



2021-22 Executive Budget Summary

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Overview

FY 2022 Executive Budget Proposal Totals \$193 Billion

Governor Andrew Cuomo outlined the \$193 billion FY 2022 Executive Budget to reimagine, rebuild and renew New York in the wake of the ongoing COVID-19 pandemic.

The Governor presented two budget options, depending on the level of funding the federal government provides to New York. According to the Governor, the first option is \$15 billion in federal aid which, would support New York State's ongoing war against the pandemic and aggressive post-COVID reconstruction plan. The second option is \$6 billion in federal aid combined with significant tax increases, increase borrowing, and spending reductions.

Significant FY22 Executive Budget legislative proposals include: transportation worker safety; electronic bidding for the New York State Thruway; various changes to Metropolitan Transportation Authority; repurposing underutilized commercial space for housing; brownfield tax credits; standard clauses in state contracts; affordable housing sales tax credit; prevailing wage on certain renewable energy projects; personal income tax increases for high income and middle class; authorization of recreational cannabis; mobile sports betting; and other proposals in section two of this document.

The following summary provides a broad overview of capital funding and laws proposed in the 2021-22 Executive Budget. As additional information becomes available, AGC NYS will keep you apprised of significant amendments and upon approval of the Governor and Legislature an adopted FY22 New York State Budget summary.

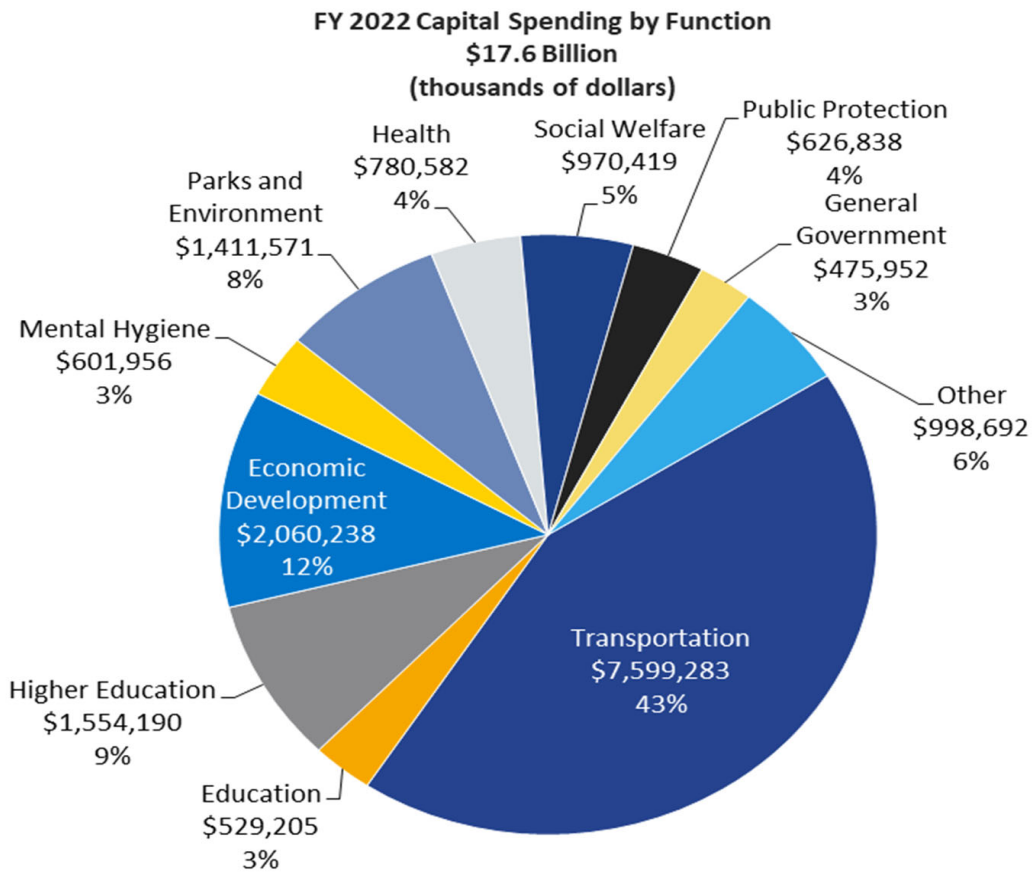
Capital and Economic Development Programs

