

7276

I N S E N A T E

March 26, 2010

Introduced by COMMITTEE ON RULES -- (at request of the Governor) -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT in relation to providing for the administration of certain funds and accounts related to the 2010-2011 budget; in relation to authorizing certain payments, deposits, and transfers; and providing for the repeal of certain provisions upon expiration thereof (Part A); to amend chapter 21 of the laws of 2003, amending the executive law relating to permitting the secretary of state to provide special handling for all documents filed or issued by the division of corporations and to permit additional levels of such expedited service, in relation to extending such provisions (Part B); to amend the public authorities law, in relation to including the New York city housing development corporation under the state bond issuance charge (Part C); to amend chapter 57 of the laws of 2006, relating to establishing a cost of living adjustment for designated human services programs, in relation to foregoing such adjustment during the 2010-2011 state fiscal year (Part D); and to amend the public health law, in relation to residential health care facilities; to amend chapter 58 of the laws of 2009, amending the public health law and other laws relating to Medicaid reimbursements to residential health care facilities, in relation to such reimbursements (Part E)

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. This act enacts into law major components of legislation
2 which are necessary to implement the state fiscal plan for the 2010-2011
3 state fiscal year. Each component is wholly contained within a Part
4 identified as Parts A through E. The effective date for each particular
5 provision contained within such Part is set forth in the last section of
6 such Part. Any provision in any section contained within a Part, includ-
7 ing the effective date of the Part, which makes reference to a section
8 "of this act", when used in connection with that particular component,
9 shall be deemed to mean and refer to the corresponding section of the

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets [] is old law to be omitted.

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1 Part in which it is found. Section three of this act sets forth the
2 general effective date of this act.

3 PART A

4 Section 1. Notwithstanding any law to the contrary, the state comp-
5 troller is hereby authorized and directed to continue to loan money in
6 accordance with the provisions set forth in subdivision 5 of section 4
7 of the state finance law to the funds and accounts detailed in sections
8 1 and 1-a of part PP of chapter 56 of the laws of 2009; provided, howev-
9 er, that upon enactment of legislation constituting the 2010-2011 budg-
10 et, this section shall cease to have force and effect and shall be
11 deemed repealed.

12 S 2. Notwithstanding any law to the contrary, the state comptroller is
13 hereby authorized and directed to continue to receive moneys for deposit
14 to the credit of funds and accounts in the same manner in which such
15 moneys were deposited during the 2009-2010 fiscal year, pursuant to the
16 instructions filed by the director of the division of the budget with
17 the chairs of the senate finance committee and the assembly ways and
18 means committee and the state comptroller in the 2009-2010 fiscal year;
19 provided, however, that upon enactment of legislation constituting the
20 2010-2011 budget, this section shall cease to have force and effect and
21 shall be deemed repealed.

22 S 3. Notwithstanding any law to the contrary, the state comptroller is
23 hereby authorized and directed to continue to pay prior year liabilities
24 in accordance with the provisions set forth in subdivision 4 of section
25 40 of the state finance law; provided, however, that upon enactment of
26 legislation constituting the 2010-2011 budget, this section shall cease
27 to have force and effect and shall be deemed repealed.

28 S 4. The comptroller is authorized and directed to deposit to the
29 general fund-state purposes account reimbursements from moneys appropri-
30 ated or reappropriated to the correctional facilities capital improve-
31 ment fund (399) by a chapter of the laws of 2009. Reimbursements shall
32 be available for spending from appropriations made to the department of
33 correctional services in the general fund-state purposes account by a
34 chapter of the laws of 2009 for costs associated with the administration
35 and security of capital projects and for other costs which are attribut-
36 able, according to a plan, to such capital projects.

37 S 5. Notwithstanding any other law, rule, or regulation to the contra-
38 ry, the comptroller is hereby authorized and directed to deposit, to the
39 credit of the capital projects fund, reimbursement from the proceeds of
40 notes or bonds issued by the environmental facilities corporation for a
41 capital appropriation for \$43,383,000 authorized by chapter 55 of the
42 laws of 2000 to the department of environmental conservation for payment
43 of a portion of the state's match for federal capitalization grants for
44 the water pollution control revolving loan fund, to reimburse spending
45 from various appropriations for certain projects related to the New York
46 city watershed, reimbursement from the proceeds of notes and bonds
47 issued by the urban development corporation for capital appropriation
48 for \$15,000,000 authorized by chapter 55 of the laws of 2000 to the
49 urban development corporation for payment of costs related to a sports
50 facility in the city of Rochester, reimbursement from the proceeds of
51 notes and bonds issued by the urban development corporation of the state
52 of New York for a capital appropriation for \$50,000,000 authorized by
53 chapter 55 of the laws of 2000 to the urban development corporation for
54 payment of costs related to economic development projects in the down-
55 town Buffalo, the Buffalo inner harbor area, or surrounding environs,

1 reimbursement from proceeds of notes and bonds issued by the dormitory
2 authority of the state of New York for a capital appropriation for
3 \$225,000,000 authorized by chapter 55 of the laws of 2000 to all state
4 agencies for payment of costs related to the strategic investment
5 program, reimbursement from the proceeds of notes and bonds issued by
6 the dormitory authority of the state of New York for a capital appropri-
7 ation for \$50,000,000 authorized by chapter 53 of the laws of 2000 to
8 the state education department for payment of capital construction
9 grants to school districts pursuant to the rebuilding schools to uphold
10 education program, for reimbursement from the proceeds of notes and
11 bonds issued by the dormitory authority of the state of New York for a
12 capital appropriation for \$15,000,000 authorized by chapter 53 of the
13 laws of 2000 to the office of children and family services for payment
14 of costs related to the child care facilities development program, and
15 for reimbursement from the proceeds of notes and bonds issued by the
16 dormitory authority of the state of New York for a capital appropriation
17 for \$10,000,000 authorized by chapter 55 of the laws of 2000 to the
18 office of science, technology and academic research for payment of costs
19 related to biomedical research and/or manufacturing facilities.

20 S 6. Notwithstanding any other law, rule, or regulation to the contra-
21 ry, the comptroller is hereby authorized and directed to deposit to the
22 credit of the capital projects fund, reimbursement from the proceeds of
23 notes or bonds issued by the environmental facilities corporation for a
24 capital appropriation for \$29,772,000 authorized by chapter 54 of the
25 laws of 2001 to the department of environmental conservation for payment
26 of a portion of the state's match for federal capitalization grants for
27 the water pollution control revolving loan fund.

