

S. 22

A. 22

Twentieth Extraordinary Session

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

December 2, 2009

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 chapter 50 of the laws of 2009, enacting the public protection and general government budget; to amend chapter 53 of the laws of 2009, enacting the education, labor and family assistance budget; to amend chapter 54 of the laws of 2009, enacting the health and mental hygiene budget; and to amend chapter 55 of the laws of 2009, enacting the transportation, economic development and environmental conservation budget, in relation to the support of state 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 50 of the laws of 2009, enacting the
2 public protection and general government budget is amended by repealing
3 the items hereinbelow set forth in brackets and by adding to such
4 section the other items underscored in this section.

5 DIVISION OF CRIMINAL JUSTICE SERVICES

6 STATE OPERATIONS AND AID TO LOCALITIES 2009-10

7 FUNDING AND PROGRAM ASSISTANCE PROGRAM

8 Special Revenue Funds - Other / Aid to Localities

9 Miscellaneous Special Revenue Fund - 339

10 Crimes Against Revenue Program Account

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

LBD12171-01-9

1 For payment to district attorneys who
2 participate in the crimes against revenue
3 program to be distributed in the same
4 manner as the prior year or through a
5 competitive process; PROVIDED, HOWEVER,
6 THAT THE AMOUNT OF THIS APPROPRIATION
7 AVAILABLE FOR EXPENDITURE AND DISBURSEMENT
8 ON AND AFTER NOVEMBER 1, 2009 SHALL BE
9 REDUCED BY 12.5 PERCENT OF THE AMOUNT THAT
10 WAS UNDISBURSED AS OF NOVEMBER 1, 2009 ...
11 6,000,000
12 -----

13 Special Revenue Funds - Other / Aid to Localities
14 State Police and Motor Vehicle Law Enforcement Fund - 354
15 Local Agency Law Enforcement Account

16 For services and expenses associated with
17 local anti-auto theft programs, in accord-
18 ance with section 89-d of the state
19 finance law, distributed through a compet-
20 itive process; PROVIDED, HOWEVER, THAT THE
21 AMOUNT OF THIS APPROPRIATION AVAILABLE FOR
22 EXPENDITURE AND DISBURSEMENT ON AND AFTER
23 NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5
24 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED
25 AS OF NOVEMBER 1, 2009 4,284,000
26 -----

27 DIVISION OF PAROLE

28 STATE OPERATIONS AND AID TO LOCALITIES 2009-10

29 PAROLE OPERATIONS PROGRAM

30 General Fund / Aid to Localities
31 Local Assistance Account - 001

32 For costs associated with the provision of
33 treatment, residential stabilization and
34 other related services for offenders in
35 the community, including residential
36 stabilization for sex offenders, pursuant
37 to existing contracts or to be distributed
38 through a competitive process; PROVIDED,
39 HOWEVER, THAT THE AMOUNT OF THIS APPROPRI-
40 ATION AVAILABLE FOR EXPENDITURE AND
41 DISBURSEMENT ON AND AFTER NOVEMBER 1, 2009
42 SHALL BE REDUCED BY 12.5 PERCENT OF THE
43 AMOUNT THAT WAS UNDISBURSED AS OF NOVEMBER
44 1, 2009 5,551,000
45 -----

46 DIVISION OF PROBATION AND CORRECTIONAL ALTERNATIVES

47 STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 COMMUNITY CORRECTIONS PROGRAM

2 General Fund / Aid to Localities
3 Local Assistance Account - 001

4 For payments to not-for-profit and govern-
5 ment operated programs providing alterna-
6 tives to incarceration, to be distributed
7 pursuant to existing contracts or through
8 a competitive process which includes an
9 evaluation of the effectiveness of such
10 process; PROVIDED, HOWEVER, THAT THE
11 AMOUNT OF THIS APPROPRIATION AVAILABLE FOR
12 EXPENDITURE AND DISBURSEMENT ON AND AFTER
13 NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5
14 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED
15 AS OF NOVEMBER 1, 2009 4,932,000
16 -----

17 OFFICE OF REAL PROPERTY SERVICES

18 STATE OPERATIONS AND AID TO LOCALITIES 2009-10

19 POLICY AND ORGANIZATIONAL SUPPORT SERVICES PROGRAM

20 General Fund - Aid to Localities
21 Local Assistance Account - 001

22 For state financial assistance for improve-
23 ment of the real property tax adminis-
24 tration pursuant to a plan submitted by
25 the office of real property services and
26 approved by the division of the budget.
27 Notwithstanding the provisions of any
28 other law to the contrary, for state
29 fiscal year 2009-2010 the liability of the
30 state and the amount to be distributed or
31 otherwise expended by the state pursuant
32 to sections 318, 354, 489-w, 1530, and
33 1573 of the real property tax law shall be
34 determined by first calculating the amount
35 of the expenditure or other liability
36 pursuant to such law, and then reducing
37 the amount so calculated by two percent of
38 such amount; PROVIDED FURTHER THAT THE
39 AMOUNT OF THE EXPENDITURES OR LIABILITIES
40 PURSUANT TO SECTION 1573 OF THE REAL
41 PROPERTY TAX LAW, SHALL BE FURTHER REDUCED
42 BY 12.5 PERCENT OF THE AMOUNT OF THIS
43 APPROPRIATION THAT IS UNDISBURSED AS OF
44 NOVEMBER 1, 2009, AND THAT THE AMOUNT OF
45 THIS APPROPRIATION AVAILABLE FOR DISBURSE-
46 MENT ON OR AFTER SUCH DATE SHALL BE
47 REDUCED BY 12.5 PERCENT OF THE AMOUNT THAT
48 IS UNDISBURSED AS OF SUCH DATE. Such
49 financial assistance shall include up to

1 \$5,025,000 for payments to local govern-
2 ments pursuant to the rail infrastructure
3 investment act of 2002; up to \$690,000 for
4 reimbursement for assessor training pursu-
5 ant to sections 318 and 354 of the real
6 property tax law; and up to \$8,250,000
7 pursuant to section 1573 of the real prop-
8 erty tax law, and shall include the
9 payment of liabilities incurred prior to
10 April 1, 2009 13,965,000
11 -----

12 MISCELLANEOUS -- ALL STATE DEPARTMENTS AND AGENCIES

13 ALL STATE DEPARTMENTS AND AGENCIES

14 STATE OPERATIONS AND AID TO LOCALITIES 2009-10

15 Maintenance Undistributed

16 General Fund
17 Community Projects Fund - 007
18 Account BB

19 For services and expenses, grants in aid, or
20 for contracts with certain not-for-profit
21 agencies, universities, colleges, school
22 districts, corporations, and/or munici-
23 palities pursuant to section 99-d of the
24 state finance law. The funds appropriated
25 hereby may be suballocated to any depart-
26 ment, agency, or public authority.
27 [Pursuant to the provisions of subdivision 5
28 of section 24 of the state finance law and
29 any provision of law requiring the
30 approval of the director or division of
31 the budget, such grants in aid shall be
32 expended only pursuant to one or more
33 plans submitted by the temporary president
34 of the senate in accordance with such
35 section. Such plan shall include but not
36 be limited to an itemized list of grantees
37 with the amount to be received by each.
38 Thereafter, such list shall be included in
39 a resolution approved by a majority vote
40 of all members of the senate upon a roll
41 call vote] NOTWITHSTANDING SUBDIVISION 5
42 OF SECTION 24 OF THE STATE FINANCE LAW,
43 THE \$74,375,000 APPROPRIATION SPECIFIED
44 HEREIN SHALL BE AVAILABLE PURSUANT TO ONE
45 OR SEVERAL PLANS, WHICH SHALL INCLUDE BUT
46 NOT BE LIMITED TO AN ITEMIZED LIST OF
47 GRANTEES WITH THE AMOUNT TO BE RECEIVED BY
48 EACH, SUBMITTED BY THE SECRETARY OF THE
49 SENATE FINANCE COMMITTEE BY JANUARY 15,

1 2010, AND SUBJECT TO THE APPROVAL OF THE
2 DIRECTOR OF THE BUDGET [85,000,000] 74,375,000
3 -----

4 Maintenance Undistributed

5 General Fund
6 Community Projects Fund - 007
7 Account CC

8 For services and expenses, grants in aid, or
9 for contracts with certain not-for-profit
10 agencies, universities, colleges, school
11 districts, corporations, and/or municipi-
12 palities in a manner determined pursuant
13 to subdivision 5 of section 24 of the
14 state finance law. The funds appropriated
15 hereby may be suballocated to any depart-
16 ment, agency or public authority
17 [20,000,000] 9,375,000
18 -----

19 MISCELLANEOUS -- ALL STATE DEPARTMENTS AND AGENCIES

20 LOCAL GOVERNMENT ASSISTANCE

21 STATE OPERATIONS AND AID TO LOCALITIES 2009-10

22 AID AND INCENTIVES FOR MUNICIPALITIES

23 General Fund / Aid to Localities
24 Local Assistance Account - 001

25 For payment to local governments under the
26 aid and incentives for municipalities
27 program pursuant to section 54 of the
28 state finance law in accordance with the
29 following:

30 For base level grants to municipalities
31 [755,684,000] 750,336,517

32 For special aid and incentives for municipi-
33 palities to the city of New York. Funds
34 appropriated herein are supported by
35 savings resulting from the increased
36 Federal Medical Assistance Percentage
37 (FMAP) provided pursuant to the American
38 recovery and reinvestment act of 2009
39 [327,889,668] 301,658,495

40 For a local government efficiency grant
41 program administered by the department of
42 state pursuant to section 54 of the state
43 finance law.

