriation of \$120 million to provide bonus payments to state workers whose base salary is subject to collective bargaining.

Legislative Commissions

Article VII

- The Assembly provides language that would extend various Legislative Commissions until June 30, 2023.

Commission on the Future of the Long Island Power Authority (LIPA)

The Assembly provides an All Funds appropriation of \$2 million.

State Operations

- The Assembly provides \$2 million for services and expenses of a commission to study the efficacy of a publicly owned and operated power authority on Long Island.

Article VII

- The Assembly provides language to establish a commission to evaluate and report to the Legislature on the actions, legislation and timeline necessary for the Long Island Power Authority to operate under a public power model.

EDUCATION, LABOR & FAMILY ASSISTANCE

By Agency

Assembly Budget Proposal SFY 2022-23

Division of Veterans' Services

The Assembly provides an All Funds appropriation of \$38.8 million, an increase of \$11.8 million over the Executive proposal.

State Operations

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

Aid to Localities

- The Assembly provides \$1.8 million in restorations to various veterans' assistance programs.

Capital Projects

- The Assembly provides \$10 million for capital expenses of non-profit organizations serving veterans.

Article VII

- The Assembly accepts the Executive proposal that would increase the minimum state funding for county and city veterans' service agencies from \$10,000 to \$25,000.
- The Assembly includes a proposal to change the Division of Veterans' Services to the Department of Veterans' Services.

Assembly Budget Proposal SFY 2022-23 Council on the Arts

The Assembly provides an All Funds appropriation of \$171.4 million, an increase of \$83.5 million over the Executive proposal.

State Operations

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

Aid to Localities

- The Assembly provides \$82.5 million in additional support for the Council on the Arts Program.
- The Assembly provides \$40 million in Arts Recovery grants, separately allocated from the \$2 billion COVID-19 Public Health Response Fund.
- The Assembly provides \$1 million in stabilization grants to support small and mid-sized arts organizations.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Assembly Budget Proposal SFY 2022-23 City University of New York (CUNY)

The Assembly provides an All Funds appropriation of \$7.6 billion, an increase of \$1.7 billion over the Executive proposal.

State Operations

- The Assembly includes \$200 million in additional state operating support funds for CUNY.
- The Assembly provides \$88 million for the hiring of new full-time faculty, an additional \$35 million over the Executive Proposal.
- The Assembly provides \$29.8 million for mental health services, a \$28.8 million increase over the Executive proposal.
- The Assembly provides \$7 million to increase doctoral student stipend levels at CUNY.
- The Assembly provides \$40.4 million for the Search for Education, Elevation, and Knowledge (SEEK) Opportunity Program, a \$3.4 million increase over the Executive proposal.
- The Assembly provides \$4.5 million for the expansion of nursing programs, a \$2.5 million increase over the Executive proposal.
- The Assembly provides \$750,000 for the School of Labor and Urban Studies.
- The Assembly provides \$350,000 to reinstate the W. Haywood Burns Chair in Human and Civil Rights at the CUNY Law School.

Aid to Localities

- The Assembly proposes an additional \$60 million increase to CUNY community college base aid.
- The Assembly provides \$1.9 million for College Discovery, a \$162,000 increase over the Executive proposal.

Capital Projects

- The Assembly proposal includes \$1.6 billion in expansion capital for CUNY to fund a five-year capital plan, a \$1.2 billion increase over the Executive proposal.
- The Assembly provides \$2.5 million for the School of Labor and Urban Studies.

Article VII

- The Assembly expands the current Maintenance of Effort for CUNY by requiring the State to provide funding for all mandatory costs of the system.
- The Assembly would require the Governor to submit five-year capital plan for CUNY as part of the Executive budget.

Assembly Budget Proposal SFY 2022-23 State Education Department (SED)

The Assembly provides an All Funds appropriation of \$41.3 billion, an increase of \$642 million over the Executive proposal.

State Operations

- The Assembly accepts the \$2.9 million increase for the TEACH system modernization but does not include the Executive language relating to a change in timing of schedules.

Aid to Localities

Office of Prekindergarten through Grade 12 Education

School Aid

- Under the Assembly proposal, state funding for school aid would total \$30.9 billion, an increase of \$2.1 billion or seven percent over last year, and \$120 million over the Executive proposal.
- Changes to the Executive Budget include:
 - \$150 million for Universal Prekindergarten (UPK), including \$25 million to increase the per pupil rate for districts already providing UPK, and \$125 million to support new Statewide Universal Full-Day Prekindergarten (SUFDPK) programs that offer \$10,000 per four-year old;
 - \$27.7 million to increase the reimbursable salary cap for Career Technical Education (CTE) teachers in BOCES programs;
 - \$14.9 million to expand Special Services Aid, providing partial funding for ninth graders that participate in CTE programs; and
 - \$2.5 million to increase aid for Transportation After 4:00 pm.
- The Assembly does not include the Executive proposal to freeze Reimbursable Aids.

Nonpublic Schools

- The Assembly provides an increase in Nonpublic STEM funding of \$8 million above the Executive increase, for a total of \$63 million, which is \$23 million over last year.

Mental Health

- The Assembly modifies the Executive proposal to provide \$100 million over two years for the Recover from COVID Schools Program (RECOVS), which would provide matching funds for enhanced education or mental health support, by broadening the allowable source of local matching funds.
- The Assembly provides \$40 million for additional mental health grants.

Teacher Retention and Diversity

- The Assembly provides funding for the following programs:
 - \$28.6 million for Teacher Resource and Computer Training Centers, a \$14.3 million increase over the Executive;
 - \$5 million for Teacher Opportunity Corps II; and
 - \$1.5 million to restore and increase funding for the Training Programs for Teachers Providing Bilingual or Multilingual Education, a \$1.1 million increase from SFY 2021-22.

Additional Programs

- The Assembly restores the following programs:
 - \$1.2 million for Rochester School Health Services Grant;
 - \$1.2 million for Buffalo School Health Services Grant;
 - \$1 million for East Ramapo School District;
 - \$500,000 for CWE Enhanced Credentialing;
 - \$500,000 for the Pre-K Regional Technical Assistance Center – Long Island;
 - \$500,000 for City of New York – Promise Project;
 - \$500,000 for Implicit Bias Training;
 - \$475,000 for the Executive Leadership Institute; and
 - \$461,000 for Bard High School Early College, Queens.

- The Assembly provides funding for the following programs:
 - \$100 million for Community Schools;
 - \$26.4 million for the NYC fiscal stabilization Grant;
 - \$18.7 million for prior year claims;
 - \$15 million for Digital Inclusion Grants;
 - \$10.3 million for Adult Literacy Education, a \$2.5 million increase; and
 - \$5 million for cybersecurity improvements and technical assistance for school districts.

- The Assembly accepts the Executive proposed levels of funding of \$750,000 for State Appointed Monitors, however the Assembly proposes additional language clarifying specific funding levels for individual districts in line with previous years.

- The Assembly proposes to modify the Farm to School Initiative to:
 - allow food products for any meal, not only lunch, to count toward the minimum 30 percent requirement of food produced, processed, or grown in New York; and
 - increase the subsidy for school breakfast for qualifying school districts.

Schools for Children with Disabilities

- The Assembly provides funding for the following programs:
 - \$11.6 million for Private Schools for the Blind and Deaf, an increase of 11 percent, for a total of \$117.5 million; and
 - \$1.5 million in funding for the creation of a new rate setting methodology.

- The Assembly proposal provides discrete allocations for Private Schools for the Blind and Deaf, including:
 - \$903,000 for the Henry Viscardi School;
 - \$903,000 for the NY School for the Deaf;
 - \$500,000 for the Mill Neck Manor School for the Deaf; and
 - \$500,000 for the Cleary School.

Cultural Education

- The Assembly provides a \$10 million increase for Library Aid for a total of \$106.1 million, or a \$12 million increase over last year.

- The Assembly provides a \$1.25 million for Diversity, Equity and Inclusion programs in libraries.
- The Assembly restores \$250,000 for the Schomburg Center.
- The Assembly restores \$75,000 for the Langston Hughes Community Library.

Office of Higher Education and the Professions

- The Assembly provides a \$4.3 million increase for the Higher Educational Opportunity Program (HEOP), for a total of \$51.2 million.
- The Assembly provides a \$2.2 million increase for the Liberty Partnership Program, for a total of \$26.4 million.
- The Assembly provides a \$1.9 million increase for the Science and Technology Entry Program (STEP), for a total of \$22.8 million.
- The Assembly provides a \$1.4 million increase for the Collegiate Science and Technology Entry Program (CSTEP), for a total of \$17.3 million.
- The Assembly provides a \$720,000 increase for the Foster Youth Initiative, for a total of \$8.6 million.
- The Assembly provides a \$2 million increase for resident students with disabilities attending college in New York, for a total of \$4 million.
- The Assembly modifies the Executive proposal to require colleges and universities that receive Bundy Aid to submit a plan and be approved by SED to improve faculty diversity, to would instead require the submission of the plan to SED.

Capital Projects

- The Assembly restores \$20 million to Library Construction Aid, for a total of \$34 million.

