

S. 6611

A. 9711

S E N A T E - A S S E M B L Y

January 19, 2010

IN SENATE -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

IN ASSEMBLY -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read once and referred to the Committee on Ways and Means

AN ACT to amend chapters 53, 54 and 55 of the laws of 2009, enacting the education, labor and family assistance budget, the health and mental hygiene budget, and the transportation, economic development and environmental conservation budget, in relation to making appropriations for the support of government

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

1 Section 1. Section 1 of chapter 53 of the laws of 2009, as amended by
2 chapter 50, section 4, of the laws of 2009, enacting the education,
3 labor and family assistance budget, is amended by repealing the items
4 hereinbelow set forth in brackets and by adding to such section the
5 other items underscored in this section.

6 DEPARTMENT OF LABOR

7 STATE OPERATIONS AND AID TO LOCALITIES 2009-10

8 UNEMPLOYMENT INSURANCE BENEFIT PROGRAM

9 Enterprise Funds / State Operations

10 Unemployment Insurance Benefit Fund - 481

11 For payment of unemployment insurance bene-
12 fits pursuant to article 18 of the labor
13 law or as authorized by the federal
14 government through the disaster unemploy-
15 ment assistance program .. [6,000,000,000] 7,000,000,000

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

LBD12610-01-0

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51

HIGHER EDUCATION SERVICES CORPORATION

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

STUDENT GRANT AND AWARD PROGRAMS

General Fund / Aid to Localities
Local Assistance Account - 001

For tuition assistance awards, including part-time TAP, provided to eligible students as defined in section 667 of the education law and as further defined in rules and regulations adopted by the regents upon the recommendation of the commissioner of education and distributed in accordance with rules and regulations adopted by the trustees of the higher education services corporation upon the recommendation of the president and approval of the director of the budget.

The moneys hereby appropriated shall be available for expenses already accrued or to accrue and shall include refunds, reimbursements, credits and moneys received by the higher education services corporation as repayments of past tuition assistance program disbursements in accordance with audit allowances, upon approval of the director of the budget, for transfer to the federal department of education fund appropriation of the state grant programs in order to reduce state cost should additional federal assistance become available in the 2009-2010 state fiscal year.

A portion of the moneys hereby appropriated shall be transferred to the state student financial aid audit account (FA) special revenue fund in an amount sufficient to support spending in the account.

Notwithstanding any other provision of law, during the fiscal year commencing April 1, 2009, additional awards due and payable to eligible students for accelerated study shall be deferred until October 1, 2010. Such additional awards shall be adjusted on a pro rata basis pursuant to section 667 of the education law. However, nothing contained herein shall prevent the payment of such awards prior to October 1, 2010 should additional funds be provided therefor [838,966,000]

864,125,000

1 S 2. Section 1 of chapter 54 of the laws of 2009, as amended by chap-
2 ter 502, section 4, of the laws of 2009, enacting the health and mental
3 hygiene budget, is amended by repealing the items hereinbelow set forth
4 in brackets and by adding to such section the other items underscored in
5 this section.

6 DEPARTMENT OF MENTAL HYGIENE

7 OFFICE OF MENTAL HEALTH

8 STATE OPERATIONS AND AID TO LOCALITIES 2009-10

9 ADULT SERVICES PROGRAM

10 General Fund / Aid to Localities
11 Local Assistance Account - 001

12 For transfer to the Commission on Quality of
13 Care and Advocacy for Persons with Disa-
14 bilities for services and expenses associ-
15 ated with legal services and support for
16 parents with psychiatric disabilities.
17 Funds appropriated herein are supported by
18 savings resulting from the increased
19 Federal Medical Assistance Percentage
20 (FMAP) provided pursuant to the American
21 recovery and reinvestment act of 2009
22 300,000

23 FOR SERVICES AND EXPENSES OF VARIOUS COMMU-
24 NITY MENTAL HEALTH EMERGENCY PROGRAMS,
25 INCLUDING COMPREHENSIVE PSYCHIATRIC EMER-
26 GENCY PROGRAMS PURSUANT TO SECTION 41.51
27 OF THE MENTAL HYGIENE LAW 500,000

28 FOR TRANSFER TO THE DEPARTMENT OF HEALTH TO
29 REIMBURSE THE DEPARTMENT FOR THE STATE
30 SHARE OF MEDICAL ASSISTANCE PAYMENTS FOR
31 VARIOUS MENTAL HEALTH SERVICES 1,000,000
32 -----

33 Special Revenue Funds - Other / Aid to Localities
34 Miscellaneous Special Revenue Fund - 339
35 Mental Hygiene Program Fund Account

36 For services and expenses associated with
37 the restoration of the proposed one
38 percent reduction in the 2008-09 cost of
39 living adjustment. Funds appropriated
40 herein are supported by savings resulting
41 from the increased Federal Medical Assist-
42 ance Percentage (FMAP) provided pursuant
43 to the American recovery and reinvestment
44 act of 2009; provided, however, that the
45 amount of this appropriation available for
46 expenditure and disbursement on and after
47 November 1, 2009 shall be reduced by 12.5

1 percent of the amount that was undisbursed
 2 as of November 1, 2009 4,019,000
 3 FOR SERVICES AND EXPENSES OF VARIOUS COMMU-
 4 NITY MENTAL HEALTH NON-RESIDENTIAL
 5 PROGRAMS, PURSUANT TO ARTICLE 41 OF THE
 6 MENTAL HYGIENE LAW 14,500,000
 7 FOR SERVICES AND EXPENSES OF VARIOUS COMMU-
 8 NITY MENTAL HEALTH RESIDENTIAL PROGRAMS,
 9 PURSUANT TO ARTICLE 41 OF THE MENTAL
 10 HYGIENE LAW 10,177,000
 11 -----

12 CHILDREN AND YOUTH SERVICES PROGRAM

13 General Fund / Aid to Localities
 14 Local Assistance Account - 001

15 For services and expenses associated with
 16 the restoration of the proposed one
 17 percent reduction in the 2008-09 cost of
 18 living adjustment. Funds appropriated
 19 herein are supported by savings resulting
 20 from the increased Federal Medical Assist-
 21 ance Percentage (FMAP) provided pursuant
 22 to the American recovery and reinvestment
 23 act of 2009 874,000
 24 FOR SERVICES AND EXPENSES OF VARIOUS COMMU-
 25 NITY MENTAL HEALTH NON-RESIDENTIAL
 26 PROGRAMS, PURSUANT TO ARTICLE 41 OF THE
 27 MENTAL HYGIENE LAW 1,000,000
 28 FOR TRANSFER TO THE DEPARTMENT OF HEALTH TO
 29 REIMBURSE THE DEPARTMENT FOR THE STATE
 30 SHARE OF MEDICAL ASSISTANCE PAYMENTS FOR
 31 VARIOUS MENTAL HEALTH SERVICES 500,000
 32 -----

33 Special Revenue Funds - Other / Aid to Localities
 34 Miscellaneous Special Revenue Fund - 339
 35 Mental Hygiene Program Fund Account

36 For services and expenses associated with
 37 the restoration of the proposed one
 38 percent reduction in the 2008-09 cost of
 39 living adjustment. Funds appropriated
 40 herein are supported by savings resulting
 41 from the increased Federal Medical Assist-
 42 ance Percentage (FMAP) provided pursuant
 43 to the American recovery and reinvestment
 44 act of 2009 751,000
 45 FOR SERVICES AND EXPENSES OF VARIOUS
 46 COMMUNITY MENTAL HEALTH NON-RESIDENTIAL
 47 PROGRAMS, PURSUANT TO ARTICLE 41 OF THE
 48 MENTAL HYGIENE LAW 2,900,000
 49 FOR SERVICES AND EXPENSES OF VARIOUS
 50 COMMUNITY MENTAL HEALTH EMERGENCY
 51 PROGRAMS 900,000

1

2 COMMUNITY MENTAL HEALTH SUPPORT AND WORKFORCE REINVESTMENT PROGRAM

3 Special Revenue Funds - Other / Aid to Localities
4 Miscellaneous Special Revenue Fund - 339
5 Mental Hygiene Program Fund Account

6 For services and expenses associated with
7 the restoration of the proposed one
8 percent reduction in the 2008-09 cost of
9 living adjustment. Funds appropriated
10 herein are supported by savings resulting
11 from the increased Federal Medical Assist-
12 ance Percentage (FMAP) provided pursuant
13 to the American recovery and reinvestment
14 act of 2009 77,000
15 FOR SERVICES AND EXPENSES OF VARIOUS ADULT
16 COMMUNITY MENTAL HEALTH RESIDENTIAL
17 PROGRAMS 523,000
18 -----

19 S 3. Section 1 of chapter 55 of the laws of 2009, enacting the trans-
20 portation, economic development and environmental conservation budget,
21 is amended by repealing the items hereinbelow set forth in brackets and
22 by adding to such section the other items underscored in this section.

23 DEPARTMENT OF PUBLIC SERVICE
24 STATE OPERATIONS AND AID TO LOCALITIES 2009-10

25 REGULATION OF UTILITIES PROGRAM
26 SPECIAL REVENUE FUNDS - FEDERAL / STATE OPERATIONS
27 FEDERAL OPERATING GRANTS FUND - 290

28 FOR REGULATORY AND OTHER RELATED ACTIVITIES
29 AS FUNDED BY THE AMERICAN RECOVERY AND
30 REINVESTMENT ACT OF 2009. FUNDS APPROPRI-
31 ATED HEREIN SHALL BE SUBJECT TO ALL APPLI-
32 CABLE REPORTING AND ACCOUNTABILITY
33 REQUIREMENTS CONTAINED IN SUCH ACT 1,250,000

34 DEPARTMENT OF TRANSPORTATION
35 CAPITAL PROJECTS 2009-10

36 AMERICAN RECOVERY AND REINVESTMENT ACT (CCP)
37 Federal Capital Projects Fund - 291
38 American Recovery and Reinvestment Act Purpose

39 For Transit Capital Assistance funded by
40 Title 12 of the American Recovery and
41 Reinvestment Act of 2009. Funds appropri-
42 ated herein shall be subject to all appli-

1 cable reporting and accountability
2 requirements contained in such act.

3 For the payment of the costs of mass trans-
4 portation capital projects and facilities
5 including replacement of buses meeting
6 federal standards for replacement, related
7 bus equipment and the acquisition, design
8 and construction, including engineering
9 and consulting costs, of mass transit bus
10 garages or other mass transportation
11 projects and facilities, including liabil-
12 ities incurred prior to April 1, 2009
13 (170509FS) 26,300,000

14 FOR PAYMENT BY THE STATE OF THE FEDERAL
15 SHARE OF THE COST OF TRANSPORTATION
16 RELATED PROJECTS FUNDED BY THE AMERICAN
17 RECOVERY AND REINVESTMENT ACT OF 2009.
18 FUNDS APPROPRIATED HEREIN SHALL BE SUBJECT
19 TO ALL APPLICABLE REPORTING AND ACCOUNT-
20 ABILITY REQUIREMENTS CONTAINED IN SUCH
21 ACT.

22 FOR PROJECTS ADMINISTERED BY FEDERAL AGEN-
23 CIES OTHER THAN THE FEDERAL HIGHWAY ADMIN-
24 ISTRATION OR FEDERAL TRANSIT ADMINIS-
25 TRATION, INCLUDING PAYMENT OF LIABILITIES
26 INCURRED PRIOR TO APRIL 1, 2010, AND
27 INCLUDING BUT NOT LIMITED TO CONSTRUCTION,
28 RECONSTRUCTION, ALTERATION AND REHABILI-
29 TATION, INCLUDING THE COST OF ACQUISITION
30 OF REAL PROPERTY, THE ACQUISITION OF
31 EQUIPMENT AND OTHER RELATED INCIDENTAL
32 EXPENSES THERETO AND FOR THE FEDERAL SHARE
33 OF CONSULTANT SERVICES IN CARRYING OUT
34 FEDERALLY APPROVED STUDIES (170609FS) 5,000,000

35 S 4. This act shall take effect immediately and shall be deemed to
36 have been in full force and effect on and after April 1, 2009.