44 Of the amount appropriated herein, up to
45 \$2,450,000 shall be made available for
46 high priority planning grants and general

1 efficiency planning grants to eligible
2 municipalities.

3 Of the amount appropriated herein, up to
4 [\$4,900,000] \$4,400,000 shall be made
5 available for efficiency implementation
6 grants to eligible municipalities.

7 Of the amount appropriated herein, up to
8 \$4,165,000 shall be made available for
9 twenty-first century demonstration project
10 grants to eligible municipalities.

11 Of the amount appropriated herein, up to
12 \$1,960,000 shall be made available for
13 municipal merger incentives for eligible
14 municipalities.

15 Notwithstanding the above provisions of this
16 appropriation, and subject to approval of
17 the director of the budget, any unused
18 moneys provided pursuant to this appropri-
19 ation for high priority planning grants,
20 general efficiency planning grants or
21 twenty-first century demonstration project
22 grants may be used for efficiency imple-
23 mentation grants, and any unused moneys
24 provided pursuant to this appropriation
25 for high priority planning grants, general
26 efficiency planning grants or efficiency
27 implementation grants may be used for
28 twenty-first century demonstration project
29 grants.

30 Notwithstanding any other provision of law,
31 no payment shall be made from this appro-
32 priation without a certificate of approval
33 by the director of the budget

34 [13,475,000] 12,975,000
35 -----

36 S 2. Section 1 of chapter 53 of the laws of 2009, enacting the educa-
37 tion, labor and family assistance budget, as amended by chapter 50,
38 section 4, of the laws of 2009, is amended by repealing the items here-
39 inbelow set forth in brackets and by adding to such section the other
40 items underscored in this section.

41 COUNCIL ON THE ARTS

42 STATE OPERATIONS AND AID TO LOCALITIES 2009-10

43 ADMINISTRATION PROGRAM

44 General Fund / Aid to Localities
45 Local Assistance Account - 001

46 For state financial assistance for the arts.
47 This appropriation may be used for state
48 financial assistance to nonprofit cultural
49 organizations offering services to the
50 general public, including but not limited

1 to, orchestras, dance companies, museums
2 and theatre groups including nonprofit
3 cultural organizations, botanical gardens,
4 zoos, aquariums and public benefit corpo-
5 rations offering programs of arts related
6 education for elementary and secondary
7 school pupils. Such programs may include
8 activities directly undertaken by the
9 grantee, or indirectly by regranting of
10 state funds by regional or local arts
11 councils, among other organizations, to
12 nonprofit cultural organizations.

13 Grants, including capital grants, awarded
14 may be used for programs and activities
15 relating to arts disciplines including,
16 but not limited to, architecture, dance,
17 design, music, theater, media, literature,
18 museum activities, visual arts, folk arts,
19 and arts in education programs; PROVIDED,
20 HOWEVER, THAT THE AMOUNT OF THIS APPROPRI-
21 ATION AVAILABLE FOR EXPENDITURE AND
22 DISBURSEMENT ON AND AFTER NOVEMBER 1, 2009
23 SHALL BE REDUCED BY 12.5 PERCENT OF THE
24 AMOUNT THAT WAS UNDISBURSED AS OF NOVEMBER
25 1, 2009 38,900,000
26 -----

27 CITY UNIVERSITY OF NEW YORK

28 STATE OPERATIONS AND AID TO LOCALITIES 2009-10

29 CITY UNIVERSITY--COMMUNITY COLLEGES

30 General Fund / Aid to Localities
31 Local Assistance Account - 001

32 OPERATING ASSISTANCE

33 For state financial assistance, net of
34 disallowances, for operating expenses of
35 community colleges to be expended pursuant
36 to regulations developed jointly by the
37 state university trustees and the city
38 university trustees and approved by the
39 director of the budget, and shall include
40 funds available on a matching basis to
41 implement programs for the provision of
42 education and training services to indi-
43 viduals eligible under the federal
44 personal responsibility and work opportu-
45 nity reconciliation act of 1996.

46 Notwithstanding any other provision of law,
47 rule or regulation, aid payable from this
48 appropriation to community colleges shall
49 be distributed to the colleges according

1 to guidelines established by the city
2 university trustees.
3 Notwithstanding any other law, rule, or
4 regulation to the contrary, full funding
5 for aidable community college enrollment
6 for the college fiscal year 2009-10 and
7 heretofore as provided under this appro-
8 priation is determined by the operating
9 aid formulas defined in rules and regu-
10 lations developed jointly by the boards of
11 trustees of the state and city universi-
12 ties and approved by the director of the
13 budget provided that the local sponsor may
14 use funds contained in reserves for excess
15 student revenue for operating support of a
16 community college program even though said
17 expenditures may cause expenses and
18 student revenues to exceed one-third of
19 the college's net operating budget for the
20 college fiscal year 2009-10 provided that
21 such funds do not cause the college's
22 revenue from the local sponsor's contrib-
23 ution in aggregate to be less than the
24 comparable amounts for the previous commu-
25 nity college fiscal year and further
26 provided that pursuant to standards and
27 regulations of the state university trus-
28 tees and the city university trustees for
29 the college fiscal year 2009-10, community
30 colleges may increase tuition and fees
31 above that allowable under current educa-
32 tion law if such standards and regulations
33 require that in order to exceed the
34 tuition limit otherwise set forth in the
35 education law, local sponsor contributions
36 either in the aggregate or for each full-
37 time equivalent student shall be no less
38 than the comparable amounts for the previ-
39 ous community college fiscal year
40[177,687,230] 173,287,230
41 -----

42 CATEGORICAL PROGRAMS

43 For payment of rental aid; PROVIDED, HOWEV-
44 ER, THAT THE AMOUNT OF THIS APPROPRIATION
45 AVAILABLE FOR EXPENDITURE AND DISBURSEMENT
46 ON AND AFTER NOVEMBER 1, 2009 SHALL BE
47 REDUCED BY 12.5 PERCENT OF THE AMOUNT THAT
48 WAS UNDISBURSED AS OF NOVEMBER 1, 2009 ...
49 7,209,280
50 -----

51 CITY UNIVERSITY -- SENIOR COLLEGES

52 General Fund / Aid to Localities

Local Assistance Account - 001

CITY UNIVERSITY--SENIOR COLLEGE PROGRAMS

For the costs of the state share, as prescribed herein, as reimbursement to the city of New York to be paid during the state fiscal year beginning April 1, 2009 for the operating expenses of the senior college approved programs and services of the city university of New York as defined in section 6230 of the education law.

Notwithstanding paragraphs 3 and 4 of subdivision A of section 6221 of the education law, the amount appropriated herein shall constitute the maximum state payment for the 2009-10 state fiscal year beginning April 1, 2009 to the city of New York, of which \$428,000,000 is a state liability to the city for the period beginning April 1, 2009 through June 30, 2010, for reimbursement of costs incurred by the city at any time during the 2008-09 academic year.

Notwithstanding any inconsistent provision of law, the dormitory authority of the state of New York may issue bonds for the purpose of reimbursing equipment disbursements subject to subdivision 14 of section 1680 of the public authorities law and upon transfer of bond proceeds for equipment disbursements, from the city university special revenue fund (377), facilities and planning income reimbursable account (NA) to an account of the city of New York, the general fund appropriations herein shall be reduced by amounts equivalent to such transfers but in no event less than \$20,000,000 for the 12-month period beginning July 1, 2009; the transfer of such bond proceeds shall immediately and equivalently reduce the general fund amounts appropriated herein; and the portions of such general fund appropriations so affected shall have no further force or effect.