Article VII

The Assembly does not include the following Executive Article VII proposals that would:

- extend mayoral control of the New York City School District for an additional four years, until June 30, 2026;

- require SED to issue a temporary professional permit to teachers and school professionals while the status of their certification is pending approval from the Department;
- authorize teachers and school professionals with an expired certification, who are otherwise qualified to hold such a certification, to be employed in a school district until June 30, 2024;
- transfer the administration of the National School Lunch Program and related programs from SED to the Department of Agriculture and Markets;
- allow temporary approval of new programs and curriculum at colleges and universities;
- prohibit institutions of higher education from withholding transcripts due to a debt;
- allow up to 49 percent non-licensee ownership in public accountancy firms;
- allow New York to join the Interstate Medical Licensure & Nurse Licensure Compacts;
- transfer oversight of healthcare professions from SED to DOH;
- allow pharmacists to direct, order, and administer certain FDA-approved tests;
- exempt certain NPs from written practice agreement requirements;
- allow certain CNAs to administer medications in residential healthcare facilities;
- allow the administration of tests for the flu, COVID, and respiratory syncytial virus (RSV) by RNs and individuals assigned by physicians, RNs, and NPs; and
- allow out-of-state and foreign professionals to practice at the Winter World University Games.

The Assembly modifies the following Executive Article VII proposals:

- requiring that all newly purchased or leased school buses be zero-emission by July 1, 2027, and all school buses in operation be zero-emission by July 1, 2035, to allow the Commissioner of Education to delay implementation if certain conditions are not met; and
- clarifies that Transportation Aid forgiveness can be granted by Commissioner for a range of inadvertent errors, not just because of late filing.

The Assembly proposes the following new Article VII proposals:

- Special Education
 - Special Education Enrollment Declines: The Assembly proposes temporary changes to the rate setting methodology to protect schools from losses of revenue due to a decrease in enrollment;
 - Special Education Reconciliation: The Assembly proposes an extended time frame before SED calculates reconciliation for special education schools to ensure these schools get the benefit of planned rate increases; and
 - Special Education Rate Parity: The Assembly proposes to increase the annual funding for students in Special Act School Districts, 4410 programs and 853 schools to match the annual growth for school districts.
- The Assembly proposes to increase the cost threshold for school construction projects that receive one year reimbursement from \$100,000 to \$250,000;
- UPK Teacher Certification Requirements: The Assembly proposes a one-year extension of statewide universal full-day prekindergarten teacher certification;
- Prior Year Claims Adjustments: Allow overpayments to school districts to be counted as payment for Prior Year Claims through a payment adjustment;
- The Assembly revives a provision of law that allows school districts starting full day kindergarten for the first time to receive a diminishing aid amount for two additional years;
- Berkshire Special Act School District: The Assembly proposes to remove the Berkshire Special Act School District from law because it is no longer in operation; and
- The Assembly provides employee protections for school bus drivers in New York City.

Assembly Budget Proposal SFY 2022-23 Office of Children and Family Services (OCFS)

The Assembly provides an All Funds appropriation of \$5.1 billion, an increase of \$936.8 million over the Executive proposal.

State Operations

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

Aid to Localities

- The Assembly proposes total spending of over \$3 billion in state and federal funds on child care, including:
 - \$2 billion to maintain current subsidies and to expand the eligibility from 200 percent of the federal poverty level (FPL) to 400 percent FPL;
 - \$500 million to continue child care stabilization grants for providers to support rent, PPE, wages, public health emergency supply and mental health support;
 - \$370 million to increase the child care market rate from the 69th percentile to the 90th percentile; and
 - \$200 million to support the expansion of access to child care, with an emphasis on child care deserts. Funds will be made available for construction, renovation, improvement or expansion of child care sites.
- The Assembly provides \$55.2 million for the Foster Care Block Grant, and \$26.9 million for Adoption Subsidies, to offset the impact to local governments due to a change of the Maximum State Aid Rates.
- The Assembly provides \$30 million to restore the State's child welfare reimbursement from 62 percent to 65 percent.
- The Assembly restores \$28.6 million to reject the Executive's proposal to eliminate the state share for Committee on Special Education placements outside of New York City.

- The Assembly increases funding for childcare within OCFS by \$25 million, and decreases funding in the Office of Temporary Disability Assistance's Temporary Assistance to Needy Families (TANF) appropriation for the same purpose.
- The Assembly restores the following programs that were eliminated by the Executive:
 - \$2.5 million for Settlement Houses;
 - \$2 million for Safe Harbor;
 - \$1.9 million for Kinship Care;
 - \$1.5 million for Youth Development Program; and
 - \$100,000 for Kinship Navigator.

Capital Projects

- The Assembly provides \$200 million to support the construction, renovation, improvement or expansion of access for child care sites with an emphasis on child care deserts. Eligible child care sites include child care centers, child care facilities located on publicly owned properties and school aged care facilities.

Article VII

- The Assembly does not include the Executive proposal to permanently eliminate the State's share of the funding for CSE placements.
- The Assembly accepts the Executive proposal to extend the current child welfare financing structure by five years.
- The Assembly modifies the Executive proposal to require local social services districts to begin or continue to pay at least 100 percent of the MSAR no later than July 1st, 2023, by requiring the state to assume the entire cost of the rate increase if the new MSAR rates are not released on time.
- The Assembly does not include the Executive proposal to allow a Juvenile Offender, an Adolescent Offender under 21 or a youth under the age of 18 to be detained in a local correctional facility with adults after a hearing is held to determine if such placement is in the interest of justice.

Assembly Budget Proposal SFY 2022-23 Office of Temporary and Disability Assistance

The Assembly provides an All Funds appropriation of \$6.3 billion, an increase of \$5.5 million over the Executive proposal.

State Operations

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

Aid to Localities

- The Assembly proposes the following funding that will be allocated separately under the COVID-19 Public Health Response Fund:
 - \$1.25 billion to provide additional funding for the Emergency Rental Assistance Program (ERAP); and
 - \$400 million in additional funding for the Landlord Rental Assistance Program (LRAP).
- The Assembly provides \$24.76 million in Temporary Assistance for Needy Families (TANF) restorations to provide support for the following legislative initiatives that were eliminated in the Executive Budget:
 - \$8.5 million for Facilitated Enrollment;
 - \$5 million for additional Funding for Advantage Afterschool;
 - \$4 million for ATTAIN;
 - \$3 million for additional Funding for Non-Residential DV;
 - \$1.43 million for Career Pathways;
 - \$800,000 for ACCESS;
 - \$785,000 for Preventive Services;
 - \$475,000 for Wage Subsidy Program;
 - \$334,000 for SUNY/CUNY Child Care;
 - \$200,000 for Jewish Child Care Association of New York;
 - \$144,000 for Wheels for Work;
 - \$82,000 for Rochester Genesee Regional Transportation Authority; and
 - \$25,000 for Centro of Oneida.

- The Assembly provides a \$5 million allocation for Double Up Food Bucks, also provided under the COVID-19 Public Health Response Fund.
- The Assembly provides an additional \$4 million for refugee resettlement agencies statewide, for a total of \$6 million.
- The Assembly provides an additional \$2 million allocation for the Nutritional Outreach and Education Program (NOEP) for a total of \$5.2 million, with funds appropriated under the COVID-19 Public Health Response Fund.
- The Assembly provides an additional \$1.5 million for the Disability Advocacy Program, for a total of \$6.76 million.
- The Assembly does not include language to allow the State to withhold any and all public assistance (PA) funding if counties fail to comply with regulations requiring a Homeless Outreach and Services plan.
- The Assembly provides reporting language for the New York State Rental Supplement Program.
- The Assembly modifies the TANF and Safety Net Public Assistance appropriation language regarding Family Homelessness and Eviction Prevention Supplements (FHEPS) reimbursements, to ensure rates are in line with Fair Market Rent changes each year.

Capital Projects

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

Article VII

- The Assembly accepts the Executive proposal to increase the Federal Supplemental Security Income (SSI) Cost of Living (COLA) in 2023, which provides an increase of \$9 to \$70 depending on living arrangement.
- The Assembly accepts the Executive proposal to extend the authority of the Office of Temporary and Disability Assistance (OTDA) to appoint a temporary operator for emergency shelters from three years, from 2022 to 2025.

- The Assembly accepts the Executive proposal to require local social service districts to determine eligibility for Safety Net Assistance (SNA) within 30 days of application receipt and the increases to the liquid resource limit for PA eligibility to align with SNAP and eliminate the 185 percent standard of need cap; with the following changes:
 - modify the Executive’s proposal related to PA eligibility by increasing the earned income disregard percentage, allowing the disregard percentage to be adjusted to reflect changes in the federal poverty guidelines, and ensuring any individual with earned income in the household can be disregarded;
 - add language that would expand the conciliation process to the rest of the state, requiring local social services districts to confirm that a PA recipient is not exempt from the mandatory work requirement, and that the PA recipient had appropriate childcare, transportation, and disability accommodations, prior to imposing a sanction on a PA recipient for failure to comply with work rules;
 - add language that would require the commissioner of a social services district to offer a 12-month work exemption to households receiving temporary assistance with an infant under the age of one;
 - add language that would prohibit the local social service district from requiring any unearned income of a child from being considered as part of the public assistance household when a caregiver was applying for assistance for another child in the same dwelling unit.
- The Assembly includes language to eliminate the requirement that individuals with earned and unearned income contribute to the cost of residing in a homeless shelter, and to ensure individuals that have contributed earned income to a savings plan project would receive funds upon the exit from temporary shelter.

