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TO: Government Affairs Committee Members
 FROM: Ken Pokalsky
 SUBJECT: FY 208 Executive Budget Overview
 DATE: 1/19/17

Attached is our overview of key business issues presented Governor Cuomo’s Executive Budget for FY 2018. As the session progresses, we will update this chart to show Senate and Assembly one-house budget proposals and final action on these issues.

We welcome input from Business Council members on these issues and any other budget or non-budget issue of concern for the 2017 legislative session.

2017 BUDGET SUMMARY

CONSTRUCTION

ISSUE	EXECUTIVE BUDGET
MWBE and state contracts	Extends to December 31, 2018 the provisions governing MWBE contracting. TED Article VII Bill Part O
Infrastructure Investment Act	Extends the Infrastructure Investment Act and expands the authorization to use design/build to any authority as such term is defined in section 2 of the public authorities law, every state agency, as such term is defined in section 160 of the state finance law and including the state university of New York and the city university of New York, and any and all affiliates or subsidiaries of such entities, and counties as such term is defined in section 3 of the county law, excluding Bronx, Kings, New York, Queens, and Richmond counties. TED Article VII Bill Part P
Design/Build and State Dormitory Authority	Extends the authorization for Dormitory Authority to utilize design/build. TED Article VII Bill Part W

CONTRACT PROCUREMENT

Buy American	Amends State Finance Law and Public Authorities Law contract provisions. Applies to state contracts spending \$100,000 or more on “products,” including products used in construction contracts; and to real property leases that provide for construction or renovation.
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	<p>All such contracts must include a “preference” for products “manufactured in America.”</p> <p>Manufactured in America means: final assembly in the US (or products grown or mined in the US); component parts must be 60% domestic origin; and subcomponents of components must be 60% domestic origin.</p> <p>Exclusions include steel purchased under SFL Section 146; energy, electricity, fuel and petroleum products; software, microprocessors, computers and other data processing and storage products.</p> <p>Exemptions for immediate/emergency needs; quality/price comparisons in cases where there is a sole US manufacturer; where domestic production is inadequate; where domestic sourcing results in unreasonable cost increase; or where such preference is banned by treaty or provisions of federal funding.</p> <p>PP/GG Article VII bill Part J</p>
<p>Political Contributions by Bidders and Contractors</p>	<p>Prohibit campaign contributions by bidders from start of the restricted contact period to date of contract award; prohibition for successful bidders would extend for an additional 6 months.</p> <p>Applies to contributions to office-holders and candidates related to the entity requesting the procurement.</p> <p>Ethics Article VII legislation, Part L</p>
<p>MWBW program extension</p>	<p>Extends without amendment the effectiveness of provisions relating to minority and women-owned business enterprises participation in state contracts to 12/31/18.</p> <p>TED Article VII bill Part O</p>
<p>Chief Procurement Officer</p>	<p>Creates position of “chief procurement officer” to be appointed by the Governor and serve under OGS Commissioner.</p> <p>Authority to oversee “all state procurements;” guard against fraud, corruption, extravagance, etc.; can review any procurement and report suspicion of fraud, conflicts of interest etc.</p> <p>Ethics Article VII legislation, Part K</p>
<p>Inspector Generals</p>	<p>Creates Inspector General for the NY Port Authority and Education Departments.</p> <p>Ethics Article VII legislation, Part I and J</p>
<p>SUNY/CUNY Foundations</p>	<p>Requires adoption of financial control policies for nonprofit organizations affiliated with SUNY and CUNY.</p> <p>Ethics Article VII legislation, Part H</p>

Vendor ID Codes	<p>Directs the comptroller, attorney general, OGS commissioner and IT director to study the feasibility of assigning single ID codes to state vendors and contractors.</p> <p>Ethics Article VII legislation, Part L.</p>
Emergency Contracts	<p>- Extends OGS authority to enter into construction contracts up to \$600,000 on an emergency basis thru 6/30/19.</p> <p>- Authorizes creation of list of eligible bidders for work at secure state facilities.</p> <p>Public Protection/General Government Article VII bill, Part L.</p>
Preferred Sources	<p>Makes modifications to preferred source procurement program, including allow DCCS correctional industries program eligible to do asbestos abatement work; makes conforming amendments to preferred source guidelines; makes other minor amendments.</p> <p>Public Protection/General Government Article VII bill, Part N.</p>
Legislative Printing	<p>Allows OGS to procure legislative printing contracts under \$85,000 without competitive bidding.</p> <p>Public Protection/General Government Article VII bill, Part M.</p>