The state share of operating expenses, a portion of which is appropriated herein as reimbursement to New York city, shall be an amount equal to the net operating expenses of the senior college approved programs and services which shall equal the total operating expenses of approved programs and services less:

(a) all excess tuition and instructional and noninstructional fees attributable

1 to the senior colleges received from the
 2 city university construction fund;
 3 (b) miscellaneous revenue and fees,
 4 including bad debt recoveries and income
 5 fund reimbursable cost recoveries;
 6 (c) pursuant to section 6221 of the educa-
 7 tion law, a representative share of the
 8 operating costs of those activities
 9 within central administration and univ-
 10 ersity-wide programs which, as deter-
 11 mined by the state budget director,
 12 relate jointly to the senior colleges
 13 and community colleges, and New York
 14 city support for associate degree
 15 programs at the College of Staten Island
 16 and Medgar Evers College and notwith-
 17 standing any other provision of law,
 18 rule or regulation, New York city
 19 support for associate degree programs at
 20 New York city college of technology and
 21 John Jay college, with such support
 22 based on the 2006-07 full-time equiv-
 23 alent (FTE) associate degree enrollments
 24 at these campuses and calculated using
 25 the New York city contribution per city
 26 university community college FTE in the
 27 2006-07 base year, totaling \$32,275,000.
 28 Items (a) and (b) of the foregoing shall be
 29 hereafter referred to as the senior
 30 college revenue offset, and item (c) as
 31 the central administration and universi-
 32 ty-wide programs offset.
 33 In no event shall the state support for the
 34 operating expenses of the senior college
 35 approved programs and services for the
 36 12-month period beginning July 1, 2009
 37 Exceed [\$1,096,493,377] \$1,072,493,377 ...
 38 [1,061,254,000] 1,037,254,000
 39 -----

40 EDUCATION DEPARTMENT

41 STATE OPERATIONS AND AID TO LOCALITIES 2009-10

42 ELEMENTARY, MIDDLE, SECONDARY AND CONTINUING EDUCATION
 43 PROGRAM

44 General Fund / Aid to Localities
 45 Local Assistance Account - 001

46 For general support for public schools,
 47 pursuant to a chapter of the laws of 2009;
 48 including remaining 2008-09 school year
 49 obligations [16,985,341,000] 16,525,341,000
 50 For competitive grants for adult literacy/
 51 education aid to public and private not-

1 for-profit agencies, including but not
2 limited to, 2 and 4 year colleges, commu-
3 nity based organizations, libraries, and
4 volunteer literacy organizations and
5 institutions which meet quality standards
6 promulgated by the commissioner of educa-
7 tion to provide programs of basic litera-
8 cy, high school equivalency, and English
9 as a second language to persons 16 years
10 of age or older for the 2009-10 school
11 year; PROVIDED, HOWEVER, THAT THE AMOUNT
12 OF THIS APPROPRIATION AVAILABLE FOR
13 EXPENDITURE AND DISBURSEMENT ON AND AFTER
14 NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5
15 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED
16 AS OF NOVEMBER 1, 2009 4,906,000
17 For allowances to private schools for the
18 blind and the deaf, including state aid
19 for blind and deaf pupils in certain
20 institutions to be paid for the purposes
21 provided under article 85 of the education
22 law for the education of deaf children
23 under 3 years of age including transfers
24 to the miscellaneous special revenue fund
25 Rome school for the deaf account (339E6)
26 pursuant to a plan to be developed by the
27 commissioner and approved by the director
28 of the budget. Notwithstanding any other
29 inconsistent provisions of law, such funds
30 appropriated herein shall be for the New
31 York state pupils approved to attend such
32 schools and whose admissions, attendance
33 and termination therein is in accordance
34 with rules and regulations of the commis-
35 sioner of education.
36 Of the amounts appropriated herein, up to
37 \$6,651,000 shall be used for debt service
38 on capital construction projects financed
39 through the state dormitory authority and
40 \$111,449,000 shall be available for allow-
41 ances to schools for the blind and deaf.
42 Provided further that, notwithstanding any
43 inconsistent provision of law, upon
44 disbursement of funds appropriated for
45 additional allowances to private schools
46 for the blind and deaf in the vocational
47 and educational services for individuals
48 with disabilities program special revenue
49 funds-federal/aid to localities, funds
50 appropriated herein shall be reduced in an
51 amount equivalent to such disbursement and
52 the portion of this appropriation so
53 affected shall have no further force or
54 effect. Such reduction in the general fund
55 allowances to private schools for the
56 blind and deaf shall be fully offset by

1 the special revenue funds-federal/aid to
2 localities funds appropriated for addi-
3 tional allowances to private schools for
4 the blind and deaf.

5 Notwithstanding any provision of the law to
6 the contrary, funds appropriated herein
7 shall be available for payment of liabil-
8 ities heretofore accrued or hereafter to
9 accrue and, subject to the approval of the
10 director of the budget, such funds shall
11 be available to the department net of
12 disallowances, refunds, reimbursements and
13 credits; PROVIDED, HOWEVER, THAT THE
14 AMOUNT OF THIS APPROPRIATION AVAILABLE FOR
15 EXPENDITURE AND DISBURSEMENT ON AND AFTER
16 NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5
17 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED
18 AS OF NOVEMBER 1, 2009 118,100,000

19 For July and August programs for school-aged
20 children with handicapping conditions
21 pursuant to section 4408 of the education
22 law. Moneys appropriated herein shall be
23 used as follows: (i) for remaining base
24 year and prior school years obligations,
25 (ii) for the purposes of subdivision 4 of
26 section 3602 of the education law for
27 schools operated under articles 87 and 88
28 of the education law, and (iii) notwith-
29 standing any inconsistent provision of
30 law, for payments made pursuant to this
31 appropriation for current school year
32 obligations, provided, however, that such
33 payments shall not exceed 70 percent of
34 the state aid due for the sum of the
35 approved tuition and maintenance rates and
36 transportation expense provided for here-
37 in; provided, however, that payment of
38 eligible claims shall be payable in the
39 order that such claims have been approved
40 for payment by the commissioner of educa-
41 tion, and provided further that no claim
42 shall be set aside for insufficiency of
43 funds to make a complete payment, but
44 shall be eligible for a partial payment in
45 one year and shall retain its priority
46 date status for subsequent appropriations
47 designated for such purposes. Notwith-
48 standing any inconsistent provision of law
49 to the contrary, funds appropriated herein
50 shall only be available for liabilities
51 incurred prior to July 1, 2010, shall be
52 used to pay 2008-09 school year claims in
53 the first instance, and represent the
54 maximum amount payable during the 2009-10
55 state fiscal year. Notwithstanding any
56 provision of law to the contrary, funds

1 appropriated herein shall be available for
2 payment of liabilities heretofore accrued
3 or hereafter to accrue and, subject to the
4 approval of the director of the budget,
5 such funds shall be available to the
6 department net of disallowances, refunds,
7 reimbursements and credits; PROVIDED,
8 HOWEVER, THAT THE AMOUNT OF THIS APPROPRI-
9 ATION AVAILABLE FOR EXPENDITURE AND
10 DISBURSEMENT ON AND AFTER NOVEMBER 1, 2009
11 SHALL BE REDUCED BY 12.5 PERCENT OF THE
12 AMOUNT THAT WAS UNDISBURSED AS OF NOVEMBER
13 1, 2009 260,400,000

14 For services and expenses of a \$27,821,000
15 2009-10 school year program for extended
16 day and school violence prevention
17 programs; PROVIDED, HOWEVER, THAT THE
18 AMOUNT OF THIS APPROPRIATION AVAILABLE FOR
19 EXPENDITURE AND DISBURSEMENT ON AND AFTER
20 NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5
21 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED
22 AS OF NOVEMBER 1, 2009 27,821,000

23 For services and expenses related to the
24 development, implementation and operation
25 of charter schools for the 2009-10 school
26 year including \$1,981,000 for administra-
27 tive/technical support services provided
28 by the charter school institute of the
29 state university of New York. This appro-
30 priation shall only be available for
31 expenditure upon the approval of an
32 expenditure plan by the director of the
33 budget and funds appropriated herein shall
34 be transferred to the miscellaneous
35 special revenue fund - charter schools
36 stimulus account; PROVIDED, HOWEVER, THAT
37 THE AMOUNT OF THIS APPROPRIATION AVAILABLE
38 FOR EXPENDITURE AND DISBURSEMENT ON AND
39 AFTER NOVEMBER 1, 2009 SHALL BE REDUCED BY
40 12.5 PERCENT OF THE AMOUNT THAT WAS UNDIS-
41 BURSED AS OF NOVEMBER 1, 2009 .. 5,528,000
42 -----

43 Special Revenue Funds - Federal / Aid to Localities
44 State Fiscal Stabilization Fund - 267

45 For support of elementary, secondary, and
46 post-secondary education from the state
47 fiscal stabilization fund-education fund
48 as funded by the American recovery and
49 reinvestment act of 2009. Notwithstanding
50 any other provision of law to the contra-
51 ry, of the amounts appropriated herein, up
52 to a total of \$38,400,000 may be suballo-
53 cated or transferred, subject to the
54 approval of the director of the budget, to

1 the state university of New York and the
2 city university of New York for operating
3 expenses of community colleges of which
4 \$27,648,000 shall be available for subal-
5 location or transfer to the state univer-
6 sity of New York community college operat-
7 ing assistance program and \$10,752,000
8 shall be available for suballocation or
9 transfer to the city university of New
10 York community colleges program. Funds
11 appropriate herein shall be subject to all
12 applicable reporting and accountability
13 requirements contained in such act
14 [1,235,000,000] 1,626,000,000
15 -----

16 For the purposes of the state fiscal
17 stabilization fund-other governmental
18 services fund as funded by the American
19 recovery and reinvestment act of 2009.
20 Funds appropriated herein shall be subject
21 to all applicable reporting and account-
22 ability requirements contained in such
23 act.