Assembly Budget Proposal SFY 2022-23 Higher Education Services Corporation

The Assembly provides an All Funds appropriation of \$1.3 billion, an increase of \$112 million over the Executive proposal.

State Operations

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

Aid to Localities

- The Assembly provides \$1 billion in the current Academic Year for the Tuition Assistance Program (TAP), a \$109 million increase from the Executive proposal. The Assembly proposal would increase the maximum TAP award from \$5,665 to \$7,070 over the next two years to match the maximum TAP award to SUNY's tuition, and increase the minimum TAP award from \$500 to \$1,000.
- The Assembly provides \$5.9 million for the Patricia McGee Nursing Faculty Scholarship, a \$2 million increase from the Executive proposal.
- The Assembly provides \$2.7 million to the Social Worker Loan Forgiveness Program and would expand program eligibility to individuals working at college campuses, which is a \$1 million increase over the Executive proposal.

Capital Projects

- Not applicable.

Article VII

- The Assembly accepts the Executive proposal to expand TAP for part time students, and to also restore TAP eligibility for incarcerated individuals.
- The Assembly does not include the Executive proposal to expand TAP for students seeking community college workforce credential programs.
- The Assembly accepts the Executive proposal to include apprenticeship programs as a qualified use of college (529) savings accounts.

Assembly Budget Proposal SFY 2022-23

Division of Housing and Community Renewal

The Assembly provides an All Funds appropriation of \$9.5 billion, an increase of \$4.3 billion over the Executive proposal.

State Operations

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

Aid to Localities

- The Assembly proposes the following funding to be allocated separately under the COVID-19 Public Health Response Fund:
 - \$1.25 billion in additional funding for the Emergency Rental Assistance Program (ERAP); and
 - \$400 million in additional funding for the Landlord Rental Assistance Program (LRAP).
- The Assembly provides \$400 million for the Homeowner Assistance Fund (HAF).
- The Assembly provides \$250 million for the Housing Access Vouchers Program (HAVP).
- The Assembly provides an additional \$15 million for counsel at eviction proceedings outside of New York City, for a total of \$50 million.
- The Assembly provides \$10 million to enable landlords to remove lead from units.
- The Assembly provides \$2 million for technical assistance to first-time homebuyers.
- Mortgage Insurance Fund: The Assembly provides an additional \$2.5 million transfer from the Mortgage Insurance Fund (MIF) for the Neighborhood Preservation Program (NPP) and Rural Preservation Program (RPP) companies, for a total of \$20.7 million. The Assembly proposal would increase the carve outs for the Neighborhood Preservation Coalition and Rural Housing Coalition, from \$150,000 to \$250,000 for each coalition.
- The Assembly restores \$100,000 for the Association for Neighborhood & Housing Development (ANHD).

Capital Projects

- The Assembly provides \$1.7 billion to the five-year affordable housing capital plan, for a total of \$6.2 billion and would require additional reporting requirements. This includes the following changes:
 - \$1 billion for a new statewide limited equity cooperative program called Foundations for Futures;
 - \$250 million for additional homeownership funds;
 - \$100 million for land banks;
 - \$130 million increase to existing Mitchell-Lama Preservation Programs, for a total of \$250 million;
 - \$150 million for the Housing Our Neighbors with Dignity Act (HONDA);
 - \$100 million increase to weatherize and electrify units, for a total of \$350 million;
 - eliminates \$85 million in funding for Accessory Dwelling Units;
 - provides \$20 million for the Small Rental Development Initiative to fund rural developments under 20 units; and
 - accepts the Executive proposal to provide \$1 billion for Affordable Rental Housing and adds language to clarify that commercial and hotel conversions are eligible for this funding.
- The Assembly provides \$500 million in capital funding for the New York City Housing Authority (NYCHA).
- The Assembly provides \$74 million for the Affordable Housing Corporation (AHC), for a total of \$100 million.
- The Assembly provides \$1.4 million to Housing Opportunities Program for the Elderly which includes the RESTORE program, for a total of \$2.8 million.
- The Assembly provides \$1 million for the Access to Home Program for a total of \$2 million.

Article VII

- The Assembly does not include the following Executive proposals without a State fiscal impact:
 - authorize New York City through zoning law, ordinance, or resolution to pursue the construction of taller residential buildings by deviating from state law that caps the floor area ration of a residential building;
 - give zoning flexibility to facilitate the conversion of underutilized hotel and commercial properties for permanent housing within specified areas of New York City;
 - prohibit landlords from automatically denying tenant applications due to credit history or score if certain conditions apply to the tenant’s history; and
 - the 485-w Affordable Neighborhoods for New Yorkers Tax Incentive Program.
- The Assembly does not include the Executive proposal to accessory dwelling unit allow New York City to establish a program legalizing specified accessory dwelling units.
- The Assembly proposes the following:
 - a requirement that a new five-year housing plan be submitted by the Governor every five years; and
 - establishes the Housing Access Voucher Program (HAVP) which is a rental assistance program for eligible individuals and families who are homeless or at risk of homelessness.

Assembly Budget Proposal SFY 2022-23 Division of Human Rights

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

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- The Assembly does not include the Executive proposal to expand protections for victims of domestic violence under the New York State Human Rights Law.
- The Assembly does not include the Executive proposal to add citizenship and immigration status as a protected class under New York State the Human Rights Law.
- The Assembly does not include the Executive proposal to modify the New York State Human Rights Law to prohibit housing providers from discriminating against individuals with one or more prior criminal convictions.

Assembly Budget Proposal SFY 2022-23 Department of Labor

The Assembly provides an All Funds appropriation of \$11.4 billion, an increase of \$2.9 million over the Executive proposal.

State Operations

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

Aid to Localities

- The Assembly restores funding for the following programs:
 - \$1.62 million for Displaced Homemakers Program;
 - \$700,000 for various labor initiatives;
 - \$350,000 for the New York Committee on Occupational Safety and Health;
 - \$150,000 for the Sexual Harassment Prevention at Cornell University; and
 - \$50,000 for the Labor Relations School of Cornell Criminal Records Program.

Capital Projects

- Not applicable.

Article VII

- The Assembly accepts the Executive proposal to extend the New York Youth Job Program Tax Credit for an additional five years, or until 2027.
- The Assembly accepts the Executive proposal to extend the Empire State Apprenticeship Tax Credit for an additional five years, or until 2028.

- The Assembly does not include the Executive proposal to place certain prohibitions upon employers engaging in non-compete agreements and non-poach agreements.
- The Assembly does not include the Executive proposal to increase the security of existing penalties for wage theft based of the number of employees and amount of wages the employer failed to pay.

Assembly Budget Proposal SFY 2022-23 State of New York Mortgage Agency

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

State Operations

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

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Assembly Budget Proposal SFY 2022-23 State University of New York (SUNY)

The Assembly provides an All Funds appropriation of \$14.2 billion, an increase of \$1.7 billion over the Executive proposal.

State Operations

- The Assembly provides \$200 million in additional state operating support funds for SUNY.
- The Assembly provides \$88 million to hire additional full-time faculty at SUNY, a \$35 million increase over the Executive Proposal.
- The Assembly provides \$75 million for the SUNY Hospital subsidy.
- The Assembly proposal would shift the cost of SUNY Hospital debt service from the hospitals to the State, saving SUNY hospitals \$68 million annually.
- The Assembly provides \$29.8 million to SUNY's mental health services, a \$28.8 million increase over the Executive Proposal.
- The Assembly provides \$46.3 million for the Educational Opportunity Program, a \$3.9 million increase over the Executive Proposal.
- The Assembly provides \$4.2 million to SUNY's High Need Nursing Programs, a \$2.5 million increase
- The Assembly provides \$2.2 million for the SUNY Maritime Scholarship, a \$2 million increase over the Executive Proposal.
- The Assembly restores \$145,000 for the Benjamin Center.

Aid to Localities

- The Assembly provides \$461.4 million for SUNY community college base aid, a \$60 million increase over the Executive Proposal.

- The Assembly provides \$7.4 million for Cornell Cooperative Extension (CCE) which includes \$1.5 million for the CCE-NYC office and \$1.5 million for CCE's existing programs, a \$3 million increase over the Executive Proposal.

Capital Projects

- The Assembly provides \$1.63 billion in expansion capital for SUNY to fund a five-year capital plan, a \$1.2 billion increase over the Executive Proposal.
- The Assembly provides \$30 million in capital funding for Educational Opportunity Centers.

Article VII

- The Assembly expands the current Maintenance of Effort for SUNY by requiring the State to provide funding for the SUNY Health Science Centers and all mandatory costs of the system.
- The Assembly would require the Governor to submit five-year capital plan for SUNY as part of the Executive budget.

**Assembly Budget Proposal SFY 2022-23
Office of Welfare Inspector General**

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

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Assembly Budget Proposal SFY 2022-23
Miscellaneous: Education, Labor, and Family Assistance

Nonprofit Infrastructure Capital Investment Program

The Assembly provides an All Funds appropriation of \$50 million.

Capital Projects

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

Arts and Cultural Facilities Improvement Program

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

- The Assembly provides an additional \$20 million for the Arts and Cultural Facilities Improvement Program, which would provide facility enhancement grants to small and mid-sized organizations, to be administered by the New York State Council on the Arts. This funding would require regional balance in the selection of awards and does not place matching requirements upon grant recipients.