28 S 7. Notwithstanding any other law, rule, or regulation to the contra-
29 ry, the comptroller is hereby authorized and directed to deposit, to the
30 credit of the capital projects fund, reimbursement from the proceeds of
31 notes or bonds issued by the environmental facilities corporation for a
32 capital appropriation for \$29,365,000 authorized by chapter 54 of the
33 laws of 2002 to the department of environmental conservation for payment
34 of a portion of the state's match for federal capitalization grants for
35 the water pollution control revolving loan fund, reimbursement from the
36 proceeds of notes and bonds issued by the urban development corporation
37 or other financing source for a capital appropriation for \$89,000,000
38 authorized by chapter 50 of the laws of 2002 to the office of general
39 services for payment of capital construction costs for the Alfred E.
40 Smith office building located in the city of Albany, reimbursement from
41 the proceeds of notes and bonds issued by the urban development corpo-
42 ration or other financing source for capital appropriations for
43 \$1,500,000 authorized by chapter 50 of the laws of 2002 to the office of
44 general services for payment of capital construction costs for the Elk
45 street parking garage building located in the city of Albany, reimburse-
46 ment from the proceeds of notes or bonds issued by the urban development
47 corporation for disbursements of up to \$12,000,000 from any capital
48 appropriation or reappropriation authorized by chapter 50 of the laws of
49 2002 to the office of general services for various purposes, reimburse-
50 ment from the proceeds of notes or bonds issued by the urban development
51 corporation for a capital appropriation of \$13,250,000 authorized by
52 chapter 55 of the laws of 2002 to the energy research and development
53 authority for the Western New York Nuclear Service Center at West
54 Valley, reimbursement from the proceeds of notes or bonds issued by the
55 urban development corporation for a capital appropriation of \$14,300,000
56 authorized by chapter 55 of the laws of 2002 to the urban development

1 corporation to finance a portion of the jobs now program, reimbursement
2 from the proceeds of notes or bonds issued by the dormitory authority
3 for disbursements of up to \$20,800,000 from any capital appropriation or
4 reappropriation authorized by chapter 51 of the laws of 2002 to the
5 judiciary for courthouse improvements, reimbursement from the proceeds
6 of notes or bonds issued by the urban development corporation for
7 disbursements of up to \$15,000,000 from appropriations or reappropri-
8 ations authorized by chapter 50 of the laws of 2002 to any agency for
9 costs related to homeland security, and reimbursement from the proceeds
10 of notes or bonds issued by the environmental facilities corporation for
11 a capital appropriation of \$10,000,000 authorized by chapter 54 of the
12 laws of 2002 to the department of environmental conservation for Ononda-
13 ga lake.

14 S 8. Notwithstanding any other law, rule, or regulation to the contra-
15 ry, the comptroller is hereby authorized and directed to deposit to the
16 credit of the capital projects fund, reimbursement from the proceeds of
17 notes or bonds issued by the environmental facilities corporation for a
18 capital appropriation of \$30,174,000 authorized by chapter 55 of the
19 laws of 2003 to the department of environmental conservation for payment
20 of a portion of the state's match for federal capitalization grants for
21 the water pollution control revolving loan fund, reimbursement from the
22 proceeds of notes or bonds issued by the urban development corporation
23 or other financing source for a capital appropriation of \$19,500,000
24 authorized by chapter 50 of the laws of 2003 to the office of general
25 services for payment of capital construction costs for the 51 Elk street
26 parking garage building located in the city of Albany, reimbursement
27 from the proceeds of notes or bonds issued by the urban development
28 corporation for disbursements of up to \$10,000,000 from any capital
29 appropriation or reappropriation authorized by chapter 50 of the laws of
30 2003 to the office of general services for various purposes, reimburse-
31 ment from the proceeds of notes or bonds issued by the environmental
32 facilities corporation for a capital appropriation of \$13,250,000
33 authorized by chapter 55 of the laws of 2003 to the energy research and
34 development authority for the Western New York Nuclear Service Center at
35 West Valley, reimbursement from the proceeds of notes or bonds issued by
36 the dormitory authority for disbursements of up to \$16,400,000 from any
37 capital appropriation or reappropriation authorized by chapter 51 of the
38 laws of 2003 to the judiciary for courthouse improvements, reimbursement
39 from the proceeds of notes or bonds issued by the urban development
40 corporation for disbursements of up to \$10,000,000 from appropriations
41 or reappropriations authorized by chapter 50 of the laws of 2003 to any
42 agency for costs related to homeland security, reimbursement from the
43 proceeds of notes or bonds issued by the environmental facilities corpo-
44 ration for a capital appropriation of \$10,000,000 authorized by chapter
45 55 of the laws of 2003 to the department of environmental conservation
46 for Onondaga lake, reimbursement from the proceeds of notes or bonds
47 issued by the environmental facilities corporation for disbursements of
48 up to \$11,000,000 from any capital appropriations or reappropriations
49 authorized by chapter 55 of the laws of 2003 to the department of envi-
50 ronmental conservation for environmental purposes, and reimbursement
51 from the proceeds of notes or bonds issued by the dormitory authority
52 for disbursements of up to \$100,000,000 from a capital appropriation
53 authorized by chapter 50 of the laws of 2003 to the department of state
54 for enhanced 911 wireless service.