24 Funds appropriated herein shall be available
25 for services and expenses of a \$40,000,000
26 teacher resources and computer training
27 centers program for the 2009-10 school
28 year provided that, notwithstanding any
29 inconsistent provision of law, subject to
30 the approval of the director of the budg-
31 et. Funds appropriated herein shall be
32 subject to all applicable reporting and
33 accountability requirements contained in
34 such act; PROVIDED, HOWEVER THAT THE
35 AMOUNT OF THIS APPROPRIATION AVAILABLE FOR
36 EXPENDITURE AND DISBURSEMENT ON AND AFTER
37 NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5
38 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED
39 AS OF NOVEMBER 1, 2009 40,000,000
40 -----

41 Special Revenue Funds - Other / Aid to Localities
42 State Lottery Fund - 160

43 For general support for public schools for
44 the 2009-10 school year, for grants
45 awarded pursuant to subparagraph 2-a of
46 paragraph b of subdivision 4 of section
47 92-C of the state finance law
48 [478,000,000] 547,000,000
49 -----

50 OFFICE OF HIGHER EDUCATION AND THE PROFESSIONS PROGRAM

51 General Fund / Aid to Localities

1 Local Assistance Account - 001

2 The moneys herein appropriated shall be
3 available for higher and continuing educa-
4 tion programs provided by independent
5 colleges, universities and other organiza-
6 tions approved by the state education
7 department.

8 For liberty partnerships program awards as
9 prescribed by section 612 of the education
10 law as added by chapter 425 of the laws of
11 1988. Notwithstanding any other section of
12 law to the contrary, funding for such
13 programs in the 2009-10 fiscal year shall
14 be limited to the amount appropriated
15 herein [11,817,000] 10,842,000

16 Unrestricted aid to independent colleges and
17 universities, notwithstanding any other
18 section of law to the contrary, aid other-
19 wise due and payable in the 2009-10 fiscal
20 year shall be limited to the amount appro-
21 priated herein; PROVIDED, HOWEVER, THAT
22 THE AMOUNT OF THIS APPROPRIATION AVAILABLE
23 FOR EXPENDITURE AND DISBURSEMENT ON AND
24 AFTER NOVEMBER 1, 2009 SHALL BE REDUCED BY
25 12.5 PERCENT OF THE AMOUNT THAT WAS UNDIS-
26 BURSED AS OF NOVEMBER 1, 2009
27 41,600,000

28 For higher education opportunity program
29 awards. Funds appropriated herein shall be
30 used by independent colleges to expand
31 opportunities for the educationally and
32 economically disadvantaged at independent
33 institutions of higher learning; PROVIDED,
34 HOWEVER, THAT THE AMOUNT OF THIS APPROPRI-
35 ATION AVAILABLE FOR EXPENDITURE AND
36 DISBURSEMENT ON AND AFTER NOVEMBER 1, 2009
37 SHALL BE REDUCED BY 12.5 PERCENT OF THE
38 AMOUNT THAT WAS UNDISBURSED AS OF NOVEMBER
39 1, 2009 23,752,000

40 For science and technology entry program
41 (STEP) awards [10,283,000] 9,774,000

42 For collegiate science and technology entry
43 program (CSTEP) awards [4,000,000] 3,806,000
44 -----

45 CULTURAL EDUCATION PROGRAM

46 General Fund / Aid to Localities
47 Local Assistance Account - 001

48 Aid to public libraries including aid to New
49 York public library (NYPL) and NYPL's
50 science industry and business library.
51 Provided that, notwithstanding any
52 provision of law, rule or regulation to

1 the contrary, such aid, and the state's
2 liability therefor, shall represent
3 fulfillment of the state's obligation for
4 this program; PROVIDED, HOWEVER, THAT THE
5 AMOUNT OF THE EXPENDITURE OR LIABILITY
6 PURSUANT TO SUCH LAW SHALL BE FURTHER
7 REDUCED BY 12.5 PERCENT OF SUCH REDUCED
8 AMOUNT, AND THAT THE AMOUNT OF THIS APPRO-
9 PRIATION AVAILABLE FOR EXPENDITURE AND
10 DISBURSEMENT ON AND AFTER SUCH DATE SHALL
11 BE REDUCED BY 12.5 PERCENT OF THE AMOUNT
12 THAT WAS UNDISBURSED AS OF NOVEMBER 1,
13 2009 80,500,000

14 For additional aid to public libraries;
15 PROVIDED, HOWEVER, THAT THE AMOUNT OF THE
16 EXPENDITURE OR LIABILITY PURSUANT TO SUCH
17 LAW SHALL BE FURTHER REDUCED BY 12.5
18 PERCENT OF SUCH REDUCED AMOUNT, AND THAT
19 THE AMOUNT OF THIS APPROPRIATION AVAILABLE
20 FOR EXPENDITURE AND DISBURSEMENT ON AND
21 AFTER SUCH DATE SHALL BE REDUCED BY 12.5
22 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED
23 AS OF NOVEMBER 1, 2009 10,581,000
24 -----

25 Special Revenue Funds - Other / Aid to Localities
26 New York State Local Government Records Management
27 Improvement Fund - 052
28 Local Government Records Management Account

29 Grants to individual local governments or
30 groups of cooperating local governments as
31 provided in section 57.35 of the arts and
32 cultural affairs law; PROVIDED, HOWEVER,
33 THAT THE AMOUNT OF THIS APPROPRIATION
34 AVAILABLE FOR EXPENDITURE AND DISBURSEMENT
35 ON AND AFTER NOVEMBER 1, 2009 SHALL BE
36 REDUCED BY 12.5 PERCENT OF THE AMOUNT THAT
37 WAS UNDISBURSED AS OF NOVEMBER 1, 2009 ...
38 9,539,000
39 -----

40 DEPARTMENT OF FAMILY ASSISTANCE

41 OFFICE OF CHILDREN AND FAMILY SERVICES

42 STATE OPERATIONS AND AID TO LOCALITIES 2009-10

43 FAMILY AND CHILDREN'S SERVICES PROGRAM

44 General Fund / Aid to Localities
45 Local Assistance Account - 001

46 For state aid grants to support contractual
47 agreements with community-based programs
48 for children, youth and families, in order

1 to provide services that meet the needs of
2 families and enhance the safety and
3 stability of children and youth in their
4 homes and contractual agreements with
5 non-for-profits to enhance the assessment
6 of the need for, and provision of services
7 to, victims of domestic violence that are
8 involved in child protective services
9 cases. Such funds are available to contin-
10 ue or expand existing programs with exist-
11 ing contractors that are satisfactorily
12 performing services, to award new
13 contracts to continue programs where
14 existing contractors are not satisfactori-
15 ly performing as determined by the office
16 of children and family services, and/or
17 award new contracts through a competitive
18 process; PROVIDED, HOWEVER, THAT THE
19 AMOUNT OF THIS APPROPRIATION AVAILABLE FOR
20 EXPENDITURE AND DISBURSEMENT ON AND AFTER
21 NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5
22 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED
23 AS OF NOVEMBER 1, 2009 4,934,100
24 For services and expenses of certain local
25 or regional multidisciplinary child abuse
26 investigation teams approved by the office
27 of children and family services for the
28 purpose of investigating reports of
29 suspected child abuse or maltreatment and
30 for new and established child advocacy
31 centers; PROVIDED, HOWEVER, THAT THE
32 AMOUNT OF THIS APPROPRIATION AVAILABLE FOR
33 EXPENDITURE AND DISBURSEMENT ON AND AFTER
34 NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5
35 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED
36 AS OF NOVEMBER 1, 2009 5,811,000
37 The money hereby appropriated is to be
38 available for payment of state aid hereto-
39 fore accrued or hereafter to accrue to
40 municipalities. Subject to the approval of
41 the director of the budget, the money
42 hereby appropriated shall be available to
43 the office net of disallowances, refunds,
44 reimbursements, and credits.
45 Notwithstanding any inconsistent provision
46 of law, the amount herein appropriated may
47 be transferred to any other appropriation
48 within the office of children and family
49 services and/or the office of temporary
50 and disability assistance and/or suballo-
51 cated to the office of temporary and disa-
52 bility assistance for the purpose of
53 paying local social services districts'
54 costs of the above program and may be
55 increased or decreased by interchange with
56 any other appropriation or with any other

1 item or items within the amounts appropri-
2 ated within the office of children and
3 family services general fund - local
4 assistance account with the approval of
5 the director of the budget who shall file
6 such approval with the department of audit
7 and control and copies thereof with the
8 chairman of the senate finance committee
9 and the chairman of the assembly ways and
10 means committee.

11 Notwithstanding any inconsistent provision
12 of law, in lieu of payments authorized by
13 the social services law, or payments of
14 federal funds otherwise due to the local
15 social services districts for programs
16 provided under the federal social security
17 act or the federal food stamp act, funds
18 herein appropriated, in amounts certified
19 by the state commissioner or the state
20 commissioner of health as due from local
21 social services districts each month as
22 their share of payments made pursuant to
23 section 367-b of the social services law
24 may be set aside by the state comptroller
25 in an interest-bearing account with such
26 interest accruing to the credit of the
27 locality in order to ensure the orderly
28 and prompt payment of providers under
29 section 367-b of the social services law
30 pursuant to an estimate provided by the
31 commissioner of health of each local
32 social services district's share of
33 payments made pursuant to section 367-b of
34 the social services law.