Higher Education Facilities Capital Matching Grants Program

The Assembly provides an All Funds appropriation of \$60 million, a \$30 million increase over the Executive proposal.

Capital Projects

- The Assembly provides \$60 million for an additional round of Higher Education Matching Grants Program (HECap) funding, a \$30 million increase over the Executive proposal.

Raise the Age

The Assembly provides an All Funds Appropriation of \$250 million.

HEALTH & MENTAL HYGIENE

By Agency

Assembly Budget Proposal SFY 2022-23 State Office for the Aging

The Assembly provides an All Funds appropriation of \$309.9 million, an increase of \$26.6 million over the Executive proposal.

State Operations

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

Aid to Localities

- The Assembly provides \$15 million in funding for the Long-Term Care Ombudsman Program.
- The Assembly provides \$6 million in funding for case management services for individuals on the Expanded In-Home Services for the Elderly Program (EISEP) wait list.
- The Assembly provides \$3 million in funding for the Home Delivered Meals program under the State Office for the Aging.
- The Assembly provides \$1 million in funding for the Naturally Occurring Retirement Community (NORC) and Neighborhood Naturally Occurring Retirement Community (NNORC) nursing services.
- The Assembly provides \$1.1 million in funding for the Holocaust Survivors Initiative.
- The Assembly restores \$1.23 million in funding for various aging support programs, including Lifespan of Greater Rochester (\$250,000) and the New York Foundation for the Senior Citizens Home Sharing and Respite Care Program (\$86,000).

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Assembly Budget Proposal SFY 2022-23 Developmental Disabilities Planning Council

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

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Assembly Budget Proposal SFY 2022-23 Department of Health

The Assembly provides an All Funds appropriation of \$201.4 billion, an increase of \$3 billion from the Executive proposal.

State Operations

- The Assembly proposal would require the continued operation of a regional Department of Health in Monticello, New York.

Aid to Localities

- The Assembly rejects health care worker wage bonuses and instead reallocates \$1.2 billion to support recurring wage increases in the Department of Health and various human service agencies.
- The Assembly accepts the Executive proposal to provide \$120 million in funds to support healthcare worker bonuses for the State workforce.
- The Assembly provides \$923 million to support Fair Pay for Home Care, which would increase the minimum wage for home care workers.
- The Assembly accepts the Executive proposal to fund a 5.4 percent Cost of Living Adjustment (COLA) for human service agencies and provides an additional \$310 million to increase the COLA by 5.6 percent, for a total COLA of 11 percent.
- The Assembly provides \$250 million to support wage increases for health care workers making less than \$125,000 annually who are not included in the Fair Pay for Home Care proposal.
 - The Department of Health shall develop reporting requirements to ensure plans and providers allocate this funding for the purpose of increasing compensation for health care workers.
- The Assembly provides an additional \$72.5 million for the Quality Incentive Vital Assurance Provider Program (QIVAPP) to support the implementation of the Fair Pay for Home Care proposal.

- The Assembly provides \$345 million to include coverage for undocumented immigrants under the Essential Plan.
- The Assembly provides \$45.5 million to increase Early Intervention rates by 11 percent.
- The Assembly provides an additional \$100 million in state funds to the Distressed Hospital pool to eliminate \$50 million each from the Distressed Tax Intercept Fund to New York City and counties.
- The Assembly provides \$750 million for Safety Net Hospitals.
- The Assembly provides \$250 million for major public hospitals.
- The Assembly rejects the Executive proposal to eliminate Prescriber Prevails, restoring \$41.2 million.
- The Assembly modifies the Executive's proposal to eliminate requirements from the Utilization Threshold (UT) Program, restoring \$230,000.
- The Assembly provides \$20 million in additional funding for the Hunger Prevention and Nutrition Assistance Program (HPNAP).
- The Assembly rejects the Executive proposal to transfer rate setting authority in Child Health Plus (CHP) from DFS to DOH and to institute a 12-month rate freeze, restoring \$5.5 million.
- The Assembly rejects the Executive proposal to restructure payments for the Physician's Excess Medical Malpractice program by splitting policy year payments over two years.
- The Assembly rejects \$5 million for an EMS pilot program in 10 counties.
- The Assembly provides \$2.2 million to restore the Area Health Education Centers (AHEC) Program.
- The Assembly provides \$375,000 to restore the Cystic Fibrosis Program.
- The Assembly provides \$333,000 for the Albert Einstein Leukemia Study for 9/11 First Responders.
- The Assembly provides \$3.82 million to restore funding for School Based Health Centers.
- The Assembly provides \$1 million to restore funding for the Nurse-Family Partnership Program.

- The Assembly provides \$10.9 million to restore funding for various public health programs.
- The Assembly supports additional actions to promote diversity in service delivery and initiatives to address rising operational expenses faced by ambulette providers across the state. Costs associated with insurance, minimum wage, and fuel have increased substantially over the past few years and current rates are insufficient to cover these expenses.

Capital Projects

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

Article VII

- The Assembly modifies the Executive proposal to establish the Nurses Across New York student loan repayment program for nurses who agree to work in underserved areas for three consecutive years by expanding the types of locations and the categories of nurses that will be eligible for the program.
- The Assembly modifies the Executive proposal to increase the annual state aid base grant reimbursed to municipalities for core public health services and authorize local health districts to claim personnel services costs for State Aid reimbursement by making technical amendments.
- The Assembly does not include the Executive proposal to establish a statewide comprehensive emergency medical system plan, a uniform training program for emergency medical systems, and an emergency medical services quality and sustainability program.
- The Assembly does not include the Executive proposal to replace the Medicaid global cap metric and extend its legal authority through 2024, and replace it with a proposal to repeal the Global Cap.
- The Assembly accepts the Executive proposal to increase the Medicaid fee-for-service rates of payment by one percent.
- The Assembly accepts the Executive proposal to delay the statutory requirement for general hospitals to rebase and reweight acute hospital rates until January 2024 or later.
- The Assembly modifies the Executive proposal to establish the Statewide Health Care Facility Transformation Program IV to provide funding for capital projects in licensed

health care facilities over a multi-year period by increasing the amount of funding set aside for community-based organizations to at least \$100 million, expand the category of providers eligible for funding, and maintaining the Comptroller's oversight.

- The Assembly does not include the Executive proposal to expand the Public Health and Health Planning Council review of character and competence in certificate of need applications.
- The Assembly modifies the Executive proposal related to nursing home reforms by removing the authority to exclude additional sources of revenue from nursing home direct care spending requirements; modify the expansion of the Nursing Home Quality Pool to remove language providing expansive discretion to the Department of Health and Division of the Budget; and modify the Vital Access Provider Assistance Program proposal to include adult care facilities.
- The Assembly modifies the Executive proposal to eliminate the Medicaid resource test and increase the income eligibility limit to 138 percent of the Federal Poverty Level for seniors and individuals with disabilities by making technical amendments regarding Medicaid income eligibility limits.
- The Assembly modifies the Executive proposal to increase rates for private duty nursing services provided to medically fragile adults; does not include the Executive proposal to replace the uniform task assessment tool for the determination of home care services with guidelines and standards; and does not include the Executive proposal to establish a uniform licensure process for the Program for All-Inclusive Care for the Elderly.
- The Assembly does not include the Executive proposal to initiate a procurement of Medicaid managed care plans and managed long term care plans and authorize health plans to contract with National Cancer Institute-designated cancer centers.
- The Assembly modifies the Executive proposal to expand income eligibility under the Essential Plan to include individuals regardless of their immigration status and prohibit cost sharing for individuals remaining on the Essential Plan for one-year post-partum.
- The Assembly proposes to modify the Executive proposal related to expanding pre-natal and post-partum care and services under the Medicaid program by listing eligible services; and modify the Executive proposal to expand post-partum Medicaid coverage to one-year following the end of pregnancy to make individuals eligible for one-year of post-partum coverage regardless of their immigration status.
- The Assembly does not include the Executive proposal to require physicians and authorized practitioners to screen pregnant women for syphilis in the third trimester of pregnancy.

- The Assembly modifies the Executive proposal to expand coverage of behavioral health services under the Child Health Plus program and eliminate premiums for the lowest income bracket by clarifying that children’s behavioral health services should be reimbursed with the APG rate; and does not include the Executive proposal to transfer the rate setting authority for the program from the Department of Financial Services to the Department of Health.
- The Assembly modifies the Executive proposal to implement a retrospective utilization review process for the Medicaid Fee-for-Service program by ensuring enrollees subject to the review are still given notice of their rights.
- The Assembly does not include the Executive proposal to rename the Office of Minority Health under the Department of Health to the “Office of Health Equity;” and enable the Office to work with other state agencies to set priorities on addressing health disparities.
- The Assembly does not include the Executive proposal to eliminate prescriber prevails protections for certain medications under the Medicaid program.
- The Assembly modifies the Executive proposal to extend the legal authority of various provisions of the public health law and social services law, extending programs based on historical practices.
- The Assembly does not include the Executive proposal to extend the legal authorization for the Department of Health, the Office of Mental Health, the Office for People with Developmental Disabilities, and the Office of Addiction Services and Supports to waive duplicative regulatory requirements for providers involved in DSRIP projects or replication and scaling activities.
- The Assembly does not include the Executive proposal to require pharmacies to maintain a 30-day supply of opioid antagonists and opioid partial agonist medications for the treatment of opioid use disorders.
- The Assembly does not include the Executive proposal to authorize homeless youth to give consent for medical, dental, health, and hospital services.
- The Assembly includes a proposal to expand eligibility to the Medicare Savings Program to up to 156 percent of the federal poverty level.
- The Assembly includes a proposal to allow school-based health centers the option to operate under Medicaid Managed Care or Fee for Service.
- The Assembly includes a proposal to expand the Department of Health’s oversight of prison health services to additional categories of inmates.