ECONOMIC DEVELOPMENT

ISSUE	EXECUTIVE BUDGET
StartUp NY	<p>Renamed “Excelsior Business Program”</p> <p>Eligibility limited to “new business,” defined as: not having generated net income prior to application; not publicly traded; no more than 25 employees; others.</p> <p>Participants shall be eligible for credit based on wages of new employees; remaining credits – ITC, R&D and RPT – are at discretion of ESDC.</p> <p>Public Protection/General Government Article VII Bill, Part X</p> <p>Revenue Article VII Bill Part K</p>
Capital Appropriations	<p>Economic Development capital appropriations include:</p> <ul style="list-style-type: none"> - \$150 million for regional economic development councils - \$207 million for the strategic projects fund - \$199 for the NY Works economic development fund - \$55 million for both SUNY and CUNY 2020 programs. - \$150 million for life science lab initiatives. - \$300 million for the new life science initiative. - \$400 million additional to the Buffalo Billion to support revitalization, smart growth, advanced manufacturing, rail expansion and other projects.

	<p>- \$ 123 million for the Hudson Valley and Erie Canal multiuse trail project.</p> <p>- \$55 million for tourism-related projects.</p> <p>- \$100 million for downtown revitalization grants.</p> <p>Capital Appropriations Bill</p>
Economic Development Fund	<p>Annual extension of authorization of the Urban Development Corporation to administer the Empire State Economic Development Fund.</p> <p>Extension thru 7/1/18.</p> <p>TED Article VII Bill, Part M</p>
UDC Loan Authority	<p>Annual extension of the general loan powers of the New York State Urban Development Corporation</p> <p>TED Article VII Bill, Part N</p>
Waterfront Revitalization Program	<p>Increase the State match for the Local Waterfront Revitalization Program from 50 to 75 percent</p> <p>TED Article VII Bill, Part M T</p>

EDUCATION/WORKFORCE DEVELOPMENT

Education Funding/General Policies	<p>Increase direct aid t to schools by \$961 million to \$25.6 Billion; includes increase in Foundation Aid by \$428 million (including \$50 million for targeted failing schools).</p> <p>Removing the cap on charter schools in NYC</p> <p>Extend Mayoral Control of NYC schools thru 2020.</p> <p>\$5.3 million appropriation and \$4 million in re-appropriations for pathways in technology early college high school program grants; increase of at least 10 PTECH schools.*</p> <p>\$2 million to pay for advanced placement exam fee for up to 68,000 low income students.</p> <p>(Aid to Localities Appropriations Bill)</p>
Excelsior Scholarship	<p>Applicable to attendees at in state public colleges taking at least 15 credit hours per semester.</p> <p>Scholarship covers cost of tuition, less education grants such as TAP, Pell grants and others.</p> <p>Starting with 2017-18 academic year, Initial eligibility is for students/households with AGI under \$100,000, rising to \$125 in three years.</p>

	<p>Projected annual cost is \$163 million when fully implemented.</p> <p>ELFA Article VII bill, Part D</p>
DREAM Act	<p>Make students without lawful immigration status eligible for the Tuition Assistance Program and other State financial assistance programs offered to college students who are New York State residents.</p> <p>Eligible student have lived continuously in NYS while attending high school (or pursuing GED), and apply to in-state college within five years of high school graduation.</p> <p>ELFA Article VII bill Part E</p>
TAP Criteria	<p>Would preclude TAP for students at colleges whose annual tuition and fee increases exceeded either \$500 or the three year average of the Higher Education Price Index (HEPI), whichever is greater.</p> <p>Applicable in FY 2019, applies to students first receiving TAP after the 2017-18 academic year.</p> <p>ELFA Article VII bill Part F.</p>
Workforce Training Credits	<p>Modifies the 2015 workforce training job credit; expands the credit to include life science companies.</p> <p>Revenue Article VII bill Part L</p>
Youth Jobs credit	<p>Extends the youth jobs credit at current levels through tax year 2022.</p> <p>Revenue Article VII bill Part N.</p>