35 Notwithstanding any inconsistent provision
36 of law, the amount hereby appropriated
37 shall be available for the designated
38 purposes, less the amount, as certified by
39 the director of the budget, of any trans-
40 fers from the general fund to the tobacco
41 control and insurance initiatives pool
42 established pursuant to section 2807-v of
43 the public health law, to reflect the
44 state savings attributable to this program
45 resulting from an increase in the federal
46 medical assistance percentage available to
47 the state pursuant to the applicable
48 provisions of the federal social security
49 act.

50 The amounts appropriated herein shall be
51 available for reimbursement of local
52 district claims only to the extent that
53 such claims are submitted within twenty-
54 four months of the last day of the state
55 fiscal year in which the expenditures were
56 incurred, unless waived for good cause by

1 the commissioner subject to the approval
2 of the director of the budget.

3 For services and expenses of medical care
4 for foster children. The amount appropri-
5 ated herein shall be available for trans-
6 fer or suballocation to the department of
7 health for the medical assistance program
8 for such services and expenses; PROVIDED,
9 HOWEVER, THAT THE AMOUNT OF THIS APPROPRI-
10 ATION AVAILABLE FOR EXPENDITURE AND
11 DISBURSEMENT ON AND AFTER NOVEMBER 1, 2009
12 SHALL BE REDUCED BY 12.5 PERCENT OF THE
13 AMOUNT THAT WAS UNDISBURSED AS OF NOVEMBER
14 1, 2009 34,000,000

15 Of the amount appropriated herein,
16 \$23,605,938 shall be available as follows;
17 PROVIDED, HOWEVER, THAT THE AMOUNT OF THIS
18 APPROPRIATION AVAILABLE FOR EXPENDITURE
19 AND DISBURSEMENT ON AND AFTER NOVEMBER 1,
20 2009 SHALL BE REDUCED BY 12.5 PERCENT OF
21 THE AMOUNT THAT WAS UNDISBURSED AS OF
22 NOVEMBER 1, 2009:

23 For services and expenses related to locally
24 operated youth development and delinquency
25 prevention programs. No expenditure shall
26 be made from this appropriation until a
27 plan has been approved by the director of
28 the budget and a certificate of approval
29 allocating these funds has been issued by
30 the director of the budget.

31 Notwithstanding the provisions of section
32 420 of the executive law which would
33 require expenditure of state aid for youth
34 programs in a total amount greater than
35 [\$23,605,938] THE AMOUNT APPROPRIATED, for
36 payment of state aid for programs pursuant
37 to article 19-A of the executive law, for
38 delinquency prevention and youth develop-
39 ment. Notwithstanding the provisions of
40 section 420 of the executive law, eligi-
41 bility for state aid reimbursement for
42 counties which do not participate in the
43 county comprehensive planning process
44 shall be determined as follows: the aggre-
45 gate amount of state aid for recreation,
46 youth service and similar projects to a
47 county and municipalities within such
48 county shall not exceed \$2,750 of which no
49 more than \$1,450 may be used for recre-
50 ation projects, per 1,000 youths residing
51 in the county based on a single count of
52 such youths as shown by the last published
53 federal census for the county certified in
54 the same manner as provided by section 54
55 of the state finance law. The office shall
56 not reimburse any claims unless they are

submitted within 12 months of the project year in which the expenditure was made.

Of the amount appropriated herein \$7,775,586 shall be available as follows; 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:

For services and expenses related to programs providing special delinquency prevention or other youth development services. No expenditure shall be made for such programs from this appropriation until a plan has been approved by the director of the budget and a certificate of approval allocating these funds has been issued by the director of the budget. The office shall not reimburse any claims unless they are submitted within 7 months of the project year in which the expenditure was made.

For direct contracts with private not-for-profit community agencies to provide needed services for the operation of programs to prevent juvenile delinquency and promote youth development, and through an allocation to public agencies where it is documented that private not-for-profit community agencies are not available to provide such services. Moneys shall be made available to community agencies in counties outside the city of New York based on a statewide allocation formula determined by each county's eligibility for comprehensive planning funds as a proportion of the statewide total provided under paragraph a of subdivision 1 of section 420 of the executive law. Moneys made available to community agencies shall be allocated by local youth bureaus subject to final funding determinations by the commissioner of children and family services and approved by the director of the budget.

For direct contract with private not-for-profit community agencies to provide needed services for the operation of programs to prevent juvenile delinquency and promote youth development, and through an allocation to public agencies where it is documented that private not-for-profit agencies are not available to provide such services.

1 Notwithstanding any inconsistent provision
2 of law, moneys shall be made available to
3 community agencies in cities with popu-
4 lations greater than 275,000 and to commu-
5 nity agencies statewide 31,381,524
6 For payment of state aid for programs for
7 the provision of services to runaway and
8 homeless youth pursuant to subdivisions 2,
9 3 and 4 of section 420 of the executive
10 law and pursuant to chapter 800 of the
11 laws of 1985 amending the runaway and
12 homeless youth act for the provision of
13 transitional independent living support
14 services and the establishment and opera-
15 tion of young adult shelters for youth
16 between the ages of 16 and 21; the office
17 of children and family services shall not
18 reimburse any claims unless they are
19 submitted within 12 months of the calendar
20 quarter in which the claimed service or
21 services were delivered; PROVIDED, HOWEV-
22 ER, THAT THE AMOUNT OF THIS APPROPRIATION
23 AVAILABLE FOR EXPENDITURE AND DISBURSEMENT
24 ON AND AFTER NOVEMBER 1, 2009 SHALL BE
25 REDUCED BY 12.5 PERCENT OF THE AMOUNT THAT
26 WAS UNDISBURSED AS OF NOVEMBER 1, 2009.
27 No expenditures shall be made from this
28 appropriation until an annual expenditure
29 plan is approved by the director of the
30 budget and a certificate of approval allo-
31 cating these funds has been issued by the
32 director of the budget and copies of such
33 certificate or any amendment thereto filed
34 with the state comptroller, the chair-
35 person of the senate finance committee and
36 the chairperson of the assembly ways and
37 means committee 5,235,048
38 For services and expenses related to the
39 home visiting program. Such funds are to
40 be available pursuant to a plan prepared
41 by the office of children and family
42 services and approved by the director of
43 the budget to continue or expand existing
44 programs with existing contractors that
45 are satisfactorily performing as deter-
46 mined by the office of children and family
47 services, to award new contracts to
48 continue programs where the existing
49 contractors are not satisfactorily
50 performing as determined by the office of
51 children and family services and/or to
52 award new contracts through a competitive
53 process; PROVIDED, HOWEVER, THAT THE
54 AMOUNT OF THIS APPROPRIATION AVAILABLE FOR
55 EXPENDITURE AND DISBURSEMENT ON AND AFTER

1 NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5
2 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED
3 AS OF NOVEMBER 1, 2009 17,466,200
4 For services and expenses of the advantage
5 after school program. Such funds are to be
6 available pursuant to a plan prepared by
7 the office of children and family services
8 and approved by the director of the budget
9 to extend or expand current contracts with
10 community based organizations, to award
11 new contracts to continue programs where
12 the existing contractors are not satisfac-
13 torily performing as determined by the
14 office of children and family services
15 and/or to award new contracts through a
16 competitive process to community based
17 organizations; PROVIDED, HOWEVER, THAT THE
18 AMOUNT OF THIS APPROPRIATION AVAILABLE FOR
19 EXPENDITURE AND DISBURSEMENT ON AND AFTER
20 NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5
21 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED
22 AS OF NOVEMBER 1, 2009 19,172,500
23 -----

24 TRAINING AND DEVELOPMENT PROGRAM

25 General Fund / Aid to Localities
26 Local Assistance Account - 001

27 For state reimbursement to local social
28 services districts for training expenses
29 associated with title IV-a, title IV-e,
30 title IV-d, title IV-f and title XIX of
31 the federal social security act or their
32 successor titles and programs.
33 Funds appropriated herein shall be available
34 for aid to municipalities and for payments
35 to the federal government for expenditures
36 made pursuant to the social services law
37 and the state plan for individual and
38 family grant program under the disaster
39 relief act of 1974.
40 Such funds are to be available for payment
41 of aid heretofore accrued or hereafter to
42 accrue to municipalities. Subject to the
43 approval of the director of the budget,
44 such funds shall be available to the
45 office net of disallowances, refunds,
46 reimbursements, and credits.
47 Notwithstanding any inconsistent provision
48 of law, the amount herein appropriated may
49 be transferred to any other appropriation
50 and/or suballocated to any other agency
51 for the purpose of paying local social
52 services district cost or may be increased
53 or decreased by interchange with any other

1 appropriation or with any other item or
2 items within the amounts appropriated
3 within the office of children and family
4 services - local assistance account with
5 the approval of the director of the budget
6 who shall file such approval with the
7 department of audit and control and copies
8 thereof with the chairman of the senate
9 finance committee and the chairman of the
10 assembly ways and means committee.