- The Assembly includes a proposal to re-establish the adult cystic fibrosis assistance program.
- The Assembly includes a proposal to enact “Fair Pay for Home Care” which would establish a minimum wage for home care workers at 150 percent of the regional minimum wage.
- The Assembly includes a proposal to eliminate the \$50 million intercept of sales tax revenue outside of New York City; to reduce the New York City intercept from \$200 million to \$150 million; and to instead support these distressed provider payments with \$100 million in General Fund support.

**Assembly Budget Proposal SFY 2022-23
Office of the Medicaid Inspector General**

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**Assembly Budget Proposal SFY 2022-23
Department of Mental Hygiene**

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

State Operations

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

Aid to Localities

- Not applicable

Capital Projects

- Not applicable

Article VII

- Not applicable

Assembly Budget Proposal SFY 2022-23 Office of Addiction Services and Supports

The Assembly provides an All Funds appropriation of \$1.5 billion.

State Operations

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

Aid to Localities

- The Assembly provides \$6 million to the Executive proposal to support the statewide expansion of the MATTERS program, for a total of \$8 million.
- The Assembly provides \$2 million to fund Substance Abuse Prevention and Intervention Specialists (SAPIS) in New York City Schools.
- The Assembly provides \$2 million to support integrated services in OASAS facilities in cooperation with the Office of Mental Health.

Capital Projects

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

Article VII

- The Assembly modifies the Executive proposal to certify recovery living residences by including certification and housing standards for such facilities; to address entities that hold themselves out to be a sober living environment but fail to meet such standards; and to allow time for non-certified facilities to come into compliance with the new standards.
- The Assembly modifies the Executive proposal to rename the Alcohol Awareness Program to the Substance Use Awareness Program by removing the reference to cannabis use, and expands the scope of the program to include a focus on the health effects and social costs of substance use disorders.

Assembly Budget Proposal SFY 2022-23 Office of Mental Health

The Assembly provides an All Funds appropriation of \$5.1 billion, an increase of \$22.7 million over the Executive proposal.

State Operations

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

Aid to Localities

- The Assembly provides \$6 million in funding for Crisis Intervention Teams.
- The Assembly provides \$4 million in funding to support the expansion of crisis intervention services and diversion programs, including:
 - training, implementation and evaluation of police crisis intervention teams;
 - regional Mental Health First Aid Training for police; and
 - conducting an analysis, including an evaluation of local diversion centers, to determine any programmatic changes necessary to facilitate the planning and implementation of alternative diversion programs that would provide support for crisis intervention teams and police related diversion services.
- The Assembly provides \$1 million for a new suicide prevention program for at-risk populations, including Latina adolescents, Black youth, LGBTQ adolescents and rural communities.
- The Assembly provides funding for the following legislative priorities:
 - \$400,000 for FarmNet;
 - \$175,000 for South Fork Mental Health Initiative;
 - \$175,00 for North Fork Mental Health Services; and
 - 100,000 for Garnet Health Medical Center-Catskills.

Capital Projects

- The Assembly provides \$50 million in Capital funds for municipal and non-profit organizations for increased capacity and expansion of mental health and substance use treatment services.

Article VII

- The Assembly modifies the Executive proposal that would establish the 988-crisis hotline center by clarifying who is authorized to be a member of a mobile crisis team; 988-crisis hotline center follow up services; for providing crisis intervention services and not solely for implementing the 988 crisis hotline centers; and includes veterans and members of rural communities to the list of specialized populations.
- The Assembly modifies the Executive proposal that would reinvest savings related to managed care providers who failed to meet its contractual obligations related to spending targets for behavioral health services by requiring the Office of Mental Health to provide information related to the amount of reinvest funds available, and a detailed accounting of the amount that was recovered from each provider, and the dates that the recovery of funds represent.
- The Assembly accepts the Executive proposal that would extend the use of the Ambulatory Patient Group (APG) rate for reimbursement of behavioral health services under managed care until March 31, 2027 and includes crisis stabilization services to programs receiving the APG rate.
- The Assembly modifies the Executive proposal related to testifying at a hearing for an Assisted Outpatient Treatment (AOT) order by requiring efforts to be made for in person testimony prior to allowing remote testimony by a physician. The Assembly does not include the Executive proposal that would allow an AOT order to be renewed if it has expired within the last six months and the person has experienced a substantial increase in symptoms and loss of function. The Assembly also does not include the Executive language that authorizes directors of community services (DCS) to require providers of services licensed or operated by OMH to provide clinical records when he or she deems it necessary to fulfill certain duties.
- The Assembly accepts the Executive proposal that would Allow OMH to reimburse supportive housing programs for certain property costs, such as mortgage payments, principal, and interest on loans.
- The Assembly modifies the Executive proposal that would establish a 5.4 percent COLA for programs within the Office of Mental Health (OMH), the Office of Developmental Disabilities (OPWDD), the Office of Addiction Services and Supports (OASAS), the Office

of Children and Family Services (OCFS), the Office of Temporary Disability and Assistance (OTDA), and the State Office for the Aging (SOFA) and proposes to increase the COLA to 11 percent. The Assembly proposes to require the state to establish a COLA on an annual basis using the Consumer Price Index (CPI). The Assembly also proposes to include the Department of Health to the agencies responsible for establishing the COLA and add Health Home Care Management programs, New York State supportive housing programs, and preventive workers to those entities that will receive the COLA.

Assembly Budget Proposal SFY 2022-23 Office for People with Developmental Disabilities

The Assembly provides an All Funds appropriation of \$7.1 billion.

State Operations

- The Assembly denies the Executive proposal to provide \$10 million in funding to increase the level of Child and Adolescent Need and Strength (CANS) Assessments conducted for children and youth up to the age of 17 that are eligible for services under OPWDD.

Aid to Localities

- The Assembly provides \$5 million in funding to the Executive proposal of \$4.5 million to expand Crisis Intervention Services for individuals with Intellectual and Developmental Disabilities, for a total of \$9.5 million.
- The Assembly provides funding for the following legislative priorities:
 - \$200,000 for the Summit Center;
 - \$200,000 for the Autism Society of the Greater Capital Region;
 - \$140,000 for Jawonio, Inc.;
 - \$30,000 for the Westchester Jewish Community Services - Special Education Advocacy Service; and
 - \$30,000 for the Center for Career Freedom.

Capital Projects

- The Assembly provides \$10 million in Capital funding to the Executive proposal of \$15 million to support the expansion of independent living opportunities for individuals with intellectual and developmental disabilities, for a total of \$25 million.

Article VII

- The Assembly modifies the Executive proposal by extending the authority for the Office of Mental Health (OMH) and the Office for People with Developmental Disabilities (OPWDD) to appoint a temporary operator for three years.

Assembly Budget Proposal SFY 2022-23
Justice Center for the Protection of People with Special Needs

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

State Operations

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

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**TRANSPORTATION, ECONOMIC
DEVELOPMENT &
ENVIRONMENTAL CONSERVATION**

By Agency

Assembly Budget Proposal SFY 2022-23 Adirondack Park Agency

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

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

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

Article VII

- Not applicable.

Assembly Budget Proposal SFY 2022-23 Department of Agriculture and Markets

The Assembly provides an All Funds appropriation of \$295.5 million, an increase of \$22.5 million over the Executive proposal.

State Operations

- The Assembly rejects the Executive proposal to transfer the School Lunch Program from the Department of Education.
- The Assembly includes language to require a new Black Indigenous People of Color (BIPOC) farming engagement person to develop a strategic plan to address inequities in farming outlined by the Department of Agriculture and Markets Diversity and Racial Equity workgroup.
- The Assembly rejects the Executive proposal to fund departmental costs related to proceedings before the Public Service Commission, from an assessment on utility ratepayers, and instead funds these costs from the General Fund.

Aid to Localities

- The Assembly provides \$49.3 million for agricultural programs, an increase of \$6.4 million over the Executive proposal as follows:
 - \$2 million for Beginning Farmers New York Fund to provide grants to economically or socially disadvantaged beginning farmers;
 - \$2 million for the Urban Farms and Community Gardens grant program for the development and enhancement of community gardens, school gardens, and urban farms throughout New York State;
 - \$850,000 for the New York Farm Viability Institute;
 - \$500,000 for Farmland for the New Generation;
 - \$481,000 for Cornell University “Core” Diagnostic Lab;
 - \$300,000 for Cornell University Hops Breeding Research and Extension Program;
 - \$300,000 for Northern NY Agricultural Development;
 - \$267,000 for New York State Apple Growers Association;
 - \$250,000 for Cornell University Pro Dairy;
 - \$200,000 for Cornell University Farm Labor Specialist;
 - \$150,000 for Turfgrass Stewardship;
 - \$125,000 for New York Wine and Grape Foundation;

- \$100,000 for Black Farmers United of NYS;
 - \$100,000 for Cornell University Maple Research;
 - \$100,000 for Cornell University Vegetable Research;
 - \$73,000 for Maple Producers Association;
 - \$50,000 for Hop Growers of NY;
 - \$50,000 for Cornell University Concord Grape Research;
 - \$50,000 for the Barley Evaluation and Field Testing Program;
 - \$50,000 for the Sheep Producers Association; and
 - \$20,000 for Cornell University Onion Research.
- The Assembly also includes:
 - \$750,000 for the Farm to School Program, transferred from the State Education Department; and
 - \$5 million for the Taste NY Program, a decrease of \$1.5 million from the Executive Proposal, transferred from Empire State Development.

Capital Projects

- The Assembly provides \$5 million for capital improvements at county and local fairgrounds.
- The Assembly provides \$5 million for Cornell's Climate Adaptive Research Farms for demonstration projects.
- The Assembly provides \$5 million for the Beginning Farmers New York Fund for assistance to economically or socially disadvantaged beginning farmers for capital projects on farms.
- The Assembly provides \$7.5 million, an increase of \$2.5 million above the Executive proposal, for capital improvements to municipal and non-profit humane societies and animal shelters.

Article VII

- The Assembly provides language to amend the Beginning Farmers New York Fund by including provisions to ensure the inclusion of applicants who are economically or socially disadvantaged, increasing the maximum grant award, and reducing the matching requirement.

Assembly Budget Proposal SFY 2022-23 Department of Economic Development

The Assembly provides an All Funds appropriation of \$108.8 million, an increase of \$11.7 million over the Executive proposal.

State Operations

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

Aid to Localities

- The Assembly restores \$1 million in support for local tourism matching grants, which were eliminated in the Executive proposal.
- The Assembly provides additional support for the following programs in the Executive proposal:
 - \$5.48 million for the Centers of Excellence, for a total of \$17.5 million; and
 - \$5.19 million for the Centers for Advanced Technology, for a total of \$18.75 million.
- The Assembly expands the appropriation language within the New York State Hot Spots and Incubator program to allow for costs associated with the administration and coordination of regional hot spots throughout the State.

Capital Projects

- Not applicable.

Article VII

- The Assembly does not include the Executive proposal to establish a new salon assistance license, creating a traineeship license, and repeal of license requirements for natural hair braiders.

- The Assembly accepts the Executive proposal to expand the Excelsior Linked Deposit Program by authorizing Community Development Financial Institutions to participate as borrowers in the Program for projects which loans will be available to small businesses.

Assembly Budget Proposal SFY 2022-23
New York State Energy Research and Development Authority

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

State Operations

- Not applicable.

Aid to Localities

- Not applicable.

Capital Projects

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

Article VII

- The Assembly accepts the Executive proposal to extend for one year the authorization for New York State Energy Research and Development Authority (NYSERDA) to receive funds from an assessment on gas and electric corporations.
- The Assembly does not include the Executive proposal that would revise certain appliance and energy review procedures and establish building benchmarking requirements and enforcement.
- The Assembly does not include the Executive proposal to transfer \$23 million from the Regional Greenhouse Gas Initiative (RGGI) to the General Fund, and instead repurposes these funds to provide \$15 million for electric vehicle charging stations, \$6 million to support energy efficiency and electrification projects, and \$2 million for job training and wage subsidies for clean energy jobs for priority populations.
- The Assembly provides language that would authorize NYSERDA, in consultation with other entities, to develop a comprehensive statewide fast charging station implementation plan.

Assembly Budget Proposal SFY 2022-23 Department of Environmental Conservation

The Assembly provides an All Funds appropriation of \$12.2 billion, an increase of \$2 billion over the Executive proposal.

State Operations

- The Assembly rejects the Executive proposal to fund departmental costs related to proceedings before the Public Service Commission from an assessment on utility ratepayers and instead funds these costs from the General Fund.

Aid to Localities

- Not applicable.

Capital Projects

Environmental Protection Fund (EPF)

- The Assembly accepts the Executive Proposal to fund the EPF at \$400 million. The Assembly provides increases to the following programs:
 - \$10 million for Adirondack and Catskill visitor safety and wilderness protection, including;
 - \$2.1 million for Timbuctoo Pipeline Summer Climate and Careers Institute;
 - \$2 million for the survey of climate change and Adirondack lake ecosystems for water quality monitoring; and
 - \$500,000 for Adirondack Research Consortium to develop a visitor use management framework;
 - \$5 million for Land Acquisition, including;
 - \$2 million for Urban Forestry; and
 - \$1 million for DEC regions 1, 2, and 3.
 - \$4 million for Children’s Environmental Health Centers;

- \$3 million for Municipal Recycling, including \$1 million for food waste diversion;
 - \$3 million for Municipal Parks in inner-city/underserved communities;
 - \$2 million for Farmland Protection;
 - \$2 million for Invasive Species Eradication and \$200,000 for re-trees on public lands impacted by invasive species;
 - \$2 million for Waterfront Revitalization in inner-city/underserved communities;
 - \$1.5 million for Zoos, Botanical Gardens, and Aquariums;
 - \$1 million for the Hudson River Estuary Plan;
 - \$1 million for municipal electric-vehicle fast chargers;
 - \$1 million for Oceans and Great Lakes, including \$250,000 for Peconic Bay Estuary;
 - \$500,000 for Long Island Pine Barrens Commission;
 - \$325,000 for Albany Pine Bush Commission;
 - \$200,000 for Finger Lakes, Lake Ontario Watershed; and
 - \$200,000 for SUNY ESF and Paul Smith’s Interpretive Centers.
- The Assembly decreases funding for the following programs:
 - \$7.53 million for Public Access and Stewardship;
 - \$2.5 million for Climate Resilient Farming;
 - \$1.5 million for State Climate Adaptation Projects, including \$2 million for climate coordinators;
 - \$1 million for Climate Smart Communities;
 - \$1 million for Brownfield Opportunity Programs;
 - \$500,000 for Greenhouse Gas Management, including \$250,000 for the Refrigerator Council Pilot; and
 - \$500,000 for Smart Growth.
 - The Assembly proposes to shift \$1.5 million in funding for SNAP benefits to the traditional SNAP funding mechanism.

Environmental Bond Act of 2022

- The Assembly proposes \$5 billion for the Environmental Bond Act of 2022, an increase of \$2 billion from the Bond Act as enacted by the laws of 2021, to be allocated for climate change related purposes as follows:
 - \$500 million for energy efficiency and renewable energy projects at State-owned buildings;
 - \$450 million for climate adaptation and mitigation projects, including for land acquisition and wetland protection;
 - \$300 million to combat air pollution in Environmental Justice communities;
 - \$250 million to combat water pollution in Environmental Justice communities;
 - \$200 million to combat the urban heat island effect;

- \$150 million for open space conservation;
 - \$100 million for Farmland Protection easements; and
 - \$50 million for urban forest and habitat restoration projects.
- The Assembly provides \$250 million, an increase of \$150 million, for municipal stormwater grants from funds previously unallocated within the bond act as enacted by the laws of 2021.

Clean Water Infrastructure

- The Assembly allocates \$500 million for various clean water infrastructure programs to the Executive proposal, as follows:
 - \$200 million for the Water Infrastructure Improvement Act (WIIA);
 - \$140 million for projects in the New York City watershed;
 - \$50 million for Municipal Stormwater Grants;
 - \$40 million for Land Acquisition;
 - \$40 million for WIIA – emerging contaminants; and
 - \$30 million for the Intermunicipal Water Infrastructure grant program.

Article VII

- The Assembly accepts the Executive proposal to increase the amount of Real Estate Transfer Tax (RETT) funds deposited into the Environmental Protection Fund.
- The Assembly accepts the Executive proposal to require the State to pay taxes on real property acquired by the Hudson River Black River Regulating District.
- The Assembly includes a proposal to remove the existing prohibition on EPF funding for land acquisition related to climate adaptation and mitigation projects.
- The Assembly modifies the following Executive proposals that would:
 - amend eligibility and funding availability for the Brownfield Opportunity Area (BOA) Program to include certain climate and environmental justice activities and authorize the Dormitory Authority to conduct BOA projects by making technical changes;
 - extend the Waste Tire Management and Recycling Program and make procedural changes, by extending the program for three years; and
 - increase the \$3 billion environmental bond act to \$4 billion and rename the Act the “Clean Water, Clean Air, Green Jobs Environmental Bond Act of 2022,” by

increasing it to \$5 billion, allocating the increase to climate change mitigation projects, and by including prevailing wage, project labor agreement, and by American provisions.

- The Assembly does not include the following Executive proposals that would:
 - remove the \$25 million funding cap from the Solid Waste Mitigation Program;
 - extend, until 2036, the Brownfield Cleanup Program and modify the Program's parameters by providing additional tax credits for sites located in disadvantaged communities or that are developed as a renewable energy facility;
 - revise the authority of the Department of Environmental Conservation to regulate freshwater wetlands, redefine freshwater wetlands to include wetlands of at least 12.4 acres – or if smaller, are of unusual importance, and remove mapping requirements;
 - establish a producer take-back program for certain packaging and paper products;
 - prohibit the use of certain toxic chemicals in packaging;
 - authorize Suffolk County to establish a wastewater management district and impose a water quality restoration fee; and
 - make school districts eligible for funding from the State Water Pollution Control Revolving Loan Fund.

Assembly Budget Proposal SFY 2022-23 Metropolitan Transportation Authority

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

State Operations

- Not applicable.

Aid to Localities

- The Assembly encourages the Metropolitan Transportation Authority (MTA) to advance projects funded through the outer-borough fund, including bridge and railroad discount programs as well as an on-demand e-hail pilot program.

Capital Projects

- Not applicable.

Article VII

- The Assembly accepts the Executive proposal to extend the ability of municipalities within the Metropolitan Commuter Transportation District to work with the MTA to create mass transit capital project districts to finance projects, to 2032.
- The Assembly does not include the Executive proposal to increase the mandatory design-build procurement threshold for MTA projects from \$25 million to \$200 million for new projects and \$400 million for rehabilitation projects.
- The Assembly does not include the Executive proposal to make various changes to MTA bidding processes.
- The Assembly does not include the Executive proposal to require utilities to assist and support the MTA's utility relocation projects.

- The Assembly does not include the Executive proposal to increase the penalties for assaulting or harassing a transit worker and add new titles to the definition of transit worker under the penal law.
- The Assembly does not include the Executive proposal to establish crimes and penalties for evasion of any toll in New York State including tolls related to congestion pricing.

Assembly Budget Proposal SFY 2022-23 New York State Gaming Commission

The Assembly provides an All Funds appropriation of \$494.83 million, an increase of \$1 million over the Executive proposal.

State Operations

- The Assembly provides \$1 million for equine drug testing and research.

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

- The Assembly accepts the Executive proposal to extend the current pari-mutuel tax rates and provisions related to the simulcasting of out-of-state thoroughbred and harness races for one year.
- The Assembly modifies the Executive proposal to extend the authorization of Capital Off-Track Betting Corporation to use monies from the capital acquisition fund for the purposes of statutory obligations, payroll, and other expenditures, by authorizing Catskill Off-Track Betting Corporation to use monies from the capital acquisition fund as well.
- The Assembly does not include the Executive proposal to allow the authorization of up to three additional commercial casinos and remove the restrictions on downstate casinos.
- The Assembly provides language to allow the New York Thoroughbred Horsemen's Association to utilize up to \$2.5 million from the unpaid purse cushion account through SFY 2025 to help offset the premium increase for the New York Jockey Injury Compensation Fund.

- The Assembly provides language to require the New York State Gaming Commission to, no later than July 1, 2022, issue a new request for applications to award licenses to up to sixteen mobile sports wagering operators; and to establish a goal to award 30 percent of mobile sports wagering licenses to businesses owned by minorities.

Assembly Budget Proposal SFY 2022-23 Department of Motor Vehicles

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

State Operations

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

Aid to Localities

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

Capital Projects

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

Article VII

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

**Assembly Budget Proposal SFY 2022-23
Olympic Regional Development Authority (ORDA)**

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

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- The Assembly modifies the Executive proposal to require the strategic modernization and investment plan to be submitted to the Senate and Assembly.

Article VII

- Not applicable.

Assembly Budget Proposal SFY 2022-23

Office of Parks, Recreation and Historic Preservation

The Assembly provides an All Funds appropriation of \$663.3 million, an increase of \$53.5 million over the Executive Proposal.

State Operations

- The Assembly does not include the Executive proposal to fund departmental costs related to proceedings before the Public Service Commission from an assessment on utility ratepayers and instead funds these costs from the General Fund.

Aid to Localities

- The Assembly modifies the Executive proposal to include \$6 million for various parks initiatives.

Capital Projects

- The Assembly modifies the Executive proposal by expanding New York Works funding to include eligibility for electric vehicle charging stations at state parks.
- The Assembly provides \$10 million for capital projects at Zoos, Botanical Gardens, and Aquaria.
- The Assembly provides \$37.5 million for grants for municipal parks and recreation and historic preservation projects, including \$18.75 million for projects in underserved communities.

Article VII

- The Assembly accepts legislation that would repeal the surcharge associated with the vessel registration fee in compliance with federal law.
- The Assembly does not include legislation to remove the functional oversight of the State Council of Park, Recreation and Historic Preservation and the Regional Park, Recreation and Historic Preservation Commissions.

Assembly Budget Proposal SFY 2022-23 Department of Public Service

The Assembly provides an All Funds appropriation of \$618.5 million, an increase of \$501 million over the Executive proposal.

State Operations

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

Aid to Localities

- The Assembly provides \$1 million for utility intervenor reimbursements.
- The Assembly provides \$500 million to address utility arrears for any residential gas and electric utility customer statewide, including in Long Island. The Public Service Commission shall direct the allocation of funds within the following parameters:
 - arrears accrued during the current period of price spikes;
 - arrears for residential homes and buildings;
 - statewide distribution based on the utility's share of arrears; and
 - the Department is authorized to establish conditions for participation of utilities in the arrears program as follows:
 - avoidance of service disconnections;
 - incentives to forgive outstanding balances; and
 - reduce or place remaining arrears on an extended or affordable repayment plan.

Capital Projects

- Not applicable.

Article VII

- The Assembly modifies the Executive proposal that would extend for one year the authorization for certain State agencies to receive funding from assessments on utilities by limiting the authorization to public health education programs, providing \$19.2 million in ratepayer relief.
- The Assembly includes a proposal to establish a program for utility intervenor reimbursements for parties contributing to utility rate cases.
- The Assembly does not include the Executive proposal to eliminate the requirement that gas utilities provide a minimum length of natural gas line at no cost to new residential customers.

Assembly Budget Proposal SFY 2022-23 Department of State

The Assembly provides an All Funds appropriation of \$515.47 million, an increase of \$17.1 million over the Executive proposal.

State Operations

- The Assembly provides \$350,000 in support for the State Office of the Utility Consumer Advocate.

Aid to Localities

- The Assembly provides support for the following programs:
 - \$15 million in funding for community-based programs combatting biased crimes;
 - \$1.25 million for the Public Utility Law Project; and
 - \$500,000 for code enforcement in the County of Rockland.

Capital Projects

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

Article VII

- The Assembly does not include the Executive proposal to update and enhance the enforcement procedures within the state's Uniform Fire Prevention and Building Code and Energy Conservation Construction Code.
- The Assembly provides language to create the State Office of the Utility Consumer Advocate to serve as an independent advocacy office to aid residential utility customers in disputes with utility companies.

Assembly Budget Proposal SFY 2022-23 Department of Taxation and Finance

The Assembly provides an All Funds appropriation of \$475.2 million.

State Operations

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

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

- The Assembly accepts the Executive proposal to establish a one-year \$2.2 billion Homeowner Tax Rebate Credit for households that are eligible for STAR or Enhanced Senior STAR, and that have incomes below \$250,000. This credit would be calculated on a sliding scale based on household income and would be provided as an advanced payment in the fall of 2022.
- The Assembly accepts the Executive proposal to expand the definition of “financial institution” to include virtual currency businesses as it relates to the Financial Institution Data Management program.
- The Assembly modifies the Executive proposal to extend the telecommunications assessment ceiling program for four years, from January 1, 2023 to January 1, 2027, and to modify the process by which assessments are challenged under the program, to include confidentiality requirements related to any reports that are shared during the challenge proceedings.
- The Assembly accepts the Executive proposal to modify the process for a taxpayer to challenge a property tax assessment based on the Tax Department’s solar and wind valuation model, to only allow challenges to the local board of assessment review

concerning the model inputs that are used by local assessors, instead of challenges on the validity of the model itself, which would only be conducted under Article 78 of the New York Civil Practice Law and Rules.

Assembly Budget Proposal SFY 2022-23
Division of Tax Appeals

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

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Assembly Budget Proposal SFY 2022-23 Department of Transportation

The Assembly provides an All Funds appropriation of \$13.9 billion.

State Operations

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

Aid to Localities

- The Assembly provides \$315.2 million for upstate transit operating assistance, an increase of \$54.6 million over the Executive proposal. This increase reflects the first year of a plan to increase upstate transit operating assistance by 50 percent over five years.
 - This funding includes \$3.3 million for the Capital District Transportation Authority (CDTA) to expand their service territory to Montgomery County, an increase of \$1 million over the Executive proposal.
- The Assembly provides \$300,000 to the CDTA to provide mass transit service at no cost to the State workforce.
- The Assembly provides \$10 million for a new grant program for e-hail on-demand pilot programs.

Capital Projects

- The Assembly provides \$3.6 billion for the state road and bridge program, an increase of \$136 million from the Executive proposal.
- The Assembly provides \$200 million for the State Route NY program, an increase of \$100 million.
- The Assembly provides \$200 million over the five-year plan to Non-MTA Transit Capital Plan, including \$100 million for upstate transit systems.
- The Assembly reallocates appropriations for engineering costs to support DOT State workforce engineers.

- The Assembly modifies appropriation language to ensure that grant application scoring for the Airport Revitalization Competition is consistent with the requirements of the CLCPA.

Article VII

- The Assembly accepts the Executive proposal to add Montgomery County to the CDTA district, thereby allowing State Transportation Operating Assistance (STOA) to be paid to CDTA for mass transportation services provided in Montgomery County.
- The Assembly does not include the Executive proposal to expand crimes committed against certain transportation workers; prohibit motorists from intruding into active work zones and create a work zone safety and outreach program; modify laws relating to crashed vehicles; increase penalties for failure to exercise due care as it relates to pedestrians and bicyclists, for the illegal operation of commercial vehicles on parkways and highways, and for violations related to work permits issued by the Department of Transportation (DOT); require notification to certain drivers of parkway and highway vehicle restrictions; and regulate the use of global positioning systems (GPS) on commercial vehicles.
- The Assembly does not include the Executive proposal to increase the threshold under which Consolidated Local Highway Assistance Program (CHIPs) projects may be performed by a municipality's own forces or by competitive bid contract from \$350,000 to \$750,000.
- The Assembly does not include the Executive proposal to modify the Airport Improvement and Revitalization Program (AIR-99) by eliminating the loan program and technical assistance, increasing grant amounts, and making changes to the application process and required approvals.
- The Assembly does not include the Executive proposal to authorize DOT to enter lands adjacent to a state highway or adjoining, or in stream or creek beds, on a temporary basis to perform emergency repairs for the safe functionality and operation of State highways and bridges when impacted by storm damage, landslide or retaining wall or drainage failure.

Assembly Budget Proposal SFY 2022-23 Urban Development Corporation

The Assembly provides an All Funds appropriation of \$3.98 billion, an increase of \$365,000 over the Executive proposal.

State Operations

- Not applicable.

Aid to Localities

- The Assembly provides:
 - \$365,00 in support for the MWBE Development and Lending program;
 - \$25 million in support of climate and green job training initiatives from the Workforce Development Grant Program;
 - \$6 million for the Small Business Innovation Research and Small Business Technology Transfer Grant Program within the Innovation Venture Competition Program; and
 - language to support reentry initiatives within the Workforce Development Grant Program, as well as encourages the Empire State Development Corporation to work with all relevant agencies within the programs.

Capital Projects

- The Assembly proposes \$500 million for market and shovel ready sites within the Regional Economic and Community Assistance Program.

Article VII

- The Assembly does not include the Executive proposal to authorize NYPA to lease or otherwise dispose of excess capacity in its broadband technologies and infrastructure to other instrumentalities of the state.

- The Assembly proposes to modify the Executive proposal to extend the general loan powers of the Urban Development Corporation (UDC) for one year rather than three.
- The Assembly proposes to modify the Executive proposal to extend the authorization of the UDC to administer the Empire State Development Fund for one year rather than three.
- The Assembly proposes to modify the Executive proposal to create the Small Business Seed Funding Grant Program to provide funding to support early stage small and micro businesses by expanding the business selection criteria and reporting requirements.
- The Assembly proposes to modify the Executive proposal to increase funding caps for demolition and rehabilitation of property as well as adding residential apartment units as eligible properties to receive rehabilitation funds under the RESTORE -NY program by including provisions for affordable housing related to residential apartment units.
- The Assembly proposes language that would repeal the use and occupancy fee for the state right of way.
- The Assembly proposes language, which would:
 - create in statute a searchable database of economic development programs; and
 - create a grant program to provide funds to small businesses who have been awarded phase one or phase two grants under the federal Small Business Innovation Research and Small Business Technology Transfer programs.

Assembly Budget Proposal SFY 2022-23
Miscellaneous: Transportation, Economic Development and Environmental

Green Thumb Program

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

Greenway Heritage Conservancy for the Hudson River Valley

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

Hudson River Park Trust

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

Hudson River Valley Greenway Communities Council

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

World University Games

- The Assembly modifies the Executive proposal to require the Olympic Regional Development Authority to report on all revenues and expenditures related to the World University Games.

New York Power Authority

State Operations

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

Article VII

- The Assembly does not include an Executive proposal to authorize NYPA to form a pure captive insurance company.
- The Assembly does not include an Executive proposal to authorize NYPA to provide energy services to general hospitals.

LEGISLATURE & JUDICIARY

By Agency

Assembly Budget Proposal SFY 2022-23 Judiciary

The Assembly provides an All-Funds Appropriation of \$3.3 billion.

State Operations

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

Aid to Localities

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

Capital Projects

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

Article VII

- The Assembly does not include the Executive proposal to modify market interest rates on judgments and accrued claims.
- The Assembly does not include the Executive proposal to reissue marriage certificates upon proof of name or gender designation changes.

DEBT SERVICE

Assembly Budget Proposal SFY 2022-23 Debt Service/Capital Projects

The Assembly provides an All Funds Debt Service appropriation of \$15.7 billion. The Assembly provides All Funds Capital appropriations totaling \$37.1 billion, an increase of \$6.8 billion over the Executive.

Capital Projects

- The Assembly modifies the Executive proposal to provide \$2.3 billion in additional support for the Housing Capital Plan, including:
 - \$1 billion for Limited Equity Cooperatives;
 - \$500 million for NYCHA;
 - \$250 million for homeownership capital;
 - \$150 million for Housing Our Neighbors with Dignity Act (HONDA)
 - \$130 million for Mitchell Lama;
 - \$100 million for land banks;
 - \$100 million for weatherization projects;
 - \$74 million for the Affordable Housing Corporation; and
 - \$20 million for the small rental development initiative.

- The Assembly modifies the Executive proposal to provide additional support for the following initiatives:
 - \$2.4 billion for new SUNY and CUNY initiatives, totaling \$3.3 billion;
 - \$1 billion to the Clean Water, Clean Air, and Green Jobs Bond Act;
 - \$156 million for the DOT Capital Plan;
 - \$100 million for State Route New York;
 - \$48 million to Parks NY Works, for a total of \$250 million;
 - \$30 million for Higher Education Matching grants, for a total of \$60 million;
 - \$20 million for Arts and Cultural Grants, for a total of \$40 million;
 - \$20 million for Library Capital Grants for a total of \$34 million; and
 - \$2.5 million for humane societies and animal shelters for a total \$7.5 million.

- The Assembly proposes the following initiatives:
 - \$200 million for improvements to Child Care sites;
 - \$50 million for the expansion of Mental Health and Substance Use Treatment Services;

- \$50 million for equipment and technology for Alternatives to Incarceration programs;
- \$30 million for Education Opportunity Centers;
- \$10 million for Municipal Police Body-worn Cameras;
- \$10 million for Independent Living Opportunities;
- \$10 million for Veterans;
- \$5 million for Local Fairs;
- \$5 million for Cornell Farmland Research;
- \$5 million for Beginning Farmers; and
- \$2.5 million for Labor Schools Capital projects.

Debt Service

Article VII

- The Assembly accepts the Executive proposals to:
 - authorize the use of the Mental Health debt service appropriation to make arbitrage rebate payments to the federal government;
 - authorize the State's contribution of no more than \$2.4 billion to the Gateway project, the passenger rail project which includes the preservation and improvement of the long-distance and commuter rail infrastructure between New York and New Jersey;
 - repeal redundant reporting requirements of certain capital funds by various authorities and state agencies; and
 - extend for three years DASNY's ability to create subsidiaries.
- The Assembly modifies the Executive proposal to:
 - allow DASNY to assist recipients of loans or grants from the NYS Downtown Revitalization Program, to require that such work be performed in compliance with the public works laws.

- The Assembly provides a proposal to:
 - repeal the provision of law that authorizes the Governor to unilaterally remove board members from the Public Authorities Control Board (PACB).

- The Assembly does not include the Executive proposal to:
 - extend for one year the authorization to issue up to \$3 billion in short-term personal income tax (PIT) revenue anticipation notes;
 - extend for one year the authorization to enter into line of credit agreements of up to \$3 billion;
 - make not-for-profits presumptively eligible for DASNY construction, design and financing services for capital projects over \$15 million;
 - make any state authority presumptively eligible for DASNY construction, design and financing services for capital projects;
 - authorize DASNY to create a prequalified bidder program; and
 - authorize OASAS to use DASNY services in relation to voluntary-operated service facilities.

- The Assembly modifies the following bond caps:
 - Dedicated Highway and Bridge Trust Fund increased from \$19.8 billion to \$19.9 billion;
 - SUNY Educational Facilities increased from \$16.4 billion to \$17.6 billion;
 - Economic Development Projects increased from \$13.9 billion to \$14 billion;
 - Housing Programs increased from \$12.5 billion to \$14.8 billion;
 - Local Highway Projects increased from \$13.1 billion to \$13.2 billion;
 - Mental Health services facilities increased from \$10.93 billion to \$10.98 billion;
 - CUNY Senior and Community Colleges increased from \$10.1 billion to \$11.3 billion;
 - Environmental infrastructure increased from \$8.09 billion to \$8.13 billion;
 - HECAP increased from \$330 million to \$360 million;
 - Library Facilities increased from \$313 million to \$333 million; and
 - \$2.5 million for animal shelters.

- The Assembly proposes the following bond caps including:
 - \$200 million for Childcare Programs;
 - \$50 million for County Equipment and Technology for ATI Programs;
 - \$10 million for Veterans Services;
 - \$10 million for Municipal Police Body-worn Cameras;
 - \$5 million for Local Fair;
 - \$5 million for Agriculture Cornell Farmland Research; and
 - \$5 million for Beginning Farmers Fund.