ENERGY/ENVIRONMENT

ISSUE	EXECUTIVE BUDGET
NYSERDA Transfer	<p>Directs the Comptroller to receive for deposit to the credit of the General Fund a payment of up to \$913,000 from NYSERDA</p> <p>PPGG Article VII bill Part Z</p>
RGGI Sweep	<p>Directs the Comptroller to receive for deposit to the credit of the General Fund a payment of up to \$23,000,000 from proceeds collected by NYSERDA from the auction or sale of carbon dioxide emission allowances allocated by the department of environmental conservation</p>
"Little 18-a Assessment"	<p>Authorizes NYSERDA to finance its research, development and demonstration, policy and planning, and Fuel NY programs, and to finance the Department of Environmental Conservation's (DEC) climate change program, from a special assessment on gas and electric corporations not to exceed \$19.7 million.</p>

	<p>Directs a transfer \$1 million to the state general fund for services and expenses of the department of environmental conservation and to transfer \$750,000 to the University of Rochester laboratory for laser energetics from the funds received.</p> <p>TED Article VII bill Part MM</p>
Expand 18-a	<p>This legislation would authorize utility oversight related expenditures of the Departments of Agriculture and Markets, Environmental Conservation, State, and the Office of Parks, Recreation and Historic Preservation as eligible expenses of utility assessment revenues (18-a). This provision would cost approximately \$3M in this fiscal year. This two-percent “temporary state energy and utility service conservation assessment” is not extended</p> <p>TED Article VII bill TED Part V</p>
New Oil Spill Capital Account	<p>Would establish a new capital account, the New York Environmental Protection and Spill Remediation Account</p> <p>TED Article VII bill Part HH</p>
Emerging Contaminant Monitoring Act	<p>Establishes a new § 1112 to the Public Health Law, which would require: DOH to disseminate regulations listing substances identified as emerging contaminants that meet specific criteria; and Covered public water systems to test drinking water for the presence of emerging contaminants, and unregulated contaminants monitored under the federal Safe Drinking Water Act</p> <p>Health/Mental Hygiene Article VII Bill Part M</p>
Residential Well Testing Act	<p>Would require the testing of drinking water wells prior to and as a condition of sale of any residential real property, upon completion of the drilling of any water well, and at least once every five years for rental properties.</p> <p>Health/Mental Hygiene Article VII Bill Part N</p>
Mandated Recycling of Organic Waste	<p>Beginning January 1, 2021, this proposal would require certain high volume generators of food waste high volume food waste generators such as manufacturers, supermarkets, large restaurants, higher educational institutions and healthcare facilities that produce an annual average of two tons per week or more of excess food and food scraps at a single location to divert excess edible food and food scraps to food banks, animal feed operations, composting facilities, anaerobic digesters, or other organics recycling facilities.</p> <p>TED Article VII bill Part KK</p>
Clean Water Infrastructure Act of 2017	<p>A new Title 12 to Article 27 of ECL that would provide DEC the power to compel the cleanup and abatement of solid waste sites and drinking water.</p> <p>TED Article VII bill Part II</p>

	The Executive Budget also includes a \$2B appropriation for clean water infrastructure.
Environment Protection Fund	Amends the Environmental Protection Fund (EPF) to establish a new climate change mitigation and adaptation account. The Executive Budget includes appropriations of \$300 million for the EPF. TED Article VII bill Part JJ

ETHICS/CAMPAIGN FINANCE REFORM

LLC Contributions	Imposes \$5,000 aggregate annual limit on “hard dollar” contributions on limited liability companies. Requires disclosure to the Board of Elections of all direct and indirect LLC owners; attributes LLC contributions to its owners based on proportion of ownership.
Campaign Contributions	Establishes \$25,000 cap on contributions to “housekeeping” accounts. Creates a public campaign financing fund, to be funded thru abandoned property, voluntary designation of personal income tax liability. Establishes new limits on contributions for candidates based on whether they accept public financing: <ul style="list-style-type: none"> * Statewide candidates: \$25,000 (or \$12,000 if accepting public financing. * Senate candidates, \$10,000 and \$8,000 * Assembly candidates, \$6,000 and \$4,000 Ethics Article VII legislation Part D
FOIL Reforms	Generally extends the freedom of information act to the state legislature. Ethics Article VII legislation, Part E

FINANCIAL SERVICES

ISSUE	EXECUTIVE BUDGET
Administrative supervision proceeding	Authorize Superintendent to order a domestic insurance company into an administrative supervision hearing; restricting activities of insurer during proceedings.

	TED Article VII bill Part X
Prosecution and penalty authority	<p>Increase insurance violation penalties from \$1,000 per offense to \$10,000;</p> <p>Expand authority and discretion to initiate, prosecute and retain control over civil actions that the Attorney General would generally control.</p> <p>TED Article VII bill Part Y</p>
Student Loan Services	<p>Requires the licensing and regulation of student loan servicers.</p> <p>TED Article VII bill Part Z</p>
Protection of vulnerable adults	<p>Provide immunity for banking institutions imposing transaction holds on accounts where there is reasonable basis to suspect financial exploitation of a vulnerable adult.</p> <p>TED Article VII bill Part AA</p>
Ban bad actors	<p>Prohibit individuals from doing business in the financial services industry if determined the individual has committed a disqualifying event as defined in law.</p> <p>TED Article VII bill Part BB</p>
Registration of lending circles	<p>Provide an exemption for lending circles to operate in NY without a license but must be registered and under the supervision of DFS.</p> <p>TED Article VII bill Part CC</p>
Paid family leave fund	<p>Establishes a risk adjustment paid family leave fund.</p> <p>TED Article VII bill Part DD</p>
Regulation of online lenders	<p>Provides licensing and regulation of online lenders.</p> <p>TED Article VII bill Part EE</p>
Reverse mortgage	<p>Include the use of settlement conferences for homeowners with reverse mortgages.</p> <p>TED Article VII bill Part FF</p>
Assessments, distribution rules and insurer reserve standards	<p>Subpart A – Regulated persons will be assessed for DFS operating expenses as the Superintendent deems reasonable and just.</p> <p>Subpart B – Provides for the adjustment of distribution rules for life insurance companies.</p> <p>Subpart C – Provides discretion for Superintendent to revoke license where the insurer’s surplus to policyholders is not adequate in relation to the insurer’s outstanding liabilities or to its financial needs.</p> <p>TED Article VII bill Part GG</p>

HEALTH

ISSUE	EXECUTIVE BUDGET
Early Intervention	<p>Adds Early Intervention providers to the definition of "health care provider" in the Prompt Pay Law to clarify that health insurers are required to adjudicate claims for EI services within the same time limits as claims for non-EI services as well as other measures to enhance third-party payment of EI services.</p> <p>Health/Mental Hygiene Article VII bill Part A</p>
Medicaid Redesign Pharmaceutical Provisions – “high priced drug” surcharge	<p>This bill would empower DOH’s Drug Utilization Review Board (DURB) to review proprietary information about certain “high-priced drugs”, including drug utilization, development, manufacturing production and distribution, advertising costs, profit margins, and prices charged to purchasers outside the United States and then determine a benchmark price for the drugs.</p> <p>The bill establishes a required supplemental rebate on the sale of these drugs sold to the State’s Medicaid program as well as a 60% surcharge on the first sale of such drugs in New York State. Revenue from this surcharge would be placed in the high priced drug reimbursement fund then distributed to the Medicaid program and health insurers in the state.</p> <p>Health/Mental Hygiene Article VII bill Part D</p>
HCRA Taxes	<p>Without any analysis of need, this bill extends the provisions and associated taxes of the Health Care Reform Act (HCRA for three years, through March 31, 2020.</p> <p>Health/Mental Hygiene Article VII bill Part H</p>
PBM registration	<p>This bill would regulate non-Medicaid Pharmacy Benefit Manager (PBM) services through registration and licensure by the Department of Financial Services. Additionally, PBMs would be mandated to disclose any financial incentive or benefit for promoting the use of certain drugs classes or brands of drugs, and any pricing information regarding fee arrangements and rebates.</p> <p>Health/Mental Hygiene Article VII bill Part J</p>
Health Care Regulation Modernization Team	<p>Establishes a Health Care Regulation Modernization Team within the Department of Health to create a more efficient health care system by modernizing the State’s health regulatory framework. The team would consist of 25 voting members including state officials with relevant expertise, the chair and co-chair of the Public Health and Health Planning Council, representation from the Assembly and Senate, and other experts in in- and outpatient health care delivery, home health care, community based organizations, health care</p>