11 The amount appropriated herein, as may be
12 adjusted by transfer of general fund
13 moneys for administration of child
14 welfare, training and development, public
15 assistance, and food stamp programs appro-
16 priated in the office of children and
17 family services and the office of tempo-
18 rary and disability assistance, shall
19 constitute total state reimbursement for
20 all local training programs in state
21 fiscal year 2009-10; PROVIDED, HOWEVER,
22 THAT THE AMOUNT OF THIS APPROPRIATION
23 AVAILABLE FOR EXPENDITURE AND DISBURSEMENT
24 ON AND AFTER NOVEMBER 1, 2009 SHALL BE
25 REDUCED BY 12.5 PERCENT OF THE AMOUNT THAT
26 WAS UNDISBURSED AS OF NOVEMBER 1, 2009 ...
27 5,515,800
28 -----

29 DEPARTMENT OF FAMILY ASSISTANCE
30 OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE

31 STATE OPERATIONS AND AID TO LOCALITIES 2009-10

32 EMPLOYMENT AND ECONOMIC SUPPORT ADMINISTRATION PROGRAM

33 General Fund / Aid to Localities
34 Local Assistance Account - 001

35 Funds appropriated according to the follow-
36 ing shall be available for payment of aid
37 heretofore accrued or hereafter to accrue
38 to municipalities. Notwithstanding any
39 inconsistent provision of law, such funds
40 may be increased or decreased by inter-
41 change with any other appropriation within
42 the office of temporary and disability
43 assistance general fund - local assistance
44 account with the approval of the director
45 of the budget. Notwithstanding section
46 153 of the social services law, such funds
47 allocated to social services districts
48 shall constitute total state reimbursement
49 for local district administrative claims
50 in State fiscal year 2009-2010:

1 For expenditures associated with the opera-
2 tion of a statewide electronic benefit
3 transfer (EBT) system including the
4 design, development, implementation and
5 operation of a non-cash component consist-
6 ent with the safety net provisions of
7 chapter 436 of the laws of 1997 enacting
8 comprehensive welfare reform; PROVIDED,
9 HOWEVER, THAT THE AMOUNT OF THIS APPROPRI-
10 ATION AVAILABLE FOR EXPENDITURE AND
11 DISBURSEMENT ON AND AFTER NOVEMBER 1, 2009
12 SHALL BE REDUCED BY 12.5 PERCENT OF THE
13 AMOUNT THAT WAS UNDISBURSED AS OF NOVEMBER
14 1, 2009 10,345,000

15 For services and expenses incurred by local
16 social services districts in relation to
17 the administrative cap waiver requests
18 submitted to the office of temporary and
19 disability assistance for exempt area
20 plans submitted for calendar years through
21 2003.

22 Notwithstanding any inconsistent provision
23 of law, reimbursement otherwise payable to
24 social services districts from this appro-
25 priation shall be reduced in amounts
26 sufficient to recover a local share for
27 the cost of the electronic benefit issu-
28 ance and control system (EBICS) and/or for
29 the cost of the electronic benefit issu-
30 ance (EBT) system or any successor system.
31 Such local share shall be calculated as
32 though such cost were expenditures for
33 administration of programs of public
34 assistance and care.

35 Notwithstanding section 153, 368-a, or
36 subdivision 6 of section 95 of the social
37 services law, or any other inconsistent
38 provision of law, to establish local cost
39 sharing in the fair hearing process,
40 reimbursement otherwise payable to social
41 services districts from this appropriation
42 shall be reduced for the period commencing
43 April 1, 2009 and ending March 31, 2010 by
44 \$5,897,000. Such reduction shall be
45 prorated among social services districts
46 based on the number of fair hearings
47 related to public assistance programs or
48 its predecessor programs, and medical
49 assistance held in each district during
50 state fiscal year 2008-09 as a proportion
51 of the New York state fair hearing case-
52 load related to such programs.

53 Notwithstanding section 153 of the social
54 services law or any inconsistent provision
55 of law, reimbursement otherwise payable to
56 social services districts from this appro-

priation shall be reduced in amounts sufficient to fully recover the non-federal share of any costs related to a common benefit identification card system including costs related to an employment related attendance and tracking system (CBICS). Such costs shall be allocated proportionately among social services districts based on the number of cards issued on behalf of each district and use of the attendance tracking system or by such alternative cost allocation procedure deemed appropriate by the commissioner and approved by the director of the budget. Notwithstanding any inconsistent provision of law, the commissioner may certify to the state comptroller estimates of the amounts due from each social services district for such local financial participation and may deduct such estimated amounts from reimbursement authorized by section 153 of the social services law; 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 9,212,000

EMPLOYMENT AND ECONOMIC SUPPORT PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

For the services of a program to provide homelessness prevention and services to prevent eviction of families with children receiving temporary assistance. Funds appropriated herein shall be awarded to community based organizations to provide eviction prevention activities to eligible families, including but not limited to risk assessment, service plan development, advocacy services and legal services referral. Notwithstanding section 153 of the social services law or any other inconsistent provision of law, funds appropriated herein shall be used to reimburse the full non-federal share of any approved expenditures. 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

1 AMOUNT OF THIS APPROPRIATION AVAILABLE FOR
2 EXPENDITURE AND DISBURSEMENT ON AND AFTER
3 NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5
4 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED
5 AS OF NOVEMBER 1, 2009 5,000,000
6 -----

7 SPECIALIZED SERVICES PROGRAM

8 General Fund / Aid to Localities
9 Local Assistance Account - 001

10 Funds appropriated herein shall be available
11 for aid to municipalities and for payments
12 to the federal government for expenditures
13 made pursuant to the social services law
14 and the state plan for individual and
15 family grant program under the disaster
16 relief act of 1974.

17 The amounts appropriated herein shall be
18 available for reimbursement of local
19 district claims only to the extent that
20 such claims are submitted within 24 months
21 of the last day of the state fiscal year
22 in which the expenditures were incurred.

23 Notwithstanding any inconsistent provision
24 of law, in lieu of payments authorized by
25 the social services law, or payments of
26 federal funds otherwise due to the local
27 social services districts for programs
28 provided under the federal social security
29 act or the federal food stamp act, funds
30 herein appropriated, in amounts certified
31 by the state commissioner or the state
32 commissioner of health as due from local
33 social services districts each month as
34 their share of payments made pursuant to
35 section 367-b of the social services law
36 may be set aside by the state comptroller
37 in an interest-bearing account with such
38 interest accruing to the credit of the
39 locality in order to ensure the orderly
40 and prompt payment of providers under
41 section 367-b of the social services law
42 pursuant to an estimate provided by the
43 commissioner of health of each local
44 social services district's share of
45 payments made pursuant to section 367-b of
46 the social services law.

47 Such funds are to be available for payment
48 of aid heretofore accrued or hereafter to
49 accrue to municipalities. Subject to the
50 approval of the director of the budget,
51 such funds shall be available to the
52 office of temporary and disability assist-
53 ance program, net of disallowances,

1 refunds, reimbursements, and credits
2 including, but not limited to, additional
3 federal funds resulting from any changes
4 in federal cost allocation methodologies.

5 Notwithstanding any inconsistent provision
6 of law, the amount herein appropriated may
7 be increased or decreased by interchange
8 with any other appropriation within the
9 department of family assistance, office of
10 temporary and disability assistance and
11 office of children and family services
12 general fund - local assistance account
13 with the approval of the director of the
14 budget, who shall file such approval with
15 the department of audit and control and
16 copies thereof with the chairman of the
17 senate finance committee and the chairman
18 of the assembly ways and means committee.

19 For 50 percent reimbursement of expenditures
20 made by a social services district or a
21 not-for-profit corporation for supportive
22 service subsidies for single room occupan-
23 cy housing for homeless individuals,
24 pursuant to title 2 of article 2-A of the
25 social services law. Subject to a plan
26 approved by the director of the budget, up
27 to \$250,000 of the funds appropriated
28 herein, may be used by the office of
29 temporary and disability assistance
30 through contract, for technical assistance
31 to organizations operating or supervising
32 the operation of a single room occupancy
33 program; PROVIDED, HOWEVER, THAT THE
34 AMOUNT OF THIS APPROPRIATION AVAILABLE FOR
35 EXPENDITURE AND DISBURSEMENT ON AND AFTER
36 NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5
37 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED
38 AS OF NOVEMBER 1, 2009 16,074,000

39 For additional services and expenses for
40 supportive service subsidies for single
41 room occupancy housing. Funds appropriated
42 herein are supported by savings resulting
43 from the increased Federal Medical Assist-
44 ance Percentage (FMAP) provided pursuant
45 to the American recovery and reinvestment
46 act of 2009; PROVIDED, HOWEVER, THAT THE
47 AMOUNT OF THIS APPROPRIATION AVAILABLE FOR
48 EXPENDITURE AND DISBURSEMENT ON AND AFTER
49 NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5
50 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED
51 AS OF NOVEMBER 1, 2009 3,553,000
52 -----

53 HIGHER EDUCATION SERVICES CORPORATION

54 STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 STUDENT GRANT AND AWARD PROGRAMS 930,486,000
2 -----

3 General Fund / Aid to Localities
4 Local Assistance Account - 001

5 For tuition assistance awards, including
6 part-time TAP, provided to eligible
7 students as defined in section 667 of the
8 education law and as further defined in
9 rules and regulations adopted by the
10 regents upon the recommendation of the
11 commissioner of education and distributed
12 in accordance with rules and regulations
13 adopted by the trustees of the higher
14 education services corporation upon the
15 recommendation of the president and
16 approval of the director of the budget.