55 S 9. Notwithstanding any other law, rule, or regulation to the contra-
56 ry, the comptroller is hereby authorized and directed to deposit to the

1 credit of the capital projects fund, reimbursement from the proceeds of
2 notes or bonds issued by the environmental facilities corporation for a
3 capital appropriation for \$28,893,000 authorized by chapter 55 of the
4 laws of 2004 to the department of environmental conservation for payment
5 of a portion of the state's match for federal capitalization grants for
6 the water pollution control revolving loan fund, reimbursement from the
7 proceeds of notes or bonds issued by the urban development corporation
8 for disbursements of up to \$10,000,000 from any capital appropriation or
9 reappropriation authorized by chapter 50 of the laws of 2004 to the
10 office of general services for various purposes, reimbursement from the
11 proceeds of notes or bonds issued by the environmental facilities corpo-
12 ration for a capital appropriation of \$11,350,000 authorized by chapter
13 55 of the laws of 2004 to the energy research and development authority
14 for the Western New York Nuclear Service Center at West Valley, re-
15 reimbursement from the proceeds of notes or bonds issued by the environ-
16 mental facilities corporation, for a capital appropriation of
17 \$10,000,000 authorized by chapter 55 of the laws of 2004 to the depart-
18 ment of environmental conservation for Onondaga lake, reimbursement from
19 the proceeds of notes or bonds issued by the environmental facilities
20 corporation for disbursements of up to \$11,000,000 from any capital
21 appropriations or reappropriations authorized by chapter 55 of the laws
22 of 2004 to the department of environmental conservation for environ-
23 mental purposes, reimbursement from the proceeds of notes or bonds
24 issued by the dormitory authority for a capital appropriation of
25 \$80,000,000 authorized by chapter 53 of the laws of 2004 to the educa-
26 tion department for capital transition grants for transportation,
27 reimbursement from the proceeds of notes or bonds issued by the dormito-
28 ry authority for a capital appropriation of \$250,000,000 authorized by
29 chapter 55 of the laws of 2004 for payment of costs related to economic
30 development projects, reimbursement from the proceeds of bonds or notes
31 issued by the urban development corporation for a capital appropriation
32 of \$83,500,000 authorized by chapter 53 of the laws of 2006, as amended
33 by chapter 108 of the laws of 2006, for payment of costs related to the
34 H. H. Richardson complex and the Darwin Martin House, and reimbursement
35 from the proceeds of notes or bonds issued by the dormitory authority
36 for a capital appropriation of \$350,000,000 authorized by chapter 3 of
37 the laws of 2004 for the New York state economic development program.

38 S 10. Notwithstanding any other law, rule, or regulation to the
39 contrary, the comptroller is hereby authorized and directed to deposit
40 to the credit of the capital projects fund, reimbursement from the
41 proceeds of notes or bonds issued by the environmental facilities corpo-
42 ration for a capital appropriation of \$29,602,000 authorized by chapter
43 55 of the laws of 2005 to the department of environmental conservation
44 for payment of a portion of the state's match for federal capitalization
45 grants for the water pollution control revolving loan fund, reimburse-
46 ment from the proceeds of notes or bonds issued by the urban development
47 corporation for disbursements of up to \$10,000,000 from any capital
48 appropriation or reappropriation authorized by chapter 50 of the laws of
49 2005 to the office of general services for various purposes, reimburse-
50 ment from the proceeds of notes or bonds issued by the environmental
51 facilities corporation for a capital appropriation of \$11,350,000
52 authorized by chapter 55 of the laws of 2005 to the energy research and
53 development authority for the Western New York Nuclear Service Center at
54 West Valley, reimbursement from the proceeds of notes or bonds issued by
55 the environmental facilities corporation for a capital appropriation of
56 \$10,000,000 authorized by chapter 55 of the laws of 2005 to the depart-

1 ment of environmental conservation for Onondaga lake, reimbursement from
2 the proceeds of notes or bonds issued by the environmental facilities
3 corporation for disbursements of up to \$11,000,000 from any capital
4 appropriations or reappropriations authorized by chapter 55 of the laws
5 of 2005 to the department of environmental conservation for environ-
6 mental purposes, reimbursement from the proceeds of notes or bonds
7 issued by the urban development corporation for a capital appropriation
8 of \$350,000,000 authorized by chapter 55 of the laws of 2005 for the
9 Javits center, reimbursement from the proceeds of notes or bonds issued
10 by the dormitory authority for a capital appropriation of \$90,000,000
11 authorized by chapter 62 of the laws of 2005 for regional development,
12 reimbursement from the proceeds of notes or bonds issued by the dormito-
13 ry authority for a capital appropriation of \$250,000,000 authorized by
14 chapter 62 of the laws of 2005 for technology and development,
15 reimbursement from the proceeds of notes or bonds issued by the urban
16 development corporation for a capital appropriation of \$75,000,000
17 authorized by chapter 162 of the laws of 2005 for the New York state
18 economic development program, reimbursement from the proceeds of notes
19 or bonds issued by the urban development corporation for a capital
20 appropriation of \$150,000,000 authorized by chapter 62 of the laws of
21 2005 for the higher education facilities capital matching grants
22 program, reimbursement from the proceeds of notes or bonds issued by the
23 dormitory authority or other financing source for a capital appropri-
24 ation of \$4,000,000 authorized by chapter 50 of the laws of 2005 to the
25 office of general services for payment of capital construction costs for
26 the Elk street parking garage building located in the city of Albany,
27 reimbursement from the proceeds of notes or bonds issued by the urban
28 development corporation for a capital appropriation of \$15,000,000
29 authorized by chapter 53 of the laws of 2005 to the state education
30 department for payment of capital construction costs for public broad-
31 casting facilities, reimbursement from the proceeds of notes or bonds
32 issued by the urban development corporation for a capital appropriation
33 of \$15,700,000 authorized by chapter 50 of the laws of 2005 to the divi-
34 sion of state police for public protection facilities, and reimbursement
35 from the proceeds of notes or bonds issued by the urban development
36 corporation for capital disbursements of up to \$3,000,000 from any capi-
37 tal appropriation or reappropriation authorized by chapter 50 of the
38 laws of 2005 to the division of military and naval affairs for various
39 purposes.

40 S 11. Notwithstanding any other law, rule, or regulation to the
41 contrary, the comptroller is hereby authorized and directed to deposit
42 to the credit of the capital projects fund, reimbursement from the
43 proceeds of notes or bonds issued by the environmental facilities corpo-
44 ration for a capital appropriation for \$29,600,000 authorized by chapter
45 55 of the laws of 2006 to the department of environmental conservation
46 for payment of a portion of the state's match for federal capitalization
47 grants for the water pollution control revolving loan fund, reimburse-
48 ment from the proceeds of notes or bonds issued by the urban development
49 corporation for disbursements of up to \$20,000,000 from any capital
50 appropriation or reappropriation authorized by chapter 50 of the laws of
51 2006 to the office of general services for various purposes, reimburse-
52 ment from the proceeds of notes or bonds issued by the environmental
53 facilities corporation for a capital appropriation of \$14,000,000
54 authorized by chapter 55 of the laws of 2006 to the energy research and
55 development authority for the Western New York Nuclear Service Center at
56 West Valley, reimbursement from the proceeds of notes or bonds issued by

1 the environmental facilities corporation for a capital appropriation of
2 \$10,000,000 authorized by chapter 55 of the laws of 2006 to the depart-
3 ment of environmental conservation for Onondaga lake, reimbursement from
4 the proceeds of notes or bonds issued by the environmental facilities
5 corporation for disbursements of up to \$12,000,000 from any capital
6 appropriations or reappropriations authorized by chapter 55 of the laws
7 of 2006 to the department of environmental conservation for environ-
8 mental purposes, reimbursement from the proceeds of notes or bonds
9 issued by the urban development corporation for capital disbursements of
10 up to \$3,000,000 from any capital appropriation or reappropriation
11 authorized by chapter 50 of the laws of 2006 to the division of military
12 and naval affairs for various purposes, reimbursement from the proceeds
13 of notes or bonds issued by the urban development corporation for
14 disbursements of up to \$12,400,000 from any capital appropriation or
15 reappropriation authorized by chapter 50 of the laws of 2006 to the
16 division of state police for public protection facilities, reimbursement
17 from the proceeds of notes or bonds issued by the urban development
18 corporation for a capital appropriation of \$117,000,000 authorized by
19 chapter 50 of the laws of 2006 to all state departments and agencies for
20 the purchase of equipment, reimbursement from the proceeds of notes or
21 bonds issued by the dormitory authority or the urban development corpo-
22 ration for all or a portion of capital appropriations of \$603,050,000
23 authorized by chapter 108 of the laws of 2006 to the urban development
24 corporation for economic development/other projects, reimbursement from
25 the proceeds of notes or bonds issued by the urban development corpo-
26 ration for a capital appropriation of \$269,500,000 authorized by chapter
27 108 of the laws of 2006 to the dormitory authority or the urban develop-
28 ment corporation for economic development projects, reimbursement from
29 the proceeds of notes or bonds issued by the dormitory authority or the
30 urban development corporation for a capital appropriation of
31 \$201,500,000 authorized by chapter 108 of the laws of 2006 to the urban
32 development corporation for university development projects, reimburse-
33 ment from the proceeds of notes or bonds issued by the dormitory author-
34 ity or for a capital appropriation of \$143,000,000 authorized by chapter
35 108 of the laws of 2006 to the urban development corporation for
36 cultural facilities projects, reimbursement from the proceeds of notes
37 or bonds issued by the dormitory authority or the urban development
38 corporation for capital appropriations totaling \$60,000,000 authorized
39 by chapter 108 of the laws of 2006 to the urban development corporation
40 for energy/environmental projects, reimbursement from the proceeds of
41 notes or bonds issued by the dormitory authority or the urban develop-
42 ment corporation for a capital appropriation of \$20,000,000 authorized
43 by chapter 108 of the laws of 2006 to the urban development corporation
44 for a competitive solicitation for construction of a pilot cellulosic
45 ethanol refinery, reimbursement from the proceeds of notes or bonds
46 issued by the urban development corporation for a capital appropriation
47 of \$74,700,000 authorized by chapter 55 of the laws of 2006 to the urban
48 development corporation for services and expenses related to infrastruc-
49 ture for a new stadium in Queens county, and reimbursement from the
50 proceeds of notes or bonds issued by the urban development corporation
51 for a capital appropriation of \$74,700,000 authorized by chapter 55 of
52 the laws of 2006 to the urban development corporation for services and
53 expenses related to infrastructure improvements to construct a new park-
54 ing facility at a new stadium in Bronx county, reimbursement from the
55 proceeds of notes and bonds issued by the environmental facilities
56 corporation for a capital appropriation of \$5,000,000 authorized by

chapter 55 of the laws of 2006 to the environmental facilities corporation for payment for the pipeline for jobs program, reimbursement from the proceeds of notes or bonds issued by the dormitory authority for capital disbursements of up to \$14,000,000 from any capital appropriation or reappropriation authorized by chapter 53 of the laws of 2006 for the library construction purpose, reimbursement from the proceeds of notes or bonds issued by the urban development corporation or the dormitory authority for an appropriation of \$2,000,000 authorized by chapter 53 of the laws of 2006 for a Cornell equine drug testing laboratory, reimbursement from the proceeds of notes or bonds issued by the urban development corporation or the dormitory authority for an appropriation of \$1,200,000 authorized by chapter 53 of the laws of 2006 for the towns of Bristol and Canandaigua public water systems, reimbursement from the proceeds of notes or bonds issued by the urban development corporation or the dormitory authority for an appropriation of \$5,500,000 authorized by chapter 53 of the laws of 2006 for Belleayre mountain ski center, reimbursement from the proceeds of notes or bonds issued by the urban development corporation or the dormitory authority for an appropriation of \$25,000,000 authorized by chapter 53 of the laws of 2006 for the town of Smithtown/Kings Park psychiatric center rehabilitation, reimbursement from the proceeds of notes or bonds issued by the urban development corporation or the dormitory authority for an appropriation of \$5,000,000 authorized by chapter 108 of the laws of 2006 for a state of New York umbilical cord bank, reimbursement from the proceeds of notes or bonds issued by the urban development corporation or the dormitory authority for an appropriation of \$5,500,000 authorized by chapter 53 of the laws of 2006 for an Old Gore mountain ski bowl connection, reimbursement from the proceeds of notes or bonds issued by the urban development corporation or the dormitory authority for an appropriation of \$2,000,000 authorized by chapter 53 of the laws of 2006 for a Fredonia vineyard laboratory, reimbursement from the proceeds of notes or bonds issued by the urban development corporation or the dormitory authority for an appropriation of \$99,500,000 authorized by chapter 108 of the laws of 2006 to the office for technology for payment of capital construction costs for a consolidated data center, reimbursement from the proceeds of notes or bonds issued by the dormitory authority or the urban development corporation for an appropriation of \$40,000,000 authorized by chapter 108 of the laws of 2006 for a food testing laboratory, reimbursement from the proceeds of notes or bonds issued by the New York state thruway authority for an appropriation of \$22,000,000 authorized by chapter 108 of the laws of 2006 to the department of transportation for high speed rail, reimbursement from the proceeds of notes or bonds issued by the urban development corporation for capital disbursements of up to \$500,000,000 from an appropriation authorized by chapter 108 of the laws of 2006 to the urban development corporation for development of a semiconductor manufacturing facility, reimbursement from the proceeds of notes or bonds issued by the urban development corporation of up to \$150,000,000 from an appropriation authorized by chapter 108 of the laws of 2006 to the urban development corporation for research and development activities of a semiconductor manufacturer, and reimbursement from the proceeds of notes or bonds issued by the urban development corporation for capital disbursements of up to \$300,000,000 from an appropriation to the urban development corporation authorized by chapter 108 of the laws of 2006 for community revitalization projects.

S 12. Notwithstanding any other law, rule, or regulation to the contrary, the comptroller is hereby authorized and directed to deposit

1 to the credit of the capital projects fund, reimbursement from the
2 proceeds of notes or bonds issued by the environmental facilities corpo-
3 ration for a capital appropriation of \$29,600,000 authorized by chapter
4 55 of the laws of 2007 to the department of environmental conservation
5 for payment of a portion of the state's match for federal capitalization
6 grants for the water pollution control revolving loan fund, reimburse-
7 ment from the proceeds of notes or bonds issued by the urban development
8 corporation for disbursements of up to \$20,000,000 from any capital
9 appropriation or reappropriation authorized by chapter 50 of the laws of
10 2007 to the office of general services for various purposes, reimburse-
11 ment from the proceeds of notes or bonds issued by the environmental
12 facilities corporation for a capital appropriation of \$13,500,000
13 authorized by chapter 55 of the laws of 2007 to the energy research and
14 development authority for the Western New York Nuclear Service Center at
15 West Valley, reimbursement from the proceeds of notes or bonds issued by
16 the environmental facilities corporation for a capital appropriation of
17 \$10,000,000 authorized by chapter 55 of the laws of 2007 to the depart-
18 ment of environmental conservation for Onondaga lake, reimbursement from
19 the proceeds of notes or bonds issued by the environmental facilities
20 corporation for disbursements of up to \$12,000,000 from any capital
21 appropriations or reappropriations authorized by chapter 55 of the laws
22 of 2007 to the department of environmental conservation for environ-
23 mental purposes, reimbursement from the proceeds of notes or bonds
24 issued by the urban development corporation for capital disbursements of
25 up to \$3,000,000 from any capital appropriation or reappropriation
26 authorized by chapter 50 of the laws of 2007 to the division of military
27 and naval affairs for various purposes, reimbursement from the proceeds
28 of notes or bonds issued by the urban development corporation for
29 disbursements from a capital appropriation of \$50,000,000 authorized by
30 chapter 50 of the laws of 2007 to the division of state police for
31 construction of a Troop G facility, reimbursement from the proceeds of
32 notes or bonds issued by the urban development corporation for disburse-
33 ments from a capital appropriation of \$6,000,000 authorized by chapter
34 50 of the laws of 2007 to the division of state police for construction
35 of evidence storage facilities, reimbursement from the proceeds of notes
36 or bonds issued by the urban development corporation for capital appro-
37 priations totaling \$77,900,000 authorized by chapter 51 of the laws of
38 2007 to the judiciary for court training facilities and courthouse
39 improvement projects, reimbursement from the proceeds of notes or bonds
40 issued by the urban development corporation for a capital appropriation
41 of \$20,000,000 authorized by chapter 50 of the laws of 2007 to all state
42 departments and agencies for the purchase of equipment, reimbursement
43 from the proceeds of notes or bonds issued by the dormitory authority
44 for capital disbursements of up to \$14,000,000 from any capital appro-
45 priation or reappropriation authorized by chapter 53 of the laws of 2007
46 for library construction, reimbursement from the proceeds of notes or
47 bonds issued by the dormitory authority for capital disbursements of up
48 to \$60,000,000 from any capital appropriation or reappropriation author-
49 ized by chapter 53 of the laws of 2007 for cultural education storage
50 facilities, reimbursement from the proceeds of notes or bonds issued by
51 the urban development corporation for capital disbursements of up to
52 \$15,000,000 from any capital appropriation or reappropriation authorized
53 by chapter 55 of the laws of 2007 for the Roosevelt Island Operating
54 Corporation aerial tramway, reimbursement from the proceeds of notes or
55 bonds issued by the urban development corporation for capital disburse-
56 ments of up to \$20,000,000 from any capital appropriation or reappropri-

1 ation authorized by chapter 55 of the laws of 2007 for Governor's
2 Island, reimbursement from the proceeds of notes or bonds issued by the
3 urban development corporation for capital disbursements of up to
4 \$7,500,000 from any capital appropriation or reappropriation authorized
5 by chapter 55 of the laws of 2007 for Harriman research and technology
6 park, reimbursement from the proceeds of notes or bonds issued by the
7 urban development corporation for capital disbursements of up to
8 \$7,950,000 from any capital appropriation or reappropriation authorized
9 by chapter 55 of the laws of 2007 for USA Niagara, and reimbursement
10 from the proceeds of notes or bonds issued by the urban development
11 corporation for capital disbursements of up to \$1,300,000 from appropri-
12 ations authorized by chapter 50 of the laws of 2007 made to the office
13 of general services for legislative office building hearing rooms.

14 S 13. Notwithstanding any other law, rule, or regulation to the
15 contrary, the comptroller is hereby authorized and directed to deposit
16 to the credit of the capital projects fund, reimbursement from the
17 proceeds of notes or bonds issued by the environmental facilities corpo-
18 ration for a capital appropriation of \$29,600,000 authorized by chapter
19 55 of the laws of 2008 to the department of environmental conservation
20 for payment of a portion of the state's match for federal capitalization
21 grants for the water pollution control revolving loan fund, reimburse-
22 ment from the proceeds of notes or bonds issued by the urban development
23 corporation for a capital appropriation of \$141,000,000 authorized by
24 chapter 50 of the laws of 2008 to all state departments and agencies for
25 the purchase of equipment or systems development, reimbursement from the
26 proceeds of notes or bonds issued by the urban development corporation
27 for disbursements of up to \$45,500,000 from any capital appropriation or
28 reappropriation authorized by chapter 50 of the laws of 2008 to the
29 office of general services for various purposes, reimbursement from the
30 proceeds of notes or bonds issued by the environmental facilities corpo-
31 ration for a capital appropriation of \$13,500,000 authorized by chapter
32 55 of the laws of 2008 to the energy research and development authority
33 for the Western New York Nuclear Service Center at West Valley,
34 reimbursement from the proceeds of notes or bonds issued by the environ-
35 mental facilities corporation for a capital appropriation of \$10,000,000
36 authorized by chapter 55 of the laws of 2008 to the department of envi-
37 ronmental conservation for Onondaga lake, reimbursement from the
38 proceeds of notes or bonds issued by the environmental facilities corpo-
39 ration for disbursements of up to \$12,000,000 from any capital appropri-
40 ations or reappropriations authorized by chapter 55 of the laws of 2008
41 to the department of environmental conservation for environmental
42 purposes, reimbursement from the proceeds of notes or bonds issued by
43 the urban development corporation for capital disbursements of up to
44 \$3,000,000 from any capital appropriation or reappropriation authorized
45 by chapter 50 of the laws of 2008 to the division of military and naval
46 affairs for various purposes, reimbursement from the proceeds of notes
47 or bonds issued by the urban development corporation for a capital
48 appropriation of \$11,000,000 authorized by chapter 50 of the laws of
49 2008 to the office for technology for the costs of development of inter-
50 im data center facilities, reimbursement from the proceeds of notes or
51 bonds issued by the urban development corporation for a capital appro-
52 priation of \$10,000,000 authorized by chapter 50 of the laws of 2008 to
53 the office for technology for activities related to broadband service,
54 reimbursement from the proceeds of notes or bonds issued by the urban
55 development corporation for a capital appropriation of \$6,000,000
56 authorized by chapter 50 of the laws of 2008 to the division of state

1 police for rehabilitation of facilities, reimbursement from the proceeds
2 of notes or bonds issued by the Dormitory Authority of the State of New
3 York or other financing source for a capital appropriation authorized by
4 chapter 53 of the laws of 2008 of \$14,000,000 to the education depart-
5 ment for library construction, reimbursement from the proceeds of notes
6 or bonds issued by the Dormitory Authority of the State of New York or
7 other financing source for a capital appropriation authorized by chapter
8 53 of the laws of 2008 of \$15,000,000 to the education department for
9 museum renewal projects, reimbursement from the proceeds of notes or
10 bonds issued by the urban development corporation for capital appropri-
11 ation of \$50,000,000 authorized by chapter 53 of the laws of 2008 to the
12 urban development corporation for services and expenses related to the
13 investment opportunity fund, reimbursement from the proceeds of notes or
14 bonds issued by the urban development corporation for capital appropri-
15 ation of \$30,000,000 authorized by chapter 53 of the laws of 2008 to the
16 urban development corporation for services and expenses related to arts
17 and cultural projects, reimbursement from the proceeds of bonds or notes
18 issued by the urban development corporation for a capital appropriation
19 of \$35,000,000 authorized by chapter 53 of the laws of 2008 for economic
20 and community development projects, reimbursement from the proceeds of
21 bonds or notes issued by the urban development corporation for a capital
22 appropriation of \$30,000,000 authorized by chapter 53 of the laws of
23 2008 for New York city waterfront development projects, reimbursement
24 from the proceeds of bonds or notes issued by the urban development
25 corporation for a capital appropriation of \$45,000,000 authorized by
26 chapter 53 of the laws of 2008 for Luther Forest infrastructure
27 projects, reimbursement from the proceeds of notes or bonds issued by
28 the urban development corporation for capital appropriation of
29 \$35,000,000 authorized by chapter 53 of the laws of 2008 to the urban
30 development corporation for services and expenses related to downstate
31 regional projects, reimbursement from the proceeds of notes or bonds
32 issued by the urban development corporation for capital appropriation of
33 \$145,000,000 authorized by chapter 53 of the laws of 2008 to the urban
34 development corporation for services and expenses related to upstate
35 city-by-city projects, reimbursement from the proceeds of notes or bonds
36 issued by the urban development corporation for capital appropriation of
37 \$35,000,000 authorized by chapter 53 of the laws of 2008 to the urban
38 development corporation for services and expenses related to the down-
39 state revitalization projects, reimbursement from the proceeds of notes
40 or bonds issued by the urban development corporation for capital appro-
41 priation of \$120,000,000 authorized by chapter 53 of the laws of 2008 to
42 the urban development corporation for services and expenses related to
43 the upstate regional blueprint fund, reimbursement from the proceeds of
44 notes or bonds issued by the urban development corporation for capital
45 appropriation of \$40,000,000 authorized by chapter 53 of the laws of
46 2008 to the urban development corporation for services and expenses
47 related to the upstate agricultural economic development fund,
48 reimbursement from the proceeds of notes or bonds issued by the urban
49 development corporation for capital appropriation of \$350,000,000
50 authorized by chapter 53 of the laws of 2008 to the urban development
51 corporation for services and expenses related to the New York state
52 capital assistance program, reimbursement from the proceeds of notes or
53 bonds issued by the urban development corporation for capital appropri-
54 ation of \$350,000,000 authorized by chapter 53 of the laws of 2008 to
55 the urban development corporation for services and expenses related to
56 the New York state economic development assistance program, and

1 reimbursement from the proceeds of notes or bonds issued by the urban
2 development corporation for capital appropriation of \$20,000,000 author-
3 ized by chapter 55 of the laws of 2008 to the urban development corpo-
4 ration for services and expenses related to the empire state economic
5 development fund.

6 S 14. Notwithstanding any other law, rule, or regulation to the
7 contrary, the comptroller is hereby authorized and directed to deposit
8 to the credit of the capital projects fund, reimbursement from the
9 proceeds of notes or bonds issued by the environmental facilities corpo-
10 ration for a capital appropriation of \$29,600,000 authorized by chapter
11 55 of the laws of 2009 to the department of environmental conservation
12 for payment of a portion of the state's match for federal capitalization
13 grants for the water pollution control revolving loan fund, reimburse-
14 ment from the proceeds of notes or bonds issued by the urban development
15 corporation for a capital appropriation of \$129,800,000 authorized by
16 chapter 50 of the laws of 2009 to all state departments and agencies for
17 the purchase of equipment or systems development, reimbursement from the
18 proceeds of notes or bonds issued by the urban development corporation
19 for disbursements of up to \$24,000,000 from any capital appropriation or
20 reappropriation authorized by chapter 50 of the laws of 2009 to the
21 office of general services for various purposes, reimbursement from the
22 proceeds of notes or bonds issued by the environmental facilities corpo-
23 ration for a capital appropriation of \$13,500,000 authorized by chapter
24 55 of the laws of 2009 to the energy research and development authority
25 for the Western New York Nuclear Service Center at West Valley,
26 reimbursement from the proceeds of notes or bonds issued by the environ-
27 mental facilities corporation for a capital appropriation of \$10,000,000
28 authorized by chapter 55 of the laws of 2009 to the department of envi-
29 ronmental conservation for Onondaga lake, reimbursement from the
30 proceeds of notes or bonds issued by the environmental facilities corpo-
31 ration for disbursements of up to \$12,000,000 from any capital appropri-
32 ations or reappropriations authorized by chapter 55 of the laws of 2009
33 to the department of environmental conservation for environmental
34 purposes, reimbursement from the proceeds of notes or bonds issued by
35 the urban development corporation for capital disbursements of up to
36 \$3,000,000 from any capital appropriation or reappropriation authorized
37 by chapter 50 of the laws of 2009 to the division of military and naval
38 affairs for various purposes, reimbursement from the proceeds of notes
39 or bonds issued by the urban development corporation for a capital
40 appropriation of \$6,000,000 authorized by chapter 50 of the laws of 2009
41 to the division of state police for rehabilitation of facilities,
42 reimbursement from the proceeds of notes or bonds issued by the Dormito-
43 ry Authority of the State of New York or other financing source for a
44 capital appropriation authorized by chapter 53 of the laws of 2009 of
45 \$14,000,000 to the State Education Department for library construction,
46 reimbursement from the proceeds of notes or bonds issued by the Dormito-
47 ry Authority of the State of New York or other financing source for a
48 capital appropriation of \$4,000,000 to the State Education Department
49 for rehabilitation associated with the St. Regis Mohawk elementary
50 school authorized by chapter 53 of the laws of 2009 and reimbursement
51 from the proceeds of notes or bonds issued by the urban development
52 corporation for capital appropriation of \$25,000,000 authorized by chap-
53 ter 55 of the laws of 2009 to the urban development corporation for
54 services and expenses related to the empire state economic development
55 fund.

1 S 15. Notwithstanding any other law, rule, or regulation to the
2 contrary, the comptroller is hereby authorized and directed to deposit
3 to the credit of the capital projects fund, reimbursement from the
4 proceeds of notes or bonds issued by the dormitory authority and urban
5 development corporation for disbursements of up to \$8,000,000 from an
6 appropriation authorized by chapter 50 of the laws of 2009 for drug
7 courts.

8 S 16. Notwithstanding any other law, rule, or regulation to the
9 contrary, the comptroller is hereby authorized and directed to deposit
10 to the credit of the city university special revenue fund (377),
11 reimbursement from the proceeds of notes or bonds issued by the Dormito-
12 ry Authority of the State of New York for capital disbursements of up to
13 \$20,000,000 from any appropriation or reappropriation authorized by
14 chapter 53 of the laws of 2009 to the city university of New York for
15 various purposes.

16 S 17. This act shall take effect immediately; provided, however, that
17 upon enactment of legislation constituting the 2010-11 budget, sections
18 four through sixteen of this act shall cease to have force and effect
19 and shall be deemed repealed.

20 PART B

21 Section 1. Section 2 of chapter 21 of the laws of 2003, amending the
22 executive law relating to permitting the secretary of state to provide
23 special handling for all documents filed or issued by the division of
24 corporations and to permit additional levels of such expedited service,
25 as amended by section 1 of part RR of chapter 59 of the laws of 2009, is
26 amended to read as follows:

27 S 2. This act shall take effect immediately, provided however, that
28 section one of this act shall be deemed to have been in full force and
29 effect on and after April 1, 2003 and shall expire March 31, [2010]
30 2011.

31 S 2. This act shall take effect immediately and shall be deemed to
32 have been in full force and effect on and after March 31, 2010.

33 PART C

34 Section 1. Subdivision 1 of section 2976 of the public authorities
35 law, as amended by section 1 of part X of chapter 85 of the laws of
36 2002, is amended to read as follows:

37 1. Notwithstanding any other law to the contrary, public benefit
38 corporations (which for purposes of this section shall include indus-
39 trial development agencies created pursuant to title one of article
40 eighteen-A of the general municipal law or any other provision of law
41 AND THE NEW YORK CITY HOUSING DEVELOPMENT CORPORATION CREATED PURSUANT
42 TO ARTICLE TWELVE OF THE PRIVATE HOUSING FINANCE LAW) which issue bonds,
43 notes or other obligations shall pay to the state a bond issuance charge
44 upon the issuance of such bonds in an amount determined pursuant to
45 subdivision two of this section. Such charge shall be paid to the state
46 department of taxation and finance, upon forms prescribed therefor, no
47 later than fifteen days from the end of the month within which such
48 bonds are issued.

49 S 2. This act shall take effect immediately.

50 PART D

Section 1. Subdivision 3-b of section 1 of part C of chapter 57 of the laws of 2006, relating to establishing a cost of living adjustment for designated human services programs, as added by section 1 of part L of chapter 58 of the laws of 2009, is amended to read as follows:

3-b. Notwithstanding any inconsistent provision of law, beginning April 1, 2009 and ending [March 31, 2010] UPON ENACTMENT OF LEGISLATION CONSTITUTING THE 2010-2011 BUDGET, the commissioners shall not include a COLA for the purpose of establishing rates of payments, contracts or any other form of reimbursement.

S 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2010; provided, however, that the amendments to section 1 of part C of chapter 57 of the laws of 2006 made by section one of this act shall not affect the repeal of such section and shall be deemed repealed therewith.

PART E

Section 1. Subparagraph (i) of paragraph (b) of subdivision 2-b of section 2808 of the public health law, as amended by section 3 of part D of chapter 58 of the laws of 2009, is amended to read as follows:

(i) Subject to the provisions of subparagraphs (ii) through (xiv) of this paragraph, for periods on and after April first, two thousand nine [through March thirty-first, two thousand ten] the operating cost component of rates of payment shall reflect allowable operating costs as reported in each facility's cost report for the two thousand two calendar year, as adjusted for inflation on an annual basis in accordance with the methodology set forth in paragraph (c) of subdivision ten of section twenty-eight hundred seven-c of this article, provided, however, that for those facilities which do not receive a per diem add-on adjustment pursuant to subparagraph (ii) of paragraph (a) of this subdivision, rates shall be further adjusted to include the proportionate benefit, as determined by the commissioner, of the expiration of the opening paragraph and paragraph (a) of subdivision sixteen of this section and of paragraph (a) of subdivision fourteen of this section, and provided further that the operating cost component of rates of payment for those facilities which did not receive a per diem adjustment in accordance with subparagraph (ii) of paragraph (a) of this subdivision shall not be less than the operating component such facilities received in the two thousand eight rate period, as adjusted for inflation on an annual basis in accordance with the methodology set forth in paragraph (c) of subdivision ten of section twenty-eight hundred seven-c of this article and further provided, however, that rates for facilities whose operating cost component reflects base year costs subsequent to January first, two thousand two shall have rates computed in accordance with this paragraph, utilizing allowable operating costs as reported in such subsequent base year period, and trended forward to the rate year in accordance with applicable inflation factors.

S 2. The opening paragraph and subparagraph (vi) of paragraph (a) of subdivision 2-c of section 2808 of the public health law, as added by section 5 of part D of chapter 58 of the laws of 2009, are amended to read as follows:

Notwithstanding PARAGRAPH (B) OF SUBDIVISION TWO-B OF THIS SECTION AND any OTHER inconsistent provision of this section or any other contrary provision of law and subject to the availability of federal financial participation, the operating costs of rates of payment by governmental agencies for inpatient services provided by residential health care

1 facilities on and after April first, two thousand ten, OR ON AND AFTER
2 THE DATE THE STATE BUDGET FOR THE STATE FISCAL YEAR BEGINNING APRIL
3 FIRST, TWO THOUSAND TEN IS ENACTED INTO LAW, WHICHEVER IS LATER, shall
4 be determined in accordance with the following:

5 (vi) Notwithstanding subparagraph (i) of this paragraph, the operating
6 cost component of the rates, effective [April first, two thousand ten]
7 FOR THE PERIODS ON AND AFTER THE DATE RATES PURSUANT TO SUBPARAGRAPH (I)
8 OF THIS PARAGRAPH TAKE EFFECT for the following categories of facili-
9 ties, as established pursuant to applicable regulations, shall reflect
10 the rates in effect for such facilities on [March thirty-first, two
11 thousand ten] THE DAY IMMEDIATELY PRECEDING THE DATE RATES PURSUANT TO
12 SUBPARAGRAPH (I) OF THIS PARAGRAPH TAKE EFFECT, as adjusted for
13 inflation in accordance with applicable statutes: (A) AIDS facilities or
14 discrete AIDS units within facilities, (B) discrete units for residents
15 receiving care in a long-term inpatient rehabilitation program for trau-
16 matic brain injured persons, (C) discrete units providing specialized
17 programs for residents requiring behavioral interventions, (D) discrete
18 units for long-term ventilator dependent residents, and (E) facilities
19 or discrete units within facilities that provide extensive nursing,
20 medical, psychological and counseling support services solely to chil-
21 dren. Such rate shall remain in effect until the department, in consul-
22 tation with representatives of the nursing home industry, as selected by
23 the commissioner, develops a regional pricing or alternative methodology
24 for determining such rates.

25 S 3. Section 2 of part D of chapter 58 of the laws of 2009, amending
26 the public health law and other laws relating to Medicaid reimbursements
27 to residential health care facilities, is amended to read as follows:

28 S 2. Notwithstanding paragraph (b) of subdivision 2-b of section 2808
29 of the public health law or any other contrary provision of law, with
30 regard to adjustments to medicaid rates of payment for inpatient
31 services provided by residential health care facilities for the period
32 April 1, 2009 through March 31, 2010, made pursuant to paragraph (b) of
33 subdivision 2-b of section 2808 of the public health law, the commis-
34 sioner of health and the director of the budget shall, upon a determi-
35 nation that such adjustments, including the application of adjustments
36 authorized by the provisions of paragraph (g) of subdivision 2-b of
37 section 2808 of the public health law, shall result in an aggregate
38 increase in total Medicaid rates of payment for such services for such
39 period that is less than or more than two hundred ten million dollars
40 (\$210,000,000), make such proportional adjustments to such rates as are
41 necessary to result in an increase of such aggregate expenditures of two
42 hundred ten million dollars (\$210,000,000), and provided further, howev-
43 er, that the operating component of such rates for the period April 1,
44 2009 through March 31, 2010 shall not be subject to case mix adjustments
45 pursuant to subparagraph (ii) of paragraph (b) of subdivision 2-b of
46 section 2808 of the public health law, as otherwise scheduled pursuant
47 to such subparagraph for January of 2010, and provided further, however,
48 that notwithstanding [subdivision 2-c of] section 2808 of the public
49 health law or any other contrary provision of law, with regard to
50 adjustments to inpatient rates of payment made pursuant to [subdivision
51 2-c of] section 2808 of the public health law for inpatient services
52 provided by residential health care facilities for the period April 1,
53 2010 through March 31, 2011, the commissioner of health and the director
54 of the budget shall, upon a determination by such commissioner and such
55 director that such rate adjustments shall, prior to the application of
56 any applicable adjustment for inflation, result in an aggregate increase

1 in total Medicaid rates of payment for such services, make such propor-
2 tional adjustments to such rates as are necessary to reduce such total
3 aggregate rate adjustments such that the aggregate total reflects no
4 such increase OR DECREASE. Adjustments made pursuant to this section
5 shall not be subject to subsequent correction or reconciliation.

6 S 4. This act shall take effect immediately.

7 S 2. Severability clause. If any clause, sentence, paragraph, subdivi-
8 sion, section or part of this act shall be adjudged by any court of
9 competent jurisdiction to be invalid, such judgment shall not affect,
10 impair, or invalidate the remainder thereof, but shall be confined in
11 its operation to the clause, sentence, paragraph, subdivision, section
12 or part thereof directly involved in the controversy in which such judg-
13 ment shall have been rendered. It is hereby declared to be the intent of
14 the legislature that this act would have been enacted even if such
15 invalid provisions had not been included herein.

16 S 3. This act shall take effect immediately provided, however, that
17 the applicable effective date of Parts A through E of this act shall be
18 as specifically set forth in the last section of such Parts.