S T A T E O F N E W Y O R K

6611--B

I N S E N A T E

January 19, 2010

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 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

Section 1. Section 1 of chapter 53 of the laws of 2009, as amended by chapter 50, section 4, of the laws of 2009 and chapter 502, section 2, of the laws of 2009, enacting the education, labor and family assistance budget, is amended by repealing the items hereinbelow set forth in brackets and by adding to such section the other items underscored in this section.

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

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

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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

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

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

ADULT SERVICES PROGRAM

General Fund / Aid to Localities

Local Assistance Account - 001

For transfer to the Commission on Quality of Care and Advocacy for Persons with Disabilities for services and expenses associated with legal services and support for parents with psychiatric disabilities. Funds appropriated herein are supported by savings resulting from the increased Federal Medical Assistance Percentage (FMAP) provided pursuant to the American recovery and reinvestment act of 2009 300,000

FOR SERVICES AND EXPENSES OF VARIOUS COMMUNITY MENTAL HEALTH EMERGENCY PROGRAMS, INCLUDING COMPREHENSIVE PSYCHIATRIC EMERGENCY PROGRAMS PURSUANT TO SECTION 41.51 OF THE MENTAL HYGIENE LAW 500,000

FOR TRANSFER TO THE DEPARTMENT OF HEALTH TO REIMBURSE THE DEPARTMENT FOR THE STATE SHARE OF MEDICAL ASSISTANCE PAYMENTS FOR VARIOUS MENTAL HEALTH SERVICES 1,000,000

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

For services and expenses associated with the restoration of the proposed one percent reduction in the 2008-09 cost of living adjustment. Funds appropriated herein are supported by savings resulting from the increased Federal Medical Assistance Percentage (FMAP) provided pursuant to the American recovery and reinvestment act of 2009; provided, however, that the amount of this appropriation available for expenditure and disbursement on and after November 1, 2009 shall be reduced by 12.5 percent of the amount that was undisbursed as of November 1, 2009 4,019,000

FOR SERVICES AND EXPENSES OF VARIOUS COMMUNITY MENTAL HEALTH NON-RESIDENTIAL PROGRAMS, PURSUANT TO ARTICLE 41 OF THE MENTAL HYGIENE LAW 14,500,000

FOR SERVICES AND EXPENSES OF VARIOUS COMMUNITY MENTAL HEALTH RESIDENTIAL PROGRAMS, PURSUANT TO ARTICLE 41 OF THE MENTAL HYGIENE LAW 10,177,000

CHILDREN AND YOUTH SERVICES PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

For services and expenses associated with the restoration of the proposed one percent reduction in the 2008-09 cost of living adjustment. Funds appropriated herein are supported by savings resulting from the increased Federal Medical Assistance Percentage (FMAP) provided pursuant to the American recovery and reinvestment act of 2009 874,000
FOR SERVICES AND EXPENSES OF VARIOUS COMMUNITY MENTAL HEALTH NON-RESIDENTIAL PROGRAMS, PURSUANT TO ARTICLE 41 OF THE MENTAL HYGIENE LAW 1,000,000
FOR TRANSFER TO THE DEPARTMENT OF HEALTH TO REIMBURSE THE DEPARTMENT FOR THE STATE SHARE OF MEDICAL ASSISTANCE PAYMENTS FOR VARIOUS MENTAL HEALTH SERVICES 500,000

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

For services and expenses associated with the restoration of the proposed one percent reduction in the 2008-09 cost of living adjustment. Funds appropriated herein are supported by savings resulting from the increased Federal Medical Assistance Percentage (FMAP) provided pursuant to the American recovery and reinvestment act of 2009 751,000
FOR SERVICES AND EXPENSES OF VARIOUS COMMUNITY MENTAL HEALTH NON-RESIDENTIAL PROGRAMS, PURSUANT TO ARTICLE 41 OF THE MENTAL HYGIENE LAW 2,900,000
FOR SERVICES AND EXPENSES OF VARIOUS COMMUNITY MENTAL HEALTH EMERGENCY PROGRAMS 900,000

COMMUNITY MENTAL HEALTH SUPPORT AND WORKFORCE REINVESTMENT PROGRAM

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

For services and expenses associated with the restoration of the proposed one percent reduction in the 2008-09 cost of living adjustment. Funds appropriated herein are supported by savings resulting from the increased Federal Medical Assistance Percentage (FMAP) provided pursuant to the American recovery and reinvestment act of 2009 77,000
FOR SERVICES AND EXPENSES OF VARIOUS ADULT

COMMUNITY MENTAL HEALTH RESIDENTIAL
PROGRAMS 523,000

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

DEPARTMENT OF PUBLIC SERVICE

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

REGULATION OF UTILITIES PROGRAM

SPECIAL REVENUE FUNDS - FEDERAL / STATE OPERATIONS
FEDERAL OPERATING GRANTS FUND - 290

FOR REGULATORY AND OTHER RELATED ACTIVITIES AS FUNDED BY THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009. FUNDS APPROPRIATED HEREIN SHALL BE SUBJECT TO ALL APPLICABLE REPORTING AND ACCOUNTABILITY REQUIREMENTS CONTAINED IN SUCH ACT 1,250,000

DEPARTMENT OF TRANSPORTATION

CAPITAL PROJECTS 2009-10

AMERICAN RECOVERY AND REINVESTMENT ACT (CCP)

Federal Capital Projects Fund - 291
American Recovery and Reinvestment Act Purpose

For Transit Capital Assistance funded by Title 12 of the American Recovery and Reinvestment Act of 2009. Funds appropriated herein shall be subject to all applicable reporting and accountability requirements contained in such act.
For the payment of the costs of mass transportation capital projects and facilities including replacement of buses meeting federal standards for replacement, related bus equipment and the acquisition, design and construction, including engineering and consulting costs, of mass transit bus garages or other mass transportation projects and facilities, including liabilities incurred prior to April 1, 2009 (170509FS) 26,300,000
FOR PAYMENT BY THE STATE OF THE FEDERAL SHARE OF THE COST OF TRANSPORTATION RELATED PROJECTS FUNDED BY THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009. FUNDS APPROPRIATED HEREIN SHALL BE SUBJECT

TO ALL APPLICABLE REPORTING AND ACCOUNTABILITY REQUIREMENTS CONTAINED IN SUCH ACT.

FOR PROJECTS ADMINISTERED BY FEDERAL AGENCIES OTHER THAN THE FEDERAL HIGHWAY ADMINISTRATION OR FEDERAL TRANSIT ADMINISTRATION, INCLUDING PAYMENT OF LIABILITIES INCURRED PRIOR TO APRIL 1, 2010, AND INCLUDING BUT NOT LIMITED TO CONSTRUCTION, RECONSTRUCTION, ALTERATION AND REHABILITATION, INCLUDING THE COST OF ACQUISITION OF REAL PROPERTY, THE ACQUISITION OF EQUIPMENT AND OTHER RELATED INCIDENTAL EXPENSES THERETO AND FOR THE FEDERAL SHARE OF CONSULTANT SERVICES IN CARRYING OUT FEDERALLY APPROVED STUDIES (170609FS) 5,000,000

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