	<p>insurance, health care workforce, health care facility design and construction, consumer rights, and other relevant areas.</p> <p>Health/Mental Hygiene Article VII bill Part L</p>
Administrative Supervision of Insurers	<p>Provides the Superintendent of the Department of Financial Services (DFS) with explicit authority to order an insurer into an “administrative supervision” proceedings.</p> <p>TED Article VII bill Part X</p>
Fine increases and civil action control by the Superintendent	<p>Substantially increases the fine for violation from \$1,000 per offense to the greater of \$10,000 per offense or twice the damages or economic gain attributable to the violation. The bill would also empower the Superintendent to initiate, prosecute and retain control over a civil action to recover monetary penalty or to enforce a DFS order, or, at the Superintendent's discretion, to refer such action to the Attorney General for prosecution. No new standard of care is articulated in the bill.</p> <p>TED Article VII bill Part Y</p>
Risk Adjustment Fund for Paid Family Leave	<p>This proposal would establish a fund held in the sole custody of the Superintendent that would facilitate the implementation of a risk adjustment mechanism.</p> <p>TED Article VII bill Part DD</p>
NYSOH Exchange Funding.	<p>Despite assurances that the exchange was to be financially self-sustaining starting in 2015, the Executive Budget includes \$553 million in total funding for the operation of the NY State of Health. In FY 2017, NYSOH spending will be financed with available HCRA resources through the Medicaid program.</p>

LABOR

ISSUE	EXECUTIVE BUDGET
Enhance the State's ability to recover unpaid wages	<p>Allows DOL to pursue wage payments from the ten (10) members with the largest percentage ownership interest of every domestic and every foreign limited liability company; allows DOL to compel corporations and LLCs to disclose largest 10 shareholders.</p> <p>ELFA Article VII bill, Part I.</p>
Executive Order 161	Prohibition on state entities inquiring about salary history
Executive Order 162	<p>Requires all state contractors (and subcontractors) to disclose data on the gender, race, ethnicity, job title, and salary of all its employees in all state contracts.</p> <ul style="list-style-type: none"> • Prime contracts in excess of \$25,000 – Quarterly • Prime construction contracts in excess of \$100,000 – Monthly

MISCELLANEOUS ISSUES

<p>Centralized Administrative Hearings</p>	<p>Creates the Division of Central Administrative Hearings, with the Governor to appoint a chief administrative law judge.</p> <p>Office is authorized to “establish, consolidate, re-organize or abolish any administrative hearing function within any civil department of the state.</p> <p>Any such plans must be approved by the Division of the Budget. - Departments of Law and Audit and Control are exempt. ELFA Article VII bill, Part U</p>
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TAXATION

Income Taxes

ISSUE	EXECUTIVE BUDGET
<p>“Millionaires Tax”</p>	<p>Extends the top PIT rate of 8.82% thru 2020 tax year</p> <p>Restructures the PIT brackets and adopts rate reductions for income between \$27,900 and \$323,000</p> <p>Revenue Article VII Bill Part R</p>
<p>Federal Sub-S Conformity</p>	<p>Eliminates Article 9-A Sub-S election; requires federal sub-S corporations to be treated as S corporations for New York State tax purposes.</p> <p>Revenue Article VII Bill Part Y</p>
<p>Non-Resident Asset Sales</p>	<p>Treats as NY source income the gains from the sale of an interest in a partnership by nonresident partners when the underlying transaction reflects a sale of partnership assets subject to Internal</p> <p>Revenue Code (IRC) § 1060. Revenue Article VII Bill Part AA</p>

Sales Tax

ISSUE	EXECUTIVE BUDGET
<p>Marketplace Providers</p>	<p>Requires “marketplace providers” to collect sales tax on sales of tangible personal property it facilitates; marketplace provider defined as providing the sales forum and collects receipts on behalf of a seller.</p> <p>Revenue Article VII Bill Part BB.</p>

Sales between related entities	<p>Imposes sales tax on (1) sales to single member LLCs or subsidiaries for resale to a member or owner; (2) sales to a partnership for resale to one or more partners; and (3) sales to a trustee for resale to a trust beneficiary.</p> <p>Eliminates the sales tax exemption for out of state purchases by non-resident entities (other than individuals) of articles used in NYS, unless the non-resident had been doing business outside NYS for at least 6 months.</p> <p>Revenue Bill Part CC.</p>
Energy T&D Services	<p>“Clarify the sales tax applies to the transporting and delivery of natural gas and electricity when transportation or distribution is delivered by the provider of the commodity.</p> <p>Revenue Bill Part DD.</p>

Tax Credits

ISSUE	EXECUTIVE BUDGET
Life Science Credits	<p>Includes life science businesses in existing Excelsior Jobs credit program.</p> <p>Creates new refundable R&D credit for life sciences; credit is 15% of IRC R&D investments (20% for small business); capped at \$500,000 per taxpayer and \$10 million in aggregate per year.</p> <p>Revenue Bill Part K.</p>
Investment Tax Credit	<p>Modifies the Article 9A and 22 investment tax credit to exclude property used in the production and distribution of electricity, gas, steam or water; and to exclude costs incurred out of state related to creation or reproduction of films or audio or visual recordings.</p> <p>Revenue Article VII Bill Part P.</p>
StartUp NY Program	<p>Renamed “Excelsior Business Program.”</p> <p>Program reoriented to apply to true start up companies.</p> <p>Eligibility limited to “new business,” defined as: not having generated net income prior to application; not publicly traded; no more than 25 employees; others.</p> <p>Participants shall be eligible for credit based on wages of new employees; remaining credits – ITC, R&D and RPT – are at discretion of ESDC.</p> <p>Public Protection/General Government Article VII bill, Revenue Article VII Bill Part XX</p>

Disregarded Entities	Provides that that single member LLC treated as disregarded entities for federal tax purposes is disregarded for determining eligibility of NYS tax credits. Revenue Article VII Bill Part Q.
Workforce Training Credits	Modifies the 2015 workforce training job credit; expands the credit to include life science companies. Revenue Article VII Bill Part L
Film Production Credit	Extends the film credit, the upstate bonus credit and the post production credit for 3 years, thru 2022. Revenue Article VII Bill Part M.
Youth Jobs credit	Extends the youth jobs credit at current levels through tax year 2022. Revenue Article VII Bill Part N.
Alternative Fuels/EV credit	Extends the alternative fuels property and EV recharging property tax credits through 2022. Revenue Article VII Bill Part O

Other Provisions

ISSUE	EXECUTIVE BUDGET
Real Property Transfer Tax	Extends the real property transfer tax and the additional RPTT on sales over \$1 million to transfers of LLCs, partnerships, S corps and non-publicly traded C corps when their NYS real property equals or exceeds 50% of the entities assets. Revenue Article VII Bill Parts JJ and KK.
Partial Payment of RPT	Authorizes all taxing entities to accept partial payment of real property taxes, unless local legislature opts out (current law requires local authorization of partial payments.) Revenue Article VII Bill Part F
Oil/Gas Production Charges	Extends the state production charge on oil and gas wells through 3/31/21. Revenue Article VII Bill I
Pre-Paid Wireless Surcharge	Imposes a public safety communications surcharge on providers of pre-paid wireless services. Revenue Article VII Bill Part EE.
Tobacco Products	Extends the state tobacco tax to nicotine-containing vapor products (also generally extends state tobacco regulations to vapor products.) Revenue Article VII Bill Part FF.

	<p>Authorizes “jeopardy assessments” for tobacco tax liabilities. Revenue Article VII Bill Part HH.</p> <p>Adopts a \$0.45 tax per cigar. Revenue Article VII Bill Part II.</p>
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TRANSPORTATION

ISSUE	EXECUTIVE BUDGET
Increases Motor Vehicle fees	<p>Amends the vehicle and traffic law and other laws relating to increasing certain motor vehicle transaction fees through 4/1/2020</p> <p>TED Article VII bill Part A</p>
Increase Divisible Load Permits	<p>Gradually increases number of permits allowed statewide from 27,000 to 35,000 by 2025. No more than 2,000 per 12 month calendar year increases.</p> <p>Commissioner’s power to revoke permits for violations of permit restrictions for up to 1 year.</p> <p>TED Article VII bill Part B</p>
Enhance Public Transportation Safety Board (PTSB) Enforcement Power	<p>Restricts the payment of money to any public transportation system that is operating in violation of an order by the public transportation safety board until such time as it is in compliance or order has been lifted.</p> <p>Adds varies Railroad oversights, audits and investigatory powers for compliance with federal FAST ACT</p> <p>TED Article VII bill Part C</p>
Compliance with Federal Requirements for Truck size and weight	<p>Establishes in State law size, weight, length of various vehicles and trucks.</p> <p>Exceptions for natural gas and some towing provisions.</p> <p>Suspension provisions detailed.</p> <p>TED Article VII bill Part D</p>
Tolls owed to public authorities	<p>Allows the commissioner to enter into reciprocal agreements with other states to collect toll violations owed by drivers to toll collecting jurisdictions.</p> <p>Addresses the issue of distorted plates and/or any objects that cover license plates.</p> <p>TED Article VII bill Part E</p>
Assessment on NYC Traffic Violations Bureau	<p>Additional \$3 million in funds from NYC fines to State</p> <p>TED Article VII bill Part F</p>
Transportation Network Companies (Ridesharing)	<p>Establishes Ride-sharing in New York State; various governing provisions</p>

- § 1691 defines TNC vehicles, digital network, TNC companies, TNC driver/individual, TNC Passenger, prearranged trip, Group Policy.
- § 1692 General provisions; not a common carrier – defines payments/fares, excludes NYC
- § 1693 financial responsibility and insurance coverage defined. Coverage determined at \$50,000 (one person, one accident/death), \$100,000 for two persons death/accident. \$25,000 coverage accident/injury. Insurance coverage defined as when in service of TNC and variety of methods including group coverage, personal coverage, combination for coverage for various death, accident, claims, etc. up to \$1 million. Stipulates commissioners authority to oversee, excludes NYC.
- § 1694 Disclosures. That TNC driver’s own auto insurance “might not provide any coverage”, and that if TNC vehicle has lien against it.
- § 1695 Insurance provisions. Stipulates exclusions, expressed authorization for coverage by insurers, outlines rules and procedures, commissioner shall issue regulations.
- § 1696 Driver and vehicle requirements. Outlines personal information and screening required to be licensed as TNC driver, background checks, at least 19 years of age, participation in LENS (License Event Notification Service) to insure compliance, proof of license and registration and insurance. Zero tolerance policy in breaking various V & T laws. Vehicle markings required.
- § 1697 Maintenance of records for six years for both rides and drivers.
- § 1698 Audit procedures; confidentiality of records. Bi-annually, subject to inspection by department within 30 days of request. Outlines complaint procedures, website.
- § 1699 Criminal history and disqualifications outlined.
- § 1700 Controlling authority and regulations regarding localities.
- § 3455 – New amendment to insurance law. Outlines and defines various provisions such as “group policy”, individuals under group policies, individual coverage while serving as TNC driver, cancellations, etc.

Creates new Article 6-H Transportation Network Company Drivers Injury Fund under Exec Law, board established (9 members – 1 from Governor, 1 from Senate, 1 from Assembly 1 from AFL, 5 from industry), either self-insured or by licensed insurer, not-for-profit status. Funded by 2% assessment on every invoice. Initial funding of ten thousand by all participating TNC companies to Secretary of State for doing business.

	<p>Creates new Article 29-B State Assessment Fee of TNC prearranged trips. Fee is 5.5% of gross trip fare. 27.27% of this fee is to be used for “local transit assistance fund” (non-MTA).</p> <p>TED Article VII bill Part G</p>
Various DMV fees	<p>Waives fees for replacement drivers license for crime victims Part H</p> <p>Increases re-instatement fees for non-residents looking for restoration of privilege Part I</p> <p>Increase certificate of title fees Part J</p> <p>Increases fees for REAL ID documents TED Article VII bill Part K</p>
Highway Safety	<p>Governs operation of motor vehicle in regards to “drugs”; youthful offender status issues; loss of license.</p> <p>Prohibition of use of hands free device by those under 18 on public highway</p> <p>TED Article VII bill Part L</p>

UNEMPLOYMENT INSURANCE

ISSUE	EXECUTIVE BUDGET
UI – Part-time worker	<p>This bill would allow an Unemployment Insurance claimant to earn up to \$100 or 40 percent of the available full unemployment insurance benefit, whichever is greater, before any reduction in benefits.</p> <p>Public Protection and General Government Article VII bill, Part Y</p>

WORKERS’ COMPENSATION

ISSUE	EXECUTIVE BUDGET
Paid Family Leave Risk Adjustment Fund	<p>This proposal would establish a fund held in the sole custody of the Superintendent that would facilitate the implementation of a risk adjustment mechanism for Paid Family Leave insurance.</p> <p>TED Article VII bill Part DD</p>
SIF Audits	<p>This bill allows the State Insurance Fund to cancel a policy for the employer's failure to cooperate with payroll audits.</p>