CAPITAL SPENDING BY FUNCTION AND FINANCING SOURCE CAPITAL PROGRAM AND FINANCING PLAN FY 2021 AND FY 2022 (thousands of dollars)				
	<u>FY 2021 Current</u>	<u>FY 2022 Proposed</u>	<u>Annual Change</u>	<u>Annual % Change</u>
Spending				
Transportation	6,182,118	7,599,283	1,417,165	22.9%
Education	484,252	529,205	44,953	9.3%
Higher Education	1,251,856	1,554,190	302,334	24.2%
Economic Development	1,879,717	2,060,238	180,521	9.6%
Parks and Environment	1,246,290	1,411,571	165,281	13.3%
Mental Hygiene	504,609	601,956	97,347	19.3%
Health	667,867	780,582	112,715	16.9%
Social Welfare	856,971	970,419	113,448	13.2%
Public Protection	587,420	626,838	39,418	6.7%
General Government	533,525	475,952	(57,573)	-10.8%
All Other ¹	59,534	998,692	939,158	1577.5%
Total	14,254,159	17,608,926	3,354,767	23.5%
Off-Budget Spending ²	<u>(305,250)</u>	<u>(400,000)</u>	<u>(94,750)</u>	
Financial Plan Capital Spending	<u>13,948,909</u>	<u>17,208,926</u>	<u>3,260,017</u>	<u>23.4%</u>
Financing Source				
	<u>FY 2021 Current</u>	<u>FY 2022 Proposed</u>	<u>Annual Change</u>	<u>Annual % Change</u>
Authority Bonds	7,810,488	11,065,862	3,255,374	41.7%
Federal Pay-As-You-Go	2,169,802	2,232,916	63,114	2.9%
State Pay-As-You-Go	3,911,327	3,897,606	(13,721)	-0.4%
General Obligation Bonds	<u>362,542</u>	<u>412,542</u>	<u>50,000</u>	<u>13.8%</u>
Total	<u>14,254,159</u>	<u>17,608,926</u>	<u>3,354,767</u>	<u>23.5%</u>
¹	Accommodates potential under-spending projected to occur as a result of normal timing related to the delivery of capital projects.			
²	Represents spending which occurs directly from bond proceeds held by public authorities. Remaining Off-Budget spending, for CUNY and the EXCEL program, is expected to be transitioned to an On-Budget structure in FY's 2022 and 2023, respectively. Adjustments to Off-Budget spending will be reflected in the Enacted Budget Capital Plan.			

Capital Projects Spending Overview

Capital projects spending from State appropriations is projected to total \$17.6 billion in FY 2022. This includes \$17.2 billion in spending that appears in the State’s Financial Plan and \$400 million in off-budget spending that is currently being financed directly from bond proceeds. Capital spending in FY 2022 is expected to be financed with State-supported debt (\$11.5 billion, 65 percent); State cash resources (\$3.9 billion, 22 percent); and Federal aid (\$2.2 billion, 13 percent). Capital spending over the next five years is expected to average approximately \$14.6 billion annually. In FY 2022, capital spending is projected to increase by 24 percent compared to FY 2021.

State capital spending is authorized from appropriations made in the State budget and funded with State authority bonds, General Obligation Bonds, PAYGO resources, and/or federal grants. The State Capital Plan is one resource used to support the \$306 billion Statewide infrastructure plan and balances the need to preserve the State’s assets, invest in new initiatives, and maintain a plan that is affordable. The Capital Plan limits debt issuances to a level that is expected to allow the State to remain in compliance with its statutorily imposed debt limits and maintains sufficient capital spending for core capital projects. Also, the Capital Plan continues investments in transportation and transit infrastructure, affordable and homeless housing, economic development, environmental protection and infrastructure, and health care.



Major Infrastructure Investments

Major new capital initiatives in the Executive Budget include:

Empire Station. The State has made significant progress with its ongoing investment to combine extensive renovations at the existing Penn Station with the transformation of the James A. Farley Post Office building into the Moynihan Train Hall to create a new Empire Station. In December 2020, a key element of the plan – the Moynihan Train Hall project – was completed. The next phase is to expand Penn Station southward to create the Empire Station District. The plan creates new, larger terminals, and will increase track and train capacity by 40 percent. The Capital Plan includes a \$1.3 billion capital appropriation, which may be used for the initial property acquisition required to implement the project.

Transportation and Transit. The Executive Budget continues the second year of a record two-year, \$11.9 billion DOT Capital Plan that supports State and local roads and bridges. This record level of investment provides DOT with resources necessary to renew and modernize infrastructure, and to continue to drive economic development in local communities. The shorter, two-year DOT Plan is proposed due to Federal funding uncertainty. The Federal FAST Act was extended for one year and is now set to expire on September 30, 2021.

FY 2022 EXECUTIVE BUDGET NEW CAPITAL APPROPRIATIONS (thousands of dollars)			
	<u>FY 2022 Appropriation</u>		<u>FY 2022 Appropriation</u>
<u>Transportation/Transit</u>	<u>6,570,217</u>	<u>Health/Mental Hygiene</u>	<u>954,242</u>
DOT: Highway, Bridge, Aviation, Rail, & Transit (Year 2), inc. Federal	6,092,420	Mental Hygiene Programs	733,072
CHIPs/Other Local Road and Bridge Funding	477,797	Healthcare Programs	169,866
		Roswell Park Capital	51,304
<u>Parks/Environment/Ag & Markets</u>	<u>1,085,250</u>	<u>Economic Development</u>	<u>1,875,000</u>
Clean Water Infrastructure	500,000	Empire Station Complex	1,300,000
Environmental Protection Fund	300,000	NYW Economic Development Fund	220,000
Parks NY Works	110,000	Regional Economic Development Councils (Round 11)	150,000
State Superfund	100,000	Olympic Regional Development	105,000
DEC NY Works	75,250	Downtown Revitalization Initiative (Round 6)	100,000
<u>Education/Higher Education</u>	<u>1,089,321</u>	<u>Public Protection/ General Government</u>	<u>881,700</u>
SUNY/CUNY Systemwide Maintenance	834,222	Prison Facilities	437,000
SUNY Hospitals	150,000	State Facilities (OGS)	234,000
Community College Projects	50,099	Statewide Equipment Program	100,000
School Aid Data System	41,000	IT Initiative Funding	95,700
Library Capital Grants	14,000	Armory Maintenance	15,000
<u>Social Welfare</u>	<u>589,653</u>	<u>All Other Capital Appropriations</u>	<u>1,767,795</u>
Homeless Housing Assistance Program	128,000		
Additional Supportive Housing	186,000		
Additional Affordable Housing	102,200		
Storm Recovery	130,000		
Youth Facilities	43,453		
		<u>Total Capital Appropriations</u>	<u>14,813,178</u>

The Capital Plan also adds and/or continues funding for the following:

MTA Capital Commitment. The Capital Plan continues a \$3 billion appropriation for the State's contribution to the \$51.5 billion 2020-2024 MTA Capital Plan.