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

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

37 Notwithstanding any other provision of law,
38 during the fiscal year commencing April 1,
39 2009, additional awards due and payable to
40 eligible students for accelerated study
41 shall be deferred until October 1, 2010.
42 Such additional awards shall be adjusted
43 on a pro rata basis pursuant to section
44 667 of the education law. However, nothing
45 contained herein shall prevent the payment
46 of such awards prior to October 1, 2010
47 should additional funds be provided there-
48 for 838,966,000

49 Less an amount to be appropriated from the
50 federal department of education fund -
51 state stabilization fund - other govern-
52 mental services account as funded by the
53 American recovery and reinvestment act of
54 2009 for tuition assistance awards

1 [(49,900,000)] (53,864,000)

2 For the payment of tuition awards to part-
3 time students pursuant to section 666 of
4 the education law, as amended by chapter
5 947 of the laws of 1990 14,357,000

6 For the payment of scholarship awards
7 including New York state math and science
8 teaching initiative scholarship pursuant
9 to section 669-d of the education law,
10 veteran's tuition assistance program
11 pursuant to section 669-a of the education
12 law, military enhanced recognition, incen-
13 tive and tribute (MERIT) scholarships
14 pursuant to section 668-e of the education
15 law, world trade center memorial scholar-
16 ships pursuant to section 668-d of the
17 education law, memorial scholarships for
18 children and spouses of deceased fire-
19 fighters, volunteer firefighters and
20 police officers, peace officers and emer-
21 gency medical service workers pursuant to
22 section 668-b of the education law, Ameri-
23 can airlines flight 587 memorial scholar-
24 ships and program grants pursuant to
25 section 668-f of the education law, schol-
26 arships for academic excellence pursuant
27 to section 670-b of the education law,
28 regents health care opportunity scholar-
29 ships pursuant to section 678 of the
30 education law, regents professional oppor-
31 tunity scholarships pursuant to section
32 679 of the education law, regents awards
33 for children of deceased and disabled
34 veterans pursuant to section 668 of the
35 education law, regents physician loan
36 forgiveness awards pursuant to section 677
37 of the education law, volunteer recruit-
38 ment service scholarships pursuant to
39 section 669-c of the education law, and
40 Continental Airline flight 3407 memorial
41 scholarships pursuant to section 668-g of
42 the education law.

43 Notwithstanding the provisions of any other
44 law to the contrary, for state fiscal year
45 2009-2010 the liabilities of the state and
46 the amounts to be distributed or otherwise
47 expended by the state, pursuant to
48 sections 668, 668-b, 668-d, 668-e, 668-f,
49 668-g, 669-a, 669-c, 669-d, 670-b, 677,
50 678 and 679 of the education law shall be
51 determined by first calculating the
52 amounts of the expenditures or other
53 liabilities pursuant to such law, and then
54 reducing the amounts so calculated by two
55 percent of such amount.

1 Notwithstanding any other provision of law,
2 no portion of this appropriation is avail-
3 able for payment of regents college schol-
4 arships, regents professional education in
5 nursing scholarships, empire state chal-
6 lenger scholarships for teachers, empire
7 state challenger fellowships for teachers,
8 or empire state scholarships of excel-
9 lence. Notwithstanding any other provision
10 of law, no portion of this appropriation
11 is available for the payment of interest
12 on federal loans on behalf of students
13 ineligible to have such payment paid by
14 the federal government 39,152,000

15 For payment of scholarship and loan forgive-
16 ness awards of the senator Patricia K.
17 McGee nursing faculty scholarship program
18 and the nursing faculty loan forgiveness
19 incentive program awarded pursuant to
20 chapter 63 of the laws of 2005 as amended
21 by chapters 161 and 746 of the laws of
22 2005. Notwithstanding the provisions of
23 any other law to the contrary, for state
24 fiscal year 2009-2010 the liabilities of
25 the state and the amounts to be distrib-
26 uted or otherwise expended by the state,
27 pursuant to sections 679-c and 679-d of
28 the education law shall be determined by
29 first calculating the amounts of the
30 expenditures or other liabilities pursuant
31 to such law, and then reducing the amounts
32 so calculated by two percent of such
33 amount 3,933,000

34 For payment of loan forgiveness awards of
35 the regents licensed social worker loan
36 forgiveness program awarded pursuant to
37 chapter 57 of the laws of 2005 as amended
38 by chapter 161 of the laws of 2005.
39 Notwithstanding the provisions of any
40 other law to the contrary, for state
41 fiscal year 2009-2010 the liability of the
42 state and the amount to be distributed or
43 otherwise expended by the state, pursuant
44 to section 679-a of the education law
45 shall be determined by first calculating
46 the amount of the expenditure or other
47 liability pursuant to such law, and then
48 reducing the amount so calculated by two
49 percent of such amount 978,000

50 -----
51 Program account subtotal ... 847,486,000
52 -----

53 Special Revenue Funds - Federal / Aid to Localities
54 Federal Department of Education Fund - 267

1	For payment of tuition assistance	
2	.....	5,900,000
3		-----
4	Program fund subtotal	5,900,000
5		-----
6	Special Revenue Funds - Federal / Aid to Localities	
7	Federal Department of Education Fund - 267	
8	HESC-College Access Challenge Grant Account	
9	For services and expenses of the college	
10	access challenge grant program, including	
11	tuition assistance awards. Funds appropri-	
12	ated herein may be transferred to state	
13	operations appropriations	5,000,000
14		-----
15	Program account subtotal	5,000,000
16		-----
17	Special Revenue Funds - Federal / Aid to Localities	
18	Federal Department of Education Fund - 267	
19	Government Services Account	
20	For the purposes of the state fiscal	
21	stabilization fund-other governmental	
22	services fund as funded by the American	
23	recovery and reinvestment act of 2009.	
24	Funds appropriated herein shall be subject	
25	to all applicable reporting and account-	
26	ability requirements contained in such	
27	act.	
28	Funds appropriated herein shall be available	
29	for additional tuition assistance awards,	
30	including part-time TAP, provided to	
31	eligible students as defined in section	
32	667 of the education law and as further	
33	defined in rules and regulations adopted	
34	by the regents upon the recommendation of	
35	the commissioner of education and distrib-	
36	uted in accordance with rules and regu-	
37	lations adopted by the trustees of the	
38	higher education services corporation upon	
39	the recommendation of the president and	
40	approval of the director of the budget ...	
41	.....	[49,900,000] 53,864,000
42		-----
43	Program account subtotal ...	[49,900,000] 53,864,000
44		-----
45	DIVISION OF HOUSING AND COMMUNITY RENEWAL	
46	STATE OPERATIONS AND AID TO LOCALITIES 2009-10	
47	FORECLOSURE PREVENTION PROGRAM	25,000,000
48		-----

1 Special Revenue Funds - Federal / Aid to Localities
2 Fiscal Stabilization Fund - 267
3 Other Governmental Services Account

4 For the purposes of the state fiscal
5 stabilization fund-other governmental
6 services fund as funded by the American
7 recovery and reinvestment act of 2009.
8 Funds appropriated herein shall be subject
9 to all applicable reporting and account-
10 ability requirements contained in such
11 act.
12 For funds allocated to the division of hous-
13 ing and community renewal to be applied to
14 the subprime foreclosure prevention
15 services program set forth in section 2 of
16 part NN of chapter 57 of the laws of 2008;
17 PROVIDED, HOWEVER, THAT THE AMOUNT OF THIS
18 APPROPRIATION AVAILABLE FOR EXPENDITURE
19 AND DISBURSEMENT ON AND AFTER NOVEMBER 1,
20 2009 SHALL BE REDUCED BY 12.5 PERCENT OF
21 THE AMOUNT THAT WAS UNDISBURSED AS OF
22 NOVEMBER 1, 2009 25,000,000
23 -----
24 HOUSING DEVELOPMENT FUND PROGRAM

25 Special Revenue Funds - Other / Aid to Localities
26 Housing Development Fund - 360

27 For carrying out the provisions of article
28 XI of the private housing finance law, in
29 relation to providing assistance to not-
30 for-profit housing companies. No funds
31 shall be expended from this appropriation
32 until the director of the budget has
33 approved a spending plan submitted by the
34 division of housing and community renewal
35 in such detail as the director of the
36 budget may require; PROVIDED, HOWEVER,
37 THAT THE AMOUNT OF THIS APPROPRIATION
38 AVAILABLE FOR EXPENDITURE AND DISBURSEMENT
39 ON AND AFTER NOVEMBER 1, 2009 SHALL BE
40 REDUCED BY 12.5 PERCENT OF THE AMOUNT THAT
41 WAS UNDISBURSED AS OF NOVEMBER 1, 2009 ...
42 9,341,000
43 -----

44 NEIGHBORHOOD PRESERVATION PROGRAM

45 General Fund / Aid to Localities
46 Local Assistance Account - 001

47 For carrying out the provisions of article
48 XVI of the private housing finance law. No
49 funds shall be expended from this appro-
50 priation until the director of the budget

has approved a spending plan submitted by the division of housing and community renewal in such detail as the director of the budget may require; 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 ...

..... 8,153,000

For additional funds for carrying out the provisions of article XVI of the private housing finance law. Funds expended from this appropriation shall be for the purpose of increasing annual contract amounts for neighborhood preservation companies, and each neighborhood preservation company that receives a contract amount may spend such money on its operational expenses as it determines most useful to its program based on allowable expenses authorized pursuant to article XVI of the private housing finance law. The commissioner of the division of housing and community renewal shall enter into a contract, in an amount not less than \$150,000, with the neighborhood preservation coalition to provide technical assistance and services to companies funded pursuant to article XVI of the private housing finance law. No funds shall be expended from this appropriation until the director of the budget has approved a spending plan submitted by the division of housing and community renewal; 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 2,011,000

RURAL PRESERVATION PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

For carrying out the provisions of article XVII of the private housing finance law. No funds shall be expended from this appropriation until the director of the budget has approved a spending plan submitted by the division of housing and community renewal in such detail as the director of the budget may require;

1 PROVIDED, HOWEVER, THAT THE AMOUNT OF THIS
2 APPROPRIATION AVAILABLE FOR EXPENDITURE
3 AND DISBURSEMENT ON AND AFTER NOVEMBER 1,
4 2009 SHALL BE REDUCED BY 12.5 PERCENT OF
5 THE AMOUNT THAT WAS UNDISBURSED AS OF
6 NOVEMBER 1, 2009 3,548,000
7 For additional funds for carrying out the
8 provisions of article XVII of the private
9 housing finance law. Funds expended from
10 this appropriation shall be for the
11 purpose of increasing annual contract
12 amounts for not-for-profit corporations,
13 and each not-for-profit corporation that
14 receives a contract amount may spend such
15 money on its operational expenses as it
16 determines most useful to its program
17 based on allowable expenses authorized
18 pursuant to article XVII of the private
19 housing finance law. The commissioner of
20 the division of housing and community
21 renewal shall enter into a contract, in an
22 amount not less than \$150,000, with the
23 rural housing coalition to provide techni-
24 cal assistance, training and other
25 services to corporations pursuant to arti-
26 cle XVII of the private housing finance
27 law. No funds shall be expended from this
28 appropriation until the director of the
29 budget has approved a spending plan
30 submitted by the division of housing and
31 community renewal; PROVIDED, HOWEVER, THAT
32 THE AMOUNT OF THIS APPROPRIATION AVAILABLE
33 FOR EXPENDITURE AND DISBURSEMENT ON AND
34 AFTER NOVEMBER 1, 2009 SHALL BE REDUCED BY
35 12.5 PERCENT OF THE AMOUNT THAT WAS UNDIS-
36 BURSED AS OF NOVEMBER 1, 2009 929,000
37 -----

38 RURAL RENTAL ASSISTANCE PROGRAM

39 General Fund / Aid to Localities
40 Local Assistance Account - 001

41 For carrying out the provisions of article
42 XVII-A of the private housing finance law
43 in relation to providing assistance to
44 sponsors of housing for persons of low
45 income.
46 Notwithstanding any other provision of law,
47 such funds may be used by the commissioner
48 of housing and community renewal in
49 support of contracts scheduled to expire
50 in 2009-10 for as many as 10 additional
51 years; in support of contracts for new
52 eligible projects for a period not to
53 exceed 5 years; and in support of

1 contracts which reach their 25 year maxi-
2 mum in and/or prior to 2009-10 for an
3 additional one year period.
4 Notwithstanding any other rule, regulation
5 or law, moneys hereby appropriated are to
6 be available for payment of contract obli-
7 gations heretofore accrued or hereafter to
8 accrue and are subject to the approval of
9 the director of the budget; PROVIDED,
10 HOWEVER, THAT THE AMOUNT OF THIS APPROPRI-
11 ATION AVAILABLE FOR EXPENDITURE AND
12 DISBURSEMENT ON AND AFTER NOVEMBER 1, 2009
13 SHALL BE REDUCED BY 12.5 PERCENT OF THE
14 AMOUNT THAT WAS UNDISBURSED AS OF NOVEMBER
15 1, 2009 16,060,000
16 -----

17 DEPARTMENT OF LABOR

18 STATE OPERATIONS AND AID TO LOCALITIES 2009-10

19 EMPLOYMENT AND TRAINING PROGRAM

20 General Fund / Aid to Localities
21 Local Assistance Account - 001

22 For services and expenses of the Workforce
23 Development Institute AFL-CIO for work-
24 force Training, education and program
25 development Initiatives; PROVIDED, HOWEV-
26 ER, THAT THE AMOUNT OF THIS APPROPRIATION
27 AVAILABLE FOR EXPENDITURE AND DISBURSEMENT
28 ON AND AFTER NOVEMBER 1, 2009 SHALL BE
29 REDUCED BY 12.5 PERCENT OF THE AMOUNT THAT
30 WAS UNDISBURSED AS OF NOVEMBER 1, 2009 ...
31 4,823,000
32 -----

33 STATE UNIVERSITY OF NEW YORK

34 STATE OPERATIONS AND AID TO LOCALITIES 2009-10

35 GENERAL FUND / AID TO LOCALITIES

36 COMMUNITY COLLEGE OPERATING ASSISTANCE

37 General Fund / Aid to Localities
38 Local Assistance Account - 001

39 Notwithstanding articles 5-a and 15 of
40 section 355 of education law, for state
41 financial assistance, net of disallow-
42 ances, for operating expenses, including
43 funds required to reimburse base aid costs
44 for the 2008-09 and 2009-10 academic
45 years, pursuant to regulations developed
46 jointly with the city university trustees

1 and approved by the director of the budg-
 2 et, and subject to the availability of
 3 appropriations therefor.
 4 Notwithstanding any other law, rule, or
 5 regulation to the contrary, full funding
 6 for aidable community college enrollment
 7 for the college fiscal years 2009-10 and
 8 thereafter as provided under this appro-
 9 priation is determined by the operating
 10 aid formulas defined in rules and regu-
 11 lations developed jointly by the boards of
 12 trustees of the state and city universi-
 13 ties and approved by the director of the
 14 budget provided that local sponsors may
 15 use funds contained in reserves for excess
 16 student revenue for operating support of a
 17 community college program even though said
 18 expenditures may cause expenses and
 19 student revenues to exceed one-third of
 20 the college's net operating costs for the
 21 college fiscal year 2009-10 provided that
 22 such funds do not cause the college's
 23 revenues from the local sponsor's contrib-
 24 utions in aggregate to be less than the
 25 comparable amounts for the previous commu-
 26 nity college fiscal year and further
 27 provided that pursuant to standards and
 28 regulations of the state university trus-
 29 tees and the city university trustees for
 30 the college fiscal year 2009-10, community
 31 colleges may increase tuition and fees
 32 above that allowable under current educa-
 33 tion law if such standards and regulations
 34 require that in order to exceed the
 35 tuition limit otherwise set forth in the
 36 education law, local sponsor contributions
 37 either in the aggregate or for each full-
 38 time equivalent student shall be no less
 39 than the comparable amounts for the previ-
 40 ous community college fiscal year
 41[462,836,726] 451,500,726
 42 For payment of rental aid; PROVIDED, HOWEV-
 43 ER, THAT THE AMOUNT OF THIS APPROPRIATION
 44 AVAILABLE FOR EXPENDITURE AND DISBURSEMENT
 45 ON AND AFTER NOVEMBER 1, 2009 SHALL BE
 46 REDUCED BY 12.5 PERCENT OF THE AMOUNT THAT
 47 WAS UNDISBURSED AS OF NOVEMBER 1, 2009 ...
 48 8,633,000
 49 -----

50 S 3. Section 2 of chapter 53 of the laws of 2009, enacting the educa-
 51 tion, labor and family assistance budget, is amended by repealing the
 52 items hereinbelow set forth in brackets and by adding to such section
 53 the other items underscored in this section.

1 CONTINGENT AND OTHER APPROPRIATIONS

2 CITY UNIVERSITY OF NEW YORK

3 STATE OPERATIONS AND AID TO LOCALITIES 2009-10

4 Fiduciary Funds

5 CUNY Senior College Operating Fund - 176

6 UNIVERSITY PROGRAMS

7 For additional operating assistance for the

8 city university of New York ... 20,000,000

9 LESS AN AMOUNT TO BE ALLOCATED BY THE BOARD

10 OF TRUSTEES (24,000,000)

11 -----

12 S 4. Section 1 of chapter 54 of the laws of 2009, enacting the health
13 and mental hygiene budget, as amended by chapter 50, section 5, of the
14 laws of 2009, is amended by repealing the items hereinbelow set forth in
15 brackets and by adding to such section the other items underscored in
16 this section.

17 DEPARTMENT OF HEALTH

18 STATE OPERATIONS AND AID TO LