

SENATOR  
ANDREA STEWART-COUSINS  
DEMOCRATIC CONFERENCE LEADER  
STEWARTCOUSINS.NYSENATE.GOV



THE SENATE  
STATE OF NEW YORK

**ALBANY OFFICES:**  
907 LEGISLATIVE OFFICE BUILDING  
ALBANY, NEW YORK 12247  
(518) 455-2585  
FAX (518) 426-6811

315 CAPITOL  
ALBANY, NEW YORK 12247  
(518) 455-2715  
FAX (518) 426-6844

**DISTRICT OFFICE:**  
28 WELLS AVENUE, BUILDING 3  
YONKERS, NEW YORK 10701  
(914) 423-4031  
FAX (914) 423-0979

**NYC OFFICE:**  
250 BROADWAY, SUITE 1930  
NEW YORK, NEW YORK 10007  
(212) 298-5585  
FAX (212) 298-5610

March 7, 2016

Honorable John Flanagan  
Temporary President & Majority Leader  
New York State Senate  
Capitol Room 330  
Albany, New York 12247

Dear Senator Flanagan:

With the conclusion of the Joint Legislative Budget Hearings on the Executive Budget, the Senate Democratic Conference has reviewed and analyzed the testimony of stakeholders and we have generated a series of priorities and recommendations for the 2016 State Budget. The initiatives that are outlined below are common sense proposals to help grow our state economy, improve the lives of hard-working New Yorkers and re-earn the public's trust in State government. Albany must become a place of action and not just political posturing, and that is why I urge you to review these recommendations and work with the Senate Democrats to achieve meaningful results in the State Budget.

While the Budget is clearly a financial requirement, it has also become the main policy document generated by State government and, as such, the Senate Democrats want to ensure essential reforms and initiatives are included in the Enacted Budget. New York must be a national leader on issues including raising the minimum wage and implementing a real paid family leave program. No New Yorker should work a full time job and still be unable to support their family or risk losing their employment due to family obligations and caring for a loved one. Additionally, no New Yorker should doubt that their elected representatives truly work for their constituents, and that means we need to pass meaningful and comprehensive ethics reform measures.

In addition to these policy initiatives, the Senate Democrats have a series of priorities that should be included in the Senate Budget Resolution and the final Enacted Budget. We have a responsibility to lower the tax burden on struggling New York families and we must finally end the Gap Elimination Adjustment. We need to help our local governments with increased AIM funding and the removal of unfunded mandates. We must help small businesses with increased investment in revolving loan funds and targeted investments. We need to ensure that the state



pays its fair share of Medicaid and higher education costs to avoid overburdening local governments. We have to ensure that all New Yorkers have access to affordable, quality homes and ensure those enduring homelessness have the tools they need to live in security and dignity.

These proposals should be included in the Enacted Budget and the value of these budget priorities are balanced, consistent with the SFY 2016-17 financial plan, and responsibly within the recently agreed to revenue consensus. These are all common sense initiatives that will grow the state economy and improve the quality of life for all New Yorkers.

### **Labor & Workforce**

The Senate Democratic Conference has led the fight for a more progressive minimum wage rate for several years, and we join the Governor in emphasizing how important this proposal is for all New Yorkers. We are pleased that the Executive has included a strong, progressive proposal to increase the minimum wage that will make New York a leader in addressing rampant income inequality and support our low-wage workers.

One sector that may struggle with the proposed increase is our human service non-profit providers. Because these providers receive much or all of their operating budgets through fixed governmental payments, there are concerns regarding the effect this increase will have on their ability to operate. Therefore, it is important that the state ensure that this important minimum wage increase does not reduce services provided to vulnerable New Yorkers, and that proper support for both minimum wage increases and state-contracted facilities cost-of-living adjustment is provided. The Senate Democratic Conference recommends the following:

- Support the Executive's minimum wage proposal for a \$15/hr minimum wage and include language to index future minimum wage increases to inflation;
- Support a paid family leave program as outlined in S.3004/Addabbo, similar to the Executive's proposal (in particular the 30 day amended version that increased the maximum weekly salary to 2/3<sup>rd</sup>s of average weekly wages) with an expansion to increase the weekly benefit for Temporary Disability Insurance;
- Reject the Executive Budget reforms to the Workers' Compensation system, which would threaten due process and consolidate decision-making authority away from the legislatively-confirmed Board;
- Oppose proposed FOIL reform that would allow for the disclosure of state negotiated public-sector collective bargaining agreements prior to approval by state employees;
- Reject proposals that would cut the health benefits for current and future state retirees;
- Restore labor initiatives and training programs cut from the Executive Budget;
- Oppose the closures of additional OPWDD facilities, due to increased need for options and services for people with development disabilities, as well as the closures' negative impact on the State workforce;

- Restore and increase \$26.18 million for Workforce Development Programs including the following:
  - \$10.1 million for YouthBuild;
  - \$3.5 million for the Displace Homemaker Service;
  - \$1.3 million for the Cornell ILR School’s Leadership Institute, Domestic Violence Program and Worker Institute; and
  - \$7.5 million AFL-CIO Workforce Development Initiative training programs; and
- Insist that any expansion of design-build contracting, including expansions to NYC DOT specific projects, or newly funded large-scale construction such as REDC projects, include labor protections such as project labor agreements, prevailing wage, use of DOL certified apprenticeships by contractors, and MWBE set-asides. The proposed design-build authorization for the reconstruction at Penn Station (the Empire Station Complex) and the Jacob Javits Center provide a strong model for current and future project labor agreements, and should be followed regardless of the procurement method utilized.

### **Ethics**

The Senate Democratic Conference understands the need for ethics and campaign finance reform in our government. Over the past several years, Senate Democrats have introduced the most comprehensive package of bills in the legislature aimed at restoring the public’s trust in its government. We strongly support these proposals in conjunction with the reforms included in the Executive budget, which includes lowering contribution limits, limiting the role of soft money to party committees, and closing the long abused LLC loophole. We firmly believe the Enacted Budget should also include voter registration provisions as outlined in various legislative proposals advanced by the Senate Democratic Conference, to modernize and automate voter registration, increase access, and provide early voting. These new programs are essential for enhancing our democracy.

### **Education**

The Executive budget must recognize and adequately address issues regarding education funding, from universal pre-kindergarten through college. Early investment in our youngest New Yorkers pays dividends not just in the education realm, but also in concrete economic, social, and cultural terms. Furthermore, teachers need more professional development to be fully prepared to deal with the challenges of education in the 21<sup>st</sup> century. The overall State Aid proposal should provide a larger increase to Foundation Aid, eliminate the harmful effects created by the Gap Elimination Adjustment (GEA), and acknowledge the obligations due under the Campaign for Fiscal Equity (CFE) lawsuit.

The Senate Democratic Conference supports a multi-year continuation of Mayoral Control of New York City public schools. As a group, we encourage a robust discussion of the elements that comprise the current system – composition and selection of PEP members, the relationship between parents, PTA, teachers, administrators, superintendents, and most of all, students and student performance. We believe, after more than a decade of real-world experience with the current system, that some amendments are warranted to current procedures. If the final 2016-17 budget is adopted without reference to Mayoral Control, we anticipate identifying these amendments for passage by June 2016, when the one-year extension (passed last year,) expires. Overall, we support a rational dialogue, drained of political maneuvers and ideological agendas, since we have the lives and futures of over 1 million New York City school children at stake with these decisions. Our Conference recommends the following:

- Include \$2 billion in additional State Aid for school districts by restarting the Foundation Aid formula, completing the Foundation Aid phase-in over the next five-years, and eliminating the GEA in School Year (SY) 2016-2017;
- Increase the amount of State Aid for Community Schools by \$100 million;
- Modify or deny the current implementation of the receivership program;
- Increase the BOCES cap on salaries gradually from \$30,000 to \$50,000 over a five-year period;
  - Provide funding for Aid to Career Education (Special Services Aid) from \$3,900 to \$5,000;
- Provide professional development for teachers by funding Teacher Centers at the SFY 2008-09 level of \$40 million;
- Increase library aid funding by \$5 million, and library construction aid by \$2 million;
- Increase funding equitably for the 4201 schools while continuing support for rate methodology increases for Section 4410 schools, Special Act school districts and 853 schools;
- Increase Adult Literacy funds by \$10 million; and
- Support current efforts for My Brother's Keeper Initiative and the Black Male Initiative with \$7.5 million in funding.

### **General Government & Local Assistance**

Local governments across New York are as diverse as the people they represent. While federal and state government receive much of the attention for the laws, regulations, and policy decisions they make, it is local governments that administer programs and services with the most direct day-to-day impact on people's lives. Local governments are responsible for public education, police and fire protection, road maintenance, parks, health programs, and much more. To effectively meet the common challenges that these overlapping governing bodies encounter,

it is vitally important that there be a cohesive relationship between the State and its municipalities on every level.

Mandate relief would bring real reform for local governments by relieving them of unfair financial burdens. The following budgetary considerations would provide NYS municipalities with the funds required to deliver local services that are essential to our state's overall economic growth and would assist in reducing our municipalities' dependence on property taxes:

- Increase AIM by \$285 million for all NYS local governments;
- Provide additional AIM assistance to localities that meet the challenge to consolidate costs and improve local efficiencies in the coming years, including a tax cap equalization aid program that would provide AIM bumps for municipalities that stay within the tax cap;
- Exempt capital equipment purchases and capital projects from the tax cap, giving local governments more flexibility to invest in local infrastructure;
- Support the Downtown Revitalization Program Initiative, but amend the language to allow a broader number of local governments to be eligible to apply for the grants, focusing on local downtown zones as development opportunities. This proposal should focus on the special qualities of local downtown districts to promote economic development opportunities;
- Grant municipalities more autonomy over decisions impacting their revenue;
- Increase funding for the Office of New Americans;
- Provide \$4 million in funding for assisting State agencies in MWBE administration;
- Support the proposal in the Governor's 30 Day Amendment submission to modify the existing PILOT program schedule for the City of Albany to provide \$12.5 million of additional payments in 2016-17;
- Increase PULP funding by \$500,000;
- Repurpose the \$150 million appropriation (Special Infrastructure Account) for municipal restructuring for local government assistance statewide and reimbursing municipalities for prior year consolidation and/or shared service agreements; and
- Include a Capital Projects \$1 billion appropriation dedicated to schools and local governments (HECap model).

### **Economic Development & Energy**

The Senate Democratic Conference strongly supports job creation and economic development throughout the State. Micro, small, and medium-sized businesses create a major share of the job growth in our communities. We support policies that will assist small businesses in succeeding and that give everyone an equal opportunity to participate and thrive in New York's economy. The Senate Democratic Conference recommends the following:

- Increase funds by \$10 million for the Minority- and Women-Owned Business Development and Lending Program, administered by Empire State Development;
- Direct \$50 million in new funding for the Small Business Revolving Loan Fund, targeting businesses that have difficulty accessing regular credit markets, and offering regular and micro-loans pursuant to the need;
- Provide \$50 million for the Community Development Financial Institutions program. These funds will allow this program to provide the credit, banking services, and investment capital that are vital to the revitalization of low and moderate income communities throughout the State, while leveraging federal and other banking investments;
- Add \$2 million for the Entrepreneurial Assistance Program (EAP) to assist entrepreneurs, especially minorities, women, and dislocated workers in strengthening and creating new businesses. Of this amount:
  - \$350,000 restores funding to EAP centers for the assistance of veterans starting or seeking to start new business ventures, or to train veterans in the principles and practices of entrepreneurship to prepare them for self-employment opportunities;
- Target \$25 million in funds for the Urban and Community Development Program of the Empire State Development Corporation to help economically distressed communities;
- Direct \$25 million in new funding to establish the Hire NY program. Hire New York will provide zero interest loans to businesses with less than 5 employees for the purpose of hiring New York residents;
- Provide \$5 million to establish a small business energy loan fund in order to provide loan interest rates reductions and zero or low interest loans up to \$100,000 to small businesses in economically distressed areas for energy efficiency projects and advanced energy technologies;
- Ensure that all regions of the state benefit from state economic development expenditures by the Urban Development Corporation (UDC) and the Empire State Development Corporation (ESDC);
- Provide an additional \$250,000 for the West Indian American Day Carnival Association, Inc.(WIADCA);
- Include increased funding for next phase of close out of coal fire plants; and
- Restore \$1.3 million to the Centers of Excellence Program.

## **Health**

New York is responsible for the healthcare of millions of working New Yorkers. It is critical that the state continue its strong support for health services. The SFY 2016-17 Executive Budget includes \$137 billion in support for the Department of Health, including \$63.3 billion for Medicaid spending, of which \$17.8 billion represents the state share for Medicaid. Many critical

healthcare programs are in need of additional support in order to promote a healthy life for all of our constituents. The Senate Democratic Conference recommends the following modifications:

- Reject the following proposals:
  - Reinstate the growth factor to New York City's Medicaid spending;
  - End spousal refusal and reduce the threshold for determining community spouses' contribution for long term care services;
  - Reduce the Medicare Part B cost sharing amounts;
  - Repeal prescriber prevails in fee for service and managed care Medicaid;
  - Establish limited (retail) clinics; and
  - Reject the Executive proposal to modify the Excess Medical Malpractice Program, to restore \$25 million in eliminated funding, and extend the current program for three years;
- Provide additional funding for the following programs:
  - Tobacco Control Program, \$18.86 million;
  - School Based Health Programs, \$3.8 million;
  - Community Health Advocates, \$1.5 million;
  - Healthy Foods, \$18 million:
    - \$3 million for healthy foods in corner stores and bodegas; and
    - \$15 million for the Healthy Foods and Communities Fund;
  - New York Alliance for Donation, \$248,000;
  - Ending the AIDS Epidemic Blueprint, \$93.85 million;
  - Maternity and Early Childhood Foundation, \$1 million;
  - Hunger Prevention Nutrition Assistance Program (HPNAP), \$16.5 million;
  - Family Planning Services, \$2.4 million;
  - Sickle Cell Anemia Treatment, \$1 million; and
  - Health care for Migrant Workers and Seasonal Farm Workers, \$24,000;
- Include language that would establish a Health Care Guaranty Fund to reimburse providers for uncompensated care as a result of the collapse of health insurance companies such as Health Republic;
- Provide support for the operation of public hospitals that service large Medicaid and uninsured populations;
- Amend the Article VII language that would shift management and responsibility for transportation services away from Adult Day Health Care programs to remote State Medicaid transportation brokers;
- Support reforms to the Early Intervention program to ensure that counties and service providers are paid for services rendered on a timely basis;
- Include language that would establish a contingency fund up to \$54.4 million for uncompensated care for diagnostic and treatment centers. These funds would only be

accessed in the event that the Federal share of these dollars are not made available prior to February 15, 2017; and

- Include \$20 million in new Capital funding for the Community Health Care Revolving Capital Fund.

### **Higher Education**

This Conference opposes the Executive budget language providing for a so-called CUNY Funding Shift, which places responsibility for 30% (\$485 million) of Senior College funding on the City of New York. Furthermore, a substantive maintenance of effort for both SUNY and CUNY is essential for the future of both institutions. With this in mind, the Senate Democratic Conference recommends the following:

- Expand the Maintenance of Effort provisions within the SUNY/CUNY 2020 language to provide support for our institutions;
  - Increase mandatory costs such as utilities and rentals by 10%;
- Reject the CUNY Funding Shift and restore full funding to the Senior Colleges;
  - Uncouple \$240 million appropriation for the CUNY contract costs from the Funding Shift;
- Approve the Dream Act;
- Restore and increase program funding for HEOP, as well as SUNY and CUNY opportunity programs, including:
  - \$1.65 million for the Joseph Murphy Institute;
  - \$5 million for SEEK;
  - \$2.75 million for ASAP;
  - \$2.68 million for EOP;
  - \$1.65 million for EOC;
  - \$1.65 million for Graduate Achievement and Placement Program (GAPP); and
  - \$500,000 for CUNY LEADS;
- Restore and increase CUNY and SUNY Child Care Center funding by 10%;
- Increase Community College Base Aid by \$150 per FTE;
- Support funding for new higher education capital initiatives, and address critical maintenance needs;
- Amend student credit requirements for part-time TAP eligibility;
- Provide \$5 million for a new Graduate TAP program;
- Provide \$10 million for community college merit scholarship demonstration pilot;
- Develop a pilot college loan forgiveness program for public school teachers and government employees;
- Increase SUNY Hospital Funding by \$18.6 million;
- Provide \$2.8 million for CUNY Medical School at City College;



- Amend SUNY/CUNY 2020 TAP Credit Language to provide for maximum TAP award, rather than \$5,000 (in current language);
- Include Independent Colleges in STEM Scholarships;
- Provide additional support for early college high schools; and
- Provide \$1.2 million for the On Point for College Program.

## **Housing**

Housing is one of the most critical needs of any individual in providing the foundation for success in nearly every aspect of life. Having a safe place to live is fundamental to making the many services that society provides effective. Access to supportive and affordable housing is the most successful and cost-effective solution to ending homelessness and creating an opportunity for successful outcomes. The Senate Democratic Conference proposes the following:

- Add \$150 million in Capital spending for NYCHA to address issues dealing with roofing leaks, light fixtures and security issues. Furthermore, funds appropriated to NYCHA in SFY 2015-16 should be distributed as soon as possible;
- Clearly define the \$2 billion expenditure within Housing, House NY and other programs;
- Support and increase the Executive recommendations of the HOUSE NY/ Homeless and Housing Plan and support funding for:
  - \$14 million for Homes for Working families Program;
  - \$4.2 million for Main Street Program;
  - \$6.44 million for Public Housing Modernization Program;
  - \$75 million in reappropriations for House NY from the JP Morgan Settlement;
  - \$22.3 million for the Rural Rental Assistance Program;
  - \$42 million Mitchell-Lama Portfolio;
  - \$8.4 million for the Neighborhood Preservation Program;
  - \$3.5 million for the Rural Preservation Program;
  - \$32.5 million for the Rural and Urban Community Development Fund Program;
  - \$10 million Low Income Housing Trust Fund;
  - \$12.8 million Homes for Working Families Program; and
  - \$15.7 million Homeless Housing Programs: NYSHP/STEHP/Aids Housing;
- Provide additional funding for the following:
  - \$10 million for the Affordable Housing Corporation;
  - \$10 million the NYS Housing Trust Funds for small projects;
  - \$4 million for Access to Home;
  - \$250,000 for the Rural Housing Coalition; and
  - \$50 million for Senior Housing;
- Increase funding for the Office of Rent Administration (ORA) by \$5.5 million over the Executive Budget for additional staff to decrease response time for tenant complaints;
- Restore \$742,000 for the Tenant Pilot Program;
- Oppose Temporary Operators for Shelters as proposed in the Executive Budget;

- Oppose language requiring NYS Design and Construction Corporation to regulate various state contracts valued at \$50 million or more;
- Support direct funding for the Tenant Protection Unit (TPU); and
- Provide \$400 million over two years in repurposed bank settlement recoveries to create the Community Restoration Fund (CRF). A New York State CRF could build on the success of programs which fund foreclosure prevention housing counseling and legal services for lower- and middle- income homeowners by purchasing distressed mortgage notes and providing for mortgage modifications and other tools to preserve our affordable housing stock.

### **Agriculture & Environment**

Climate Change poses significant risks to New York State communities and infrastructure. Storms like Hurricane Sandy have focused attention on the effects that extreme climate events have on our state, reminding New Yorkers that we are vulnerable to a range of climate hazards today and in the future. Climate-related impacts are occurring across regions of the country and impacting many sectors of our economy, and our policies should be mindful of and account for this reality.

Additionally, sewage and wastewater treatment facilities in New York State are deteriorating as New York's residents rely on these facilities to treat sewage and wastewater from their homes and businesses. Treating wastewater adequately is essential for public health and economic development. As these issues are of extreme importance to the Senate Democratic Conference, we propose the following:

- Support an increase to \$800 million to fund clean water and wastewater infrastructure projects;
- Support the Executive Budget proposal to fund the Environmental Protection Fund (EPF) for at least \$300 million:
  - Increase Hudson River Park funding by \$2.7 million, for a total allocation of \$3.5 million;
  - Support the increase of Environmental Justice Program funding to \$7 million including \$2 million for Environmental Justice Community Impact Grants, and create a separate allocation for the Connect Kids Parks Access Program apart from the Environmental Justice appropriation; and
  - Add \$4 million to the Catskill Park and Forest Preserve from the EPF;
- Support the establishment of a Climate Change Mitigation and Adaptation Account within the Environmental Protection Fund;
- Modify proposed waterfront revitalization hardship community criteria to include eligibility for New York City communities;
- Reject the proposed \$23 million transfer of Regional Greenhouse Gas Initiative proceeds to the General Fund;

- Reject any proposal that would further delays to the implementation of the Diesel Emissions Reduction Act (DERA);
- Fully restore Aid to Localities funding for Agricultural programs;
- Increase support for the Farm to School Initiative to \$1 million;
- Support \$90 million in New York Works Capital Funding for State Park infrastructure improvements;
- Ensure that infrastructure expenditures are directed towards green jobs and green infrastructure; and
- As a complement to water infrastructure funding, provide technical assistance and other support to utilities to help prevent water leaks and waste that cost taxpayers.

### **Human Services**

Human services agencies in New York State provide for the needs of vulnerable populations and ensure safety and equality for all New Yorkers. Programs funded through the State Office for the Aging (SOFA), Office of Children and Family Services (OCFS) and the Office of Temporary and Disability Assistance (OTDA) include supportive services for seniors, individuals and families living in poverty, services for children in foster care or in need of protective interventions, support for adults and disabled individuals who are unable to work, and child care subsidies for working families. The Senate Democratic Conference makes the following funding requests to ensure that New York State meets the needs of all vulnerable residents:

- \$100 million increase for Child Care Subsidies;
- \$90 million contingency appropriation for Child Care Health & Safety Requirements (background checks, licensing, compliance, training and professional development);
- Include legislation that would create the Childcare Advance program, a tax-deferral benefit to allow working families to pay for childcare;
- Support Capital appropriation for the Executive's Anti-Poverty Initiative and increase by \$25 million for programmatic support statewide;
- \$3 million increase for the Disability Advocacy Program;
- \$10 million increase for the Summer Youth Employment Program (SYEP);
- \$100 million in TANF re-programming:
  - \$19.5 million restoration for eliminated TANF program funding for: Advanced Technology Training and Information Networking (ATTAIN) labs, Child Care Demonstration Programs (upstate and NYC), ACCESS Welfare-to-Careers, Bridge, Centro of Oneida, Community Solutions for Transportation, Educational Resources, Rochester-Genesee Regional Transportation Authority, Strengthening Families Through Stronger Fathers, Non Residential Domestic Violence, Career Pathways, SUNY and CUNY Child Care, Emergency Homeless, Wage Subsidy, and Wheels for Work; and

- \$80.5 million increase in TANF funding for various programs such as: Advantage Afterschool Program, Settlement Houses, Emergency Homeless, and additional ATTAIN labs;
- Oppose language in the Aid to Localities appropriations budget that allows the State to withhold reimbursement of monies from New York City for expenses incurred by the State-related to human services programs (shelter beds);
- \$5.5 million increase for the Runaway and Homeless Youth Programs;
- Increase funding for the Nurse Family Partnerships;
- Increase funding for the Health Families NY Home Visiting;
- Provide funding for critical homeless shelter repairs found necessary in oversight reports;
- Increase funding and support the development of a more flexible NORC/NNORC program by updating eligibility provisions, including changes to the minimum number of older adults and required density of older adults, and revision of match requirement;
- \$1.5 million for the New York State Alliance of Boys and Girls Clubs;
- \$1.4 million for 2-1-1;
- \$10 million for Council of Family and Child Caring Agencies (COFCCA) Residential Campuses for Children in State Care/Loan Forgiveness Programs;
- \$13 million in Capital funding for the expansion of Runaway & Homeless Youth beds Statewide;
- \$260,000 in support of the Lesbian, Gay, Bisexual & Transgender Community Center's Foster Care Project;
- \$1.2 million restoration for legislative adds for SOFA Programs;
- \$100,000 increase for the Patient's Rights Hotline;
- \$28 million increase for NY Connects;
- \$15 million increase for Community Services for the Elderly (CSE) Program (without a local match requirement);
- \$10 million increase for the Elder Abuse Education and Outreach Program (Lifespan);
- \$15 million increase for Respite Programs;
- \$8.3 million in funding for the Family Eviction Prevention Subsidy (FEPS), to deliver shelter payments to those facing eviction in housing court;
- Increase monthly child welfare housing subsidy;
- Restore state's share for child welfare services back to 65% (from 62%);
- \$100,000 increase for the Kinship Navigator Program; and
- \$2.4 million increase for existing and new Kinship programs.

## **Raise the Age**

The State of New York is the second-to-last state in the country to recognize the fundamental differences between youth aged 16 and 17 and adults. It is vital and imperative to enact legislation to raise the age of criminal responsibility for it will lead to a decrease in recidivism among youth and improve public safety. This legislation fairly balances the individual needs of 16- and 17-year-olds with the degree of crime committed. It is our responsibility to secure age and gender appropriate critical services across the State.

## **Mental Hygiene**

The SFY 2016-17 Executive Budget provides \$9.6 billion in support for all of the agencies under Mental Hygiene. This level of funding includes: \$3.9 billion for the Office of Mental Health; \$616.2 million for the Office of Alcoholism and Substance Abuse Services, and \$4.4 billion for the Office for People With Developmental Disabilities. The Senate Democratic Conference recommends the following modifications:

- Provide additional funding for programs as follows:
  - \$4 million in funding for additional Substance Abuse Prevention Intervention Specialists (SAPIS);
  - Ensure that there is adequate funding for Mental Health professionals to implement provisions of the Raise the Age proposal;
  - Provide additional support for new, creative projects that expand state services for people with developmental needs, such as state-operated respite care, individual residential alternatives, and community care pilot programs.
  - Provide funding for Technology and Workforce Development to assist in the launch of Children's health homes and transition of children into Medicaid Managed Care. Provide a care management service model whereby all of an individual's (child) caregivers communicate with one another so that all of a patient's needs are addressed in a comprehensive manner;
  - \$10 million in funding for Children's Behavioral Health Capacity Building and Start-Up Grant Program;
  - \$1.5 million in funding for the New York State Suicide Prevention Council;
- Include \$50 million in Capital funding for additional Supportive Housing for homeless individuals with mental health issues;
- Reject the proposals to authorize the State to establish temporary operators at community facilities that are experiencing financial or operational hardships; and
- Restore \$300,000 legislative add for Suicide Prevention Crisis Services Inc;
- Amend Jail Based Restoration Programs to ensure better oversight of programs by the State agencies.

## **Public Protection**

Each year many of the areas of public protection are presented with a similar scenario, with the Executive removing previous Legislative appropriations, only to have them restored at the end of negotiations. Our Conference supports the restoration of the Legislative adds especially the DCJS and Homeland adds for Alternatives to Incarceration, District Attorneys, prison programs and other Local initiatives.

We firmly believe the Enacted Budget should also include special prosecutor provisions, as outlined in various legislative proposals advanced by the Senate Democratic Conference. The Senate Democratic Conference also proposes the following:

- Strongly support the full funding of civil legal services;
- Support codifying the Court Appointed Special Advocate's (CASA's) role and include \$4.5 million in funding;
- Support \$180,000 for the Commission on Judicial Nomination for administrative costs;
- Support an increase share of revenue to Town Courts;
- Restore the Legislative add of \$3 million for Upstate case load relief;
- Support the \$16 million for Counsel at arraignment implementation (Hurrell-Harring Settlement);
- Support the \$2.2 million for the Prisoners' Legal Services (PLS);
- Restore \$13.5 million in DCJS funding for New York City-based program;
- Continue and increase funding for SNUG;
- Support additional funds for various local police programs;
- Support Capital increases for counties and restoration programs for county jails;
- Restore the Legislative add of \$500,000 for the Red Cross to maintain an adequate blood supply in case of a natural disaster; and
- Restore \$1.2 million Legislative Add for the Defenders Association.

## **Taxes & Revenue**

Even though the recovery from the Great Recession of 2009 has been underway for many years, real wage growth has still not shown the gains needed to support a real middle class standard of living. We strongly believe it is vital that working families across all regions of the State obtain immediate and concrete relief in the SFY 2016-17 State Budget. Following that basic premise, our Conference recommendations regarding State taxes and revenue include:

- Support the following:
  - Enhancement of the Youth Works Tax Credit Program;
  - Increasing the Low Income Housing Tax Credit program;
  - Permanently extending the non-custodial Earned Income Tax Credit;

- Provide a beverage tasting sales tax exemptions and the expansion of production credits in all regions of the State;
  - Inclusion of small business tax rate reductions, but refine definition changes; and
  - Extension of the Hire-a-Vet Tax Credit Program;
- Review all existing State expenditures in order to determine if they are not economically efficient and whether they directly promote job creation and economic development growth;
- Amend the existing NYS Real Property Tax Law for school districts experiencing issues of incongruent property valuations to establish a special equalization rate for the purpose of determining its State operating and building aid;
- Either deny or fundamentally alter the proposed Thruway Toll Tax Credit Program, as it is not clear how this current proposal would lead to increased employment and greater economic activity. Furthermore, this proposal would substantially reduce State revenue for three years;
- Deny Section 46 of Part N of the Public Protection and General Government Article VII bill which permits the State of New York to realize refunding savings on debt refunded by the City of New York with State resources. Under this legislation, the City of New York would lose \$200 million per year over the next three years in sales tax revenue; and
- Deny Part R of the SFY 2016-17 Transportation, Economic Development and Environmental Conservation Article VII bill regarding the Private Activity Bond Allocation Act of 2016. This proposal requires that the NYS Empire Development Corporation (ESDC) have approval over the allocation of Federal Tax-exempt bonds to the NYC Housing Development Corporation (HDC). This is the first time ESDC approval would be required for such use. If enacted, this measure would cause major unnecessary program and construction delays.

## **Transportation**

Capital expenditures in transportation have a tremendous economic multiplier effect and the existence of strong critical infrastructure drives our economy. With this in mind, the Senate Democratic Conference supports appropriations reflecting the significant investments needed to meet the State's infrastructure needs and new initiatives to promote sound regional development, along with the following legislative recommendations:

- Provide the funding needed to ensure MTA/DOT parity, to reverse the deteriorating conditions of our transportation systems and make progress in its rehabilitation. Fair investment between the MTA system and state and local roads and bridges is needed;
- Increase funding for the Consolidated Highway Improvement Program (CHIPS). The Democratic Conference supports using \$200 million to make a significant impact on local road and bridge capital needs;

- Include an appropriation or funding source to begin implementing the State's \$7.3 billion commitment to the MTA Capital Plan. Providing no appropriation or funding sources while mandating the MTA to exhaust its other funding sources undermines our commitment to transit riders and creates uncertainties moving ahead. It is important to invest in the State's long-term growth while the State is experiencing surpluses and a favorable interest rate environment;
- Clarify the funding for the Airport Revitalization, Extreme Weather and BRIDGE NY/PAVE NY programs to reflect the Department's stated intention to allocate state and local project funds equally, by either providing for local input in project selection or allocating in accordance with the CHIPS formula;
- Revise alternative procurement authorization for MTA to ensure that local regulations are respected and facilitate compromise, and ensure current employee protections, such as prevailing wage and MWBE participation;
- Dedicate \$20 million of DOT 5-year capital plan funds annually toward bicycle and pedestrian infrastructure grants to supplement federal funds;
- Increase capital assistance for passenger and freight rail systems to \$50 million per year.
- Use \$250 million to invest in the five-year capital needs of non-MTA transit systems, including but not limited to NFTA, RGRTA, CDTA, and Centro, supplementing current State support for items such as light rail, facility upgrades, and equipment purchases. Link upstate transit aid (PTOA) to a more reliable funding stream;
- Ensure transparency by providing for legislature review and debate of the DOT's long-term needs assessment, five-year capital plan (with defined projects), and any MOU before voting on it. Further, the Executive should provide a chart of projected obligations for the coming fiscal year, consistent with historic precedent; and
- Provide additional detail as to the necessity of the Design and Construction Corporation subsidiary, what agencies and authorities need this oversight, and how this proposal works with existing cost control safeguards.

### **Veterans**

To acknowledge New York's veterans' service to our country and to give them support they need at home, the Senate Democratic Conference recommends the following:

- Restore the Legislative add of \$500,000 for the Veterans Defense Program;
- Support the Veterans' Buyback of pension credits for military service;
- Expand the Joseph P. Dwyer Veteran Peer To Peer Program to include veterans in New York City;
- Support the new Veterans Research And Recognition Project with \$2 million to provide treatment for veterans with PTSD;
- Restore the \$250,000 Legislative add for American Legion Indigent Burial Expenses;



- Support \$2 million program to prevent veterans' homelessness; and
- Provide \$50,000 to study veterans' health and homelessness to Touro Law School.

Thank you for your consideration.

Sincerely,



---

Senator Andrea Stewart-Cousins  
Leader, Senate Democratic Conference



---

Senator Liz Krueger  
Ranking Member, Senate Finance Committee

cc: Governor Andrew M. Cuomo  
Speaker Carl E. Heastie