Resiliency Initiative. The Capital Plan continues funding for the Lake Ontario Resiliency and Economic Development Initiative. In May 2019, \$300 million was committed to strengthening infrastructure and promoting natural solutions along the Lake Ontario and St. Lawrence River waterfronts. The REDI Commission, a multi-agency task force, has designated 133 projects for grants which were announced in October 2019.

Higher Education. SUNY and CUNY campuses continue to receive support for their capital assets in the Capital Plan. Since FY 2012, the State has provided more than \$10 billion in capital appropriations to maintain and improve campus facilities. The FY 2022 Capital Plan continues to provide funding for SUNY and CUNY campuses by adding an additional \$1.4 billion in capital support for maintenance and preservation of campus facilities, hospitals, and other initiatives.

ORDA Capital Improvements. The Capital Plan includes \$105 million in new capital funding for ORDA, including \$92.5 million for a modernization plan to support improvements to the Olympic facilities and ski resorts. Such improvements are expected to attract more visitors to these destinations and also better position Lake Placid to host the 2023 World University Games. Funding of \$10 million is provided for maintenance and energy efficiency upgrades, and \$2.5 million is appropriated from OPRHP as part of the New York Works initiative.

Affordable and Homeless Housing. The Capital Plan continues the \$20 billion, comprehensive five-year investment in affordable housing, supportive housing, and related services to provide New Yorkers with safe and secure housing. The Executive Budget includes \$250 million in additional capital funding to continue the goal of creating 20,000 units of supportive housing over a 15-year period.

Economic Development. The Capital Plan provides nearly \$500 million in economic development grants, including REDC grants, and a sixth round of Downtown Revitalization grants.

State Parks. The State continues its multi-year capital investment to fund capital rehabilitation and improvement of State parks and historic sites. The Capital Plan includes \$110 million in New York Works capital funding to OPRHP.

Environmental Protection. The Capital Plan contains \$300 million for the EPF, continuing the highest level of funding in State history.

Clean Water Infrastructure. The Capital Plan continues a \$5.0 billion commitment for clean water by including a new installment of \$500 million to support drinking water infrastructure, wastewater infrastructure, and water quality protection.

Hazardous Waste Remediation. The Capital Plan includes an additional \$100 million in authority for the State Superfund to remediate hazardous waste sites. This is part of a multi-year \$1 billion investment in the Superfund.

Health Care. The Capital Plan continues capital investments intended to help health care providers transition to fiscally sustainable health care systems and to support capital projects, debt retirement, working capital, and other non-capital projects. The total amount of capital support provided to health care providers is \$3.8 billion.

FY22 Capital Program

Transportation

The FY 2022 Executive Budget includes funding to support the DOT Capital Plan and the MTA Capital Plan. Both plans represent increases over previous plans and invest funds to continue to improve the State's transportation system.

Building on prior DOT investments, the Executive Budget provides \$5.8 billion in FY 2022 for the second year of a two-year DOT Capital Plan which will facilitate the improvement of New York State's roads, bridges, airports, rail facilities, ports, and other transit systems. The DOT Capital Plan includes funding from both State and Federal resources.

The Capital Plan includes FY 2022 funding of \$478 million for the CHIPS and Marchiselli local highway and bridge programs; \$125 million for non-MTA transit systems, including \$20 million for the second year of a five-year, \$100 million investment in electric buses; \$28 million for freight and passenger rail; and \$17 million for aviation. The Plan also commits \$100 million in local highway aid through the PAVE NY program and \$100 million to fund local bridge projects from the BRIDGE NY program.

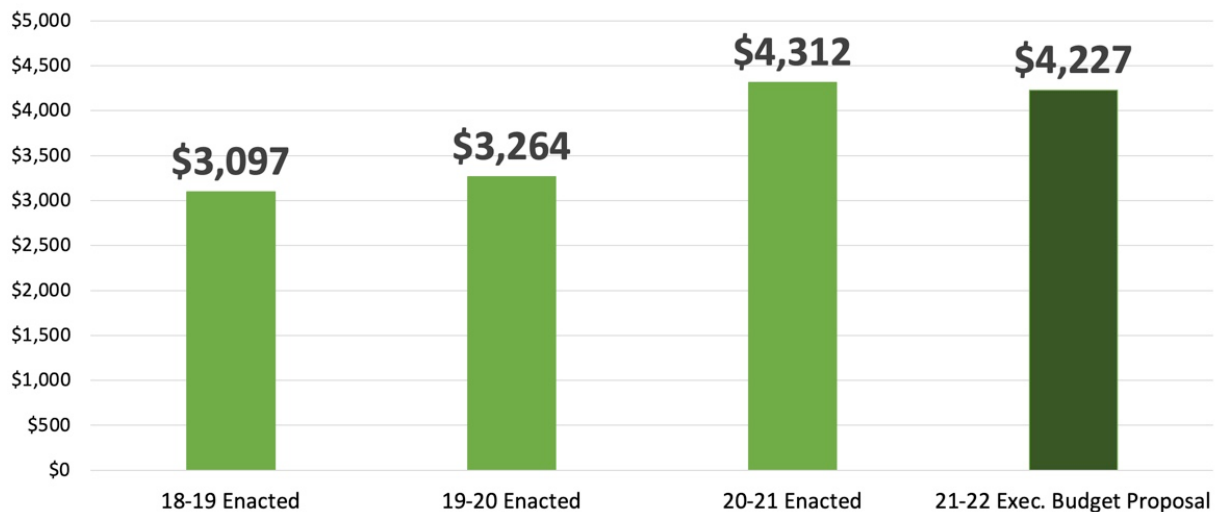
The MTA's \$51.5 billion 2020-2024 Capital Program was approved in FY 2020. This represents the largest investment in MTA infrastructure in State history. The program will revitalize the subway system and prioritizes improvements to signal technology, increased accessibility, addressing quality of life concerns, investments in the LIRR and Metro North Railroad, and upgrading bus service. In 2019, the Governor and Legislature secured \$25 billion in financing to directly support the MTA's capital needs, which includes \$15 billion from the Central Business District Tolling Program, and \$10 billion from a tax on high-end real estate sales and from internet sales taxes.

Furthermore, New York State has appropriated an additional \$3 billion investment to fund the MTA's 2020-2024 Capital Program and secured an equal New York City match to this investment. The program will increase accessibility by making 70 additional subway stations ADA-accessible so that stations serving over 60 percent of passengers will be fully accessible.

In addition, the new MTA Capital Plan will advance several major construction projects. These include Phase 2 of the Second Avenue Subway, which will provide three new fully ADA compliant stations and a connection with the Metro North Railroad. The Penn Station Access project is fully funded and will carry the New Haven line and East Bronx residents directly into Penn Station. Funds are provided for the final stage of the East Side Access project, which will bring the LIRR into Grand Central Station. The new program will also complete funding for the LIRR Third Track project, which adds 10 miles of mainline between Floral Park and Hicksville, providing capacity and shortening service disruptions for 41 percent of LIRR ridership.

NYSDOT Capital Program	SFY Enacted 18-19	SFY Enacted 19-20	SFY Enacted 20-21	SFY Executive Proposal 21-22
State/Local Construction	\$2,354	\$2,521	\$2,601	\$2,249
Van Wyck – Kew/Hunts Pt – Bruckner – I81	---	---	\$1,000	\$1,300
Engineering/Administration	\$778	\$582	\$994	\$890
Preventative Maintenance	\$356	\$360	\$360	\$370
Right of Way	\$45	\$67	\$60	\$60
Facilities/Equipment	\$32	\$32	\$32	\$32
Other Federal	\$25	\$25	\$25	\$25
Rail	\$72	\$72	\$72	\$72
Aviation	\$17	\$17	\$17	\$17
Non-MTA Transit	\$85	\$85	\$136	\$125
CHIPS/Marchiselli/EWR/Local PAVE NY	\$643	\$643	\$611	\$578
Airport Program	\$0	\$0	\$100	\$0
Local Bridge Program	\$100	\$100	\$100	\$100
Plan Total	\$4,507	\$4,504	\$6,108	\$5,818

NYSDOT State/Local Construction



Parks and Environment

DEC's capital spending is expected to average \$1.3 billion annually to meet health and safety requirements; ensure compliance with State and Federal environmental mandates; maintain and upgrade campgrounds, environmental centers and camps, fish hatcheries, and other State-owned facilities; maintain flood control structures; fund wastewater and drinking water infrastructure; and fund shore protection projects for communities threatened by coastal erosion.

Spending from the SPIF for rehabilitation and improvements at parks and historic sites is projected to average \$130 million annually over the Plan, including an average of \$37 million per year supported by OPRHP user fees.

The Capital Plan continues funding the EPF with \$300 million in new appropriations. Annual spending from the EPF is projected to average \$272 million.

Funding for the ten-year, \$1 billion State Superfund Program to remediate hazardous waste sites across the State is continued, including \$10 million per year for the Environmental Restoration Program to address municipally owned brownfields.

The Executive Budget proposes a new round of \$500 million for clean water infrastructure grants. This new funding will support the State's commitment to invest \$5 billion in the development of clean drinking water and wastewater infrastructure, as well as source water protection.

The Capital Plan includes a new round of capital appropriations under the New York Works program, which provides \$75 million in new State funding to the DEC for flood control, air monitoring infrastructure, information technology, repair and maintenance of dams, stewardship of State lands, and the rehabilitation of fish hatcheries.

\$110 million will support the OPRHP New York Works capital projects budget and \$2.5 million is provided for improvements at facilities operated by ORDA.

Economic Development

Economic development spending will support capital projects and programs that are integrated with regional strategies intended to create jobs, increase economic activity, and retain and attract businesses to the State.

The Capital Plan includes nearly \$500 million in new appropriations for regional economic development initiatives. The new funding provides: \$150 million for competitively determined economic development projects through the REDC; \$220 million for the New York Works Economic Development Fund; \$105 million for ORDA; and \$8 million for Market New York projects; and \$2 million for the Buffalo Bills.

The Capital Plan maintains over \$6.5 billion in reappropriated capital funding for various economic development and regional initiatives, including: URI; Transformative Investment; REDC and high technology initiatives; grants for communities affected by correctional and youth facility closures; statewide competitive grant programs; specific downstate regional initiatives; and upstate city-by-city projects. Funding is also included for cultural facilities, university development, and environmental and energy projects.

Health

The Capital Plan continues \$3.8 billion in capital investments to make infrastructure improvements and provide financial assistance to support health care providers. This includes \$1.2 billion in capital funding for health care providers to transition into fiscally sustainable systems and to support capital projects, debt retirement, working capital, alternative payment arrangements, and other statewide needs. Of this amount, \$5 million will be made available for regional perinatal care centers or other health providers to establish telehealth applications.

The five-year capital spending plan includes projected grant disbursements from the \$1.2 billion Capital Restructuring Financing Program and the Health Care Facility Transformation Program for Kings County (\$700 million), Oneida County (\$300 million), and statewide (\$1.2 billion).

The Capital Plan continues \$355 million in additional health care capital funding re-appropriated from the Special Infrastructure Account to support essential health care facility transformations.

Education

Current estimates in the Capital Plan project that the State will spend approximately \$1.7 billion over the upcoming five-year period for SED's capital projects. This projection includes: \$1.3 billion for the Smart Schools Bond Act; \$15 million for Smart Schools special education and nonpublic school projects; \$70 million for public library construction projects; \$55 million for the Cultural Education Storage Facility; \$71 million for nonpublic school health and safety equipment purchases; \$51 million for safety and security upgrades at nonpublic schools, day cares, community centers, and residential and day camps; \$41 million for the development of a modernized State aid data system; \$30 million for health and safety projects at the State-supported schools for the blind and deaf; \$21 million to support personal service and other costs associated with staff whose duties include the maintenance, preservation, and operation of SED facilities; \$15 million for infrastructure improvements and minor rehabilitation projects at the Rome School for the Deaf, Batavia School for the Blind, the Cultural Education Center, and the Education Building; \$37 million for EXCEL; and \$8 million for other projects including the New York State Museum Gallery Renewal and the Statewide Longitudinal Data System.

The Capital Plan expands SED's capital budget by providing an additional \$85 million in new capital appropriations to support: construction projects at local libraries (\$14 million), the development of an electronic licensing system for the Office of the Professions (\$8 million), the development of a modernized State aid data system (\$41 million), maintenance projects at SED's State-owned facilities (\$3 million), nonpublic school health and safety equipment purchases (\$15 million), and personal service and other costs associated with staff whose duties include the maintenance, preservation, and operation of SED facilities (\$4 million). Overall spending for education capital projects is projected to increase by \$45 million in FY 2022, largely due to the Smart Schools Bond Act.

Higher Education

The Capital Plan supports the State's capital investment in public higher education by providing SUNY and CUNY with \$6.5 billion in new appropriations during the upcoming five-year period. New capital funding will allow the university systems to maintain existing capital infrastructure, as well as advance new capital investments.

The Capital Plan includes a \$4.2 billion five-year capital maintenance plan (\$2.8 billion for SUNY and \$1.4 billion for CUNY) to support infrastructure improvements at State-operated and senior college campuses. For FY 2022, the Capital Plan provides \$1.0 billion in new bonded spending authority which includes: \$550 million for SUNY State-operated campuses; \$284 million for CUNY senior colleges; \$150 million for SUNY hospitals; and \$50 million (\$15 million for SUNY and \$35 million for CUNY) to support capital projects at community college campuses.

The Capital Plan estimates \$1.6 billion in FY 2022 disbursements for higher education capital expenses. Of this amount, SUNY is projected to spend \$1.1 billion, which includes \$660 million associated with the State-operated campuses and hospitals, \$91 million for community colleges, \$75 million for educational facility projects supported by non-State funds (i.e., grants and donations), \$79 million for dormitory related projects, \$25 million for the SUCF and maintenance projects, and \$193 million for staff whose job duties include the maintenance, preservation, and operation of facilities. CUNY is projected to spend \$420 million in FY 2021 for capital projects, including \$385 million for senior colleges and community colleges, as well as \$35 million for operating costs and maintenance projects supported by the General Fund. Additionally, the HECap Program is expected to disburse \$13 million during FY 2022 in support of private college and university projects. Overall spending for higher education capital projects is projected to increase by \$302 million on a year-to-year basis in FY 2022.

**State University of New York (SUNY)
2021/22 Executive Budget
SUNY Capital
(\$M)**

<u>Program</u>	<u>2021/22 Request</u>	<u>2021/22 Executive Budget</u>	<u>Variance</u>	<u>Funding Source</u>
SUNY-Wide				
- SUNY-Wide Digital Transformation Project	\$163.0	\$0.0	(\$163.0)	Bonded Capital (State Supported)
Educational Facilities				
- Base Critical Maintenance	650.0	550.0	(\$100.0)	Bonded Capital (State Supported)
Hospitals				
- Critical Maintenance & Strategic Needs	150.0	150.0	0.0	Bonded Capital (Hospital Supported)
Residence Halls				
- Pay-as-you-go Capital	75.0	75.0	0.0	Residence Hall Revenues
Community Colleges				
- 50% State Share	14.6	14.6	0.0	Bonded Capital (State Supported)
Total	\$1,052.6	\$789.6	(\$263.0)	

General Government

General government capital spending is expected to decrease by \$58 million in FY 2022 and includes construction, rehabilitation, consolidation, and renovation of State office buildings to maintain asset value, achieve space efficiencies, reduce operational costs, and reduce costs associated with State information technology projects.

Social Welfare

Capital spending for social welfare supports HHAP grants administered by OTDA, the preservation and maintenance of youth facilities operated by OCFS, and programs administered by HCR to create and preserve affordable housing units across the State. The Capital Plan increases the existing multi-year investment in affordable and supportive housing, as well as services for the homeless.

2020-21 NYS Budget - Article VII Legislation

Transportation, Economic Development and Environmental Conservation

PART B – Addressing Safety of Transportation Workers, Pedestrians, and the Public

This bill would enhance the safety of transportation workers, pedestrians, bicyclists, and the traveling public by increasing fines and penalties for violations and by clarifying responsibility and authority relating to accident clearance. Includes:

- Creates a new section 118a of the VTL defining highway worker. Includes contractor and flagger;
- Imposing tougher criminal penalties for perpetrators of violence against transportation workers;
- Requiring the mandatory revocation of perpetrator’s driver’s license following a conviction for certain crimes against highway workers; and
- Establishing new penalties for intrusion into an active work zone.

Subparts A and C, relating to penalties for violations against workers and pedestrians, would take effect 180 days after the bill is passed. Subparts B and D, relating to incident clearance and public outreach, would take effect immediately.

PART C – Clarify Legal Authority for Electronic Bidding on Thruway Construction Contracts

This bill would clarify that construction related bids submitted to the Thruway Authority include those submitted electronically as permitted by the Thruway Authority. This bill would take effect immediately.

PART E – Toll Enforcement

This bill ensures the fair collection of tolls owed to public authorities such as MTA Bridges and Tunnels and others with toll facilities in New York State. Amends Penal Law to make the intentional use of any toll facility without payment a theft-of-services crime. Amends Vehicle and Traffic Law to increase penalties on drivers operating motor vehicles with altered or obscured license plates while on toll facilities and in the tolled central business district. This bill would take effect 90 days after it becomes law.

PART F – MTA Procurement

This bill reforms the MTA and NYCT’s bidding processes; eliminates redundant approvals for design-build contracts; alters advertisement procedures for bids; permits the use of existing contracts awarded by governments; allows for a once-yearly review of the Qualified Products

Lists; and makes permanent certain existing procurement provisions. This bill would take effect immediately.

PART G – MTA Utility Relocation

To allow MTA construction projects to move forward on schedule by requiring that public utility companies, as well as the City of New York, relocate their pipes, mains, conduits and other infrastructure within time frames set by MTA after consultation with the utility or the City. This bill would take effect immediately.

PART H – MTA Subway Accessibility

To clarify that subway accessibility projects - even when undertaken indirectly by private developers related to the Metropolitan Transportation Authority or New York City Transit Authority - are MTA transportation facilities. Clarifying that such projects are to remain so designated entitles the MTA to occupy portions of the streets of the City, in consultation with the City's Department of Transportation, to ensure that such projects proceed expeditiously. This bill would take effect immediately.

PART I – MTA Worker Assault and Harassment

This bill adds transit employee titles to Penal Law which makes it a felony to attack and physically injure transit workers and increases the safety of MTA employees by creating the new crime of aggravated harassment of a transit worker in the second degree, for on-duty public-facing transit workers. This bill would take effect 90 days after it becomes law.

PART K – Economic Development Fund Extender

This bill would extend Empire State Development Corporation's (ESDC) ability to implement the Economic Development Fund for 3 years. This bill would take effect immediately.

PART L – Repurposing Underutilized Commercial Space for Housing

This bill would authorize flexibility in zoning to address high commercial vacancy rates and underutilized hotel properties located within specified areas in New York City, particularly in response to the COVID-19 pandemic. This bill would take effect immediately.

PART P – Electronic Notarization

Amend various provisions of the Executive Law to permit notaries to rely on approved technologies to verify identity and to notarize documents remotely. This bill would take effect immediately.

PART S – Permitting Powers of the New York Convention Center Operating Corporation

This bill would grant the New York Convention Center Operating Corporation (CCOC) the ability to act as a construction-permitting agency authorized to permit for the Javits Convention Center. This bill would take effect immediately.

PART T – LIPA Debt Restructuring

This bill would permit the issuance by the Utility Debt Securitization Authority (UDSA) of additional securitized restructuring and/or refunding to fund costs of improvements to the Long Island Power Authority's (LIPA) transmission and distribution system.

This bill would also add a new definition; "system resiliency costs." System resiliency costs are defined as costs of rebuilding, improving or constructing transmission and distribution system assets to increase resiliency of such assets, better withstand changes in climate, absorb impacts from outage-inducing events, and recover quickly from outages. Included in the definition of such costs would be costs of purchasing, redeeming or defeasing debt of the authority incurred to finance system resiliency costs or reimbursing the authority for amounts already spent on such costs. This bill would take effect immediately.

PART Z – Bay Park Alienation Amendments

This bill would revise the boundaries of temporary and permanent easements in order to construct a sewer main beneath certain parklands owned by Nassau County, the Village of East Rockaway, and the Village of Rockville Centre. These revisions are necessary to complete the Bay Park Conveyance Project, which will convey treated effluent from the Bay Park Sewage Treatment Plant to the Cedar Creek Water Pollution Control Plant's ocean outfall. This bill would take effect immediately.

PART AA – Extension of Brownfield Credits

This bill would allow certain developers within the brownfield cleanup program, and adversely impacted by the COVID-19 pandemic, additional time to complete redevelopment of these sites. This bill would take effect immediately.

PART BB – Allegheny County Land Easement

This bill would authorize the grant of easements to Alle-Catt Wind Energy LLC, on a proportion of real property within the Farmersville State Forest, Swift Hill State Forest, and Lost Nation State Forest in the county of Allegany. This legislation would allow the Department of Environmental Conservation (DEC) to grant easements as are part of a wind powered electric generation project. This bill would take effect immediately and shall expire and be deemed repealed five years after such date; provided, however, should the easements be granted within the five years, the term

of the easements will establish the end date of the easements. At such time the land will revert back to the State of New York for state forest purposes.

PART DD – Rail Advantaged Housing Act

This bill would establish the Rail Advantaged Housing Act to develop standard criteria and an accelerated review process for assessing the impact of a proposed zoning for new housing opportunities with minimal environmental impact along commuter rail transit corridors.

PART EE – NYSERDA Build-Ready Authorization

This bill would authorize NYSERDA to create single purpose project holding entities to acquire, sell and transfer rights and other interests under the Clean Energy Resources Development and Incentives Program, commonly referred to as the "build-ready program". The most effective, efficient and commercially acceptable way for NYSERDA to transfer build-ready projects to private renewable energy developers is for NYSERDA to create dedicated single purpose entities which, by extension, allows NYSERDA to transfer project site control and permit interests as a single package to a successful competitive bidder-developer. Private developers commonly use this structure because it virtually eliminates the need to obtain administrative approval to transfer environmental permits and other approvals, and it provides financial clarity for lenders. This bill would take effect immediately.

PART II – DASNY Design and Construction Services Extender for DEC and OPRHP

This bill would extend DASNY's authorization to provide design and construction services for the Department of Environmental Conservation (DEC) and the Office of Parks, Recreation, and Historic Preservation (OPRHP) for 3 years. This bill would take effect immediately.

PART RR – Expands DASNY's design and construction and loan services to Not for Profits and School Districts

This bill would make not for profits and school districts eligible to utilize DASNY's loan, design and construction services for capital projects over \$5 million. Further extends DASNY's loan services for working capital to not for profits and school districts for the duration of the COVID-19 pandemic. This bill would take effect immediately.

PART SS – Increasing the Bond Cap for Medical Facility Improvements

This bill would increase DASNY's authorization to issue bonds for construction projects related to healthcare facilities from \$16.6 billion to \$17.4 billion. This bill would take effect immediately.

Public Protection and General Government

Part V – NYSIF Out-of-State Coverage

This bill would allow the New York State Insurance Fund (SIF) to cover policyholders' out-of-state operations provided policyholders' main operations are in State. This bill provides greater coverage options for current SIF customers and expands service offerings for prospective customers. This proposal would modify WC Law to allow SIF to enter into coverage agreements with insurance providers licensed in other States. Under current law, SIF is not allowed to insure policyholders for business operations occurring across State lines, which can be a deterrent for NY businesses who wish to use SIF as their WC provider. This coverage is commonplace in the insurance industry and in other States. This bill would take effect immediately.

Part AA – Provide a variable market-based interest rate on court judgments and accrued claims paid by public and private entities

This bill would provide a variable market-based interest rate on court judgments and accrued claims paid by public and private entities, which will lower State taxpayer costs and provide mandate relief to local governments. This bill would take effect April 1, 2021.

Part GG – Standard Clauses and Authorized Signatories Act

This act would limit unfavorable terms in State contracts, disallow unauthorized obligations, and ensure transparency concerning who may bind State agencies to contracts.

Summary of Provisions and Statement in Support:

This bill requires that each State department post the listings of their authorized signatories on file with the Office of State Comptroller to the specific State department website. This will alert vendors and other third parties as to whom the department has authorized to sign contracts on its behalf and prevent unauthorized employees from entering into binding agreements.

The bill also limits unfavorable terms in State contracts, including indemnification and limitation of liability provisions and binding arbitration clauses. Additionally, vendors would be prohibited from unilaterally changing terms and conditions without the State's consent, thereby increasing transparency into terms and conditions changes. This bill would take effect immediately.

Part LL – Reduce AIM to Cities, Replace AIM for Remaining Towns and Villages with AIM-Related Payments, and Reduce all AIM-Related Payments by 20 Percent

This bill reduces Aid and Incentives for Municipalities (AIM) to all 61 cities outside New York City according to budget reliance, ranging from 2.5 percent to 20 percent, with more-reliant cities receiving a lower percentage reduction, and less-reliant cities receiving a higher percentage reduction, broken out by quartiles of reliance. For the 86 towns and 51 villages that currently receive \$8.5 million in AIM, this bill replaces AIM payments with AIM-related sales tax payments. Finally, this bill would reduce AIM-related sales tax payments to all towns and villages by 20

percent beginning in December 2021. This bill would take effect immediately, however reductions of AIM-related revenue would not take effect until the December 2021 disbursement.

Part OO – Extend Authorization for Local Government Piggyback Contracts

This bill would extend local governments' authority to "piggyback" on competitively bid contracts from the federal government and/or any state or local government for apparatus, materials, equipment, or supplies, and any services related to their installation, maintenance, and repair for an additional two years, to July 31, 2023.

Education, Labor and Family Assistance

PART D – Extend SUNY and CUNY procurement flexibility

This bill would extend existing procurement flexibility for SUNY, CUNY, their respective construction funds and SUNY healthcare facilities for an additional 5 years as well as authorize SUNY to purchase services through a consortium. Procurement flexibility for SUNY, CUNY, their respective construction funds and SUNY hospitals was originally enacted as part of the FY 2012 Budget (Chapter 58 of the laws of 2011) and subsequently extended in 2016. This bill would extend the same SUNY and CUNY procurement flexibility provisions for an additional five years through FY 2026. This bill would take effect immediately and sunset on June 30, 2026.

PART S – Prohibit Discrimination Based on Citizenship

This proposal would amend the Human Rights Law to make explicit that discrimination on the basis of citizenship and immigration status is unlawful in New York State.

PART T – Encourage Part-Time Work through Partial Unemployment Insurance Benefits

This bill would change the calculation for Unemployment Insurance (UI) benefits paid to claimants who work part-time while they seek full-time employment. This proposal would permit a claimant who is partially unemployed and eligible for benefits to be paid a reduced benefit amount equal to the difference between the claimant's benefit amount and that part of the claimant's wages for such week in excess of one hundred dollars or forty percent of the claimant's weekly benefit amount, whichever is greater. This bill would take effect one year from the date of enactment.

PART U – Clarify Sales Tax Exemptions for Affordable Housing Development

This bill would codify the eligibility of not-for-profit Housing Development Fund Corporations (HDFCs) that enter into a regulatory agreement with Homes and Community Renewal (HCR) or the NYC Department of Housing Preservation and Development (HPD) for a sales tax exemption to support the development of affordable housing. This bill would take effect immediately.

PART W – Paid Leave for COVID-19 Vaccination

This bill would require public and private employers to provide up to four hours of paid leave for up to two COVID-19 vaccinations for each employee. This bill would take effect immediately.

PART AA – Extend Prevailing Wage to Covered Renewable Energy Projects

This bill would create prevailing wage requirements for covered renewable energy projects, defined as construction work and engineering and consulting services performed in connection with either the installation of a renewable energy system, as such term is defined in section 66-p of the public service law, with a capacity over 25 megawatts alternating current and with a total project cost of over ten million dollars; or the installation of a solar energy system with a capacity over 5 megawatts alternating current and with a total project cost of over five million dollars. This bill would take effect on January 1, 2022.

Revenue

Part A – Enact Temporary PIT High Income Surcharge

This bill would impose a temporary personal income tax surcharge on high-income taxpayers. This bill would impose a temporary income tax surcharge on high-income taxpayers for Tax Years 2021 through 2023. The parameters of the surcharge would be governed by a new Tax Law § 602, which would include a schedule of surcharge rates and provisions for payment of the surcharge. The bill would allow taxpayers to pre-pay their Tax Year 2022 and 2023 surcharge liabilities in Tax Year 2021 and would allow a deduction beginning in Tax Year 2024 corresponding to the amount of any pre- payment. This bill would take effect immediately.

Part B – Delay Middle Class Tax Cut by One Year

This bill would delay the middle-class personal income tax cuts by one year. This bill would amend Tax Law § 601 to the delay the ongoing phase-in of the middle-class personal income tax rate cuts by one year. As a result, the rate schedules applicable for Tax Year 2020 would also apply for Tax Year 2021, and the rate schedules currently applicable for Tax Years 2021-2024 would each be delayed by one year. This bill would take effect immediately.

Part C – Enact a Pass-Through Entity Tax

This bill would create an optional pass-through entity tax for partnerships and S corporations to pay and deduct State taxes at the entity level in exchange for a personal income tax credit. The new pass-through entity tax will permit partners, members and shareholders of electing entities to indirectly deduct SALT taxes paid under Article 24-A for Federal purposes as outlined in IRS Notice 2020-75. This bill would take effect for tax years beginning on or after January 1, 2022.

Part G – Increase Wage and Withholding Filing Penalty

This bill would increase the maximum penalty imposed on employers for failure to provide complete and accurate wage reporting and withholding reports. Furthermore, it would increase the penalty calculation from \$50 per employee to \$100 per employee. This bill would take effect immediately and apply to returns filed on or after June 1, 2021.

Part H - Enact the Cannabis Regulation and Taxation Act

This bill would create and amend existing laws to legalize adult-use cannabis, consolidate governance of all forms of cannabis and create a regulatory structure to oversee the licensure, cultivation, production, distribution, sale and taxation of cannabis within New York State. Certain provisions of this bill would take effect immediately.

Part X – Development of Renewable Energy Projects

This bill would amend the real property tax law and general municipal law in relation to establishing a standardized approach for real property tax assessment for solar and wind infrastructure. This bill would extend the existing real property tax exemption for renewable energy projects to continue to meet the clean energy goals established under the Climate Leadership and Community Protection Act and provide appropriate and fair property taxation for wind and solar projects that are uniform across the State. The bill would establish a process for creating a standard methodology for the assessment of wind and solar projects that facilitates meeting New York’s aggressive carbon reduction goals, while still leaving municipalities the flexibility to negotiate Payments in Lieu of Taxes (PILOT) agreements. The great majority of projects reimburse municipalities and school districts through PILOT agreements. This bill would take effect immediately.

Part Y – Authorize Mobile Sports Wagering and Establish a Casino Tax Rate Petition Process

This bill would authorize mobile sports wagering in NY and establish a process for casinos to petition for a lower tax rate. This bill would take effect immediately.

Part GG – Extend Low-Income Housing Credits for Five Years

This bill would increase the aggregate dollar amount allocable for the state low-income housing tax credit by \$8 million for each of the next five years. Certain provisions of this law shall take effect immediately.

Part II – Extend the Hire-A-Vet Credit for Two Years

This bill would extend the tax credit provided for hiring a veteran for an additional two years, through tax years beginning before 2024. This bill would extend this credit an additional two

years to taxable years beginning before January 1, 2024, for employment commenced before January 1, 2023.

Equal Rights Amendment Concurrent Resolution

As it was first adopted in 1938, section 11 of Article 1 of the State Constitution prohibits discrimination based solely on race, color, creed or religion. Enactment of this proposal would match the State's commitment to equality by broadening protections against discrimination on the basis of sex, sexual orientation, gender identity or expression, ethnicity, national origin, age, and disability. This concurrent resolution becomes effective following passage by the Legislature over two successive legislative sessions, upon approval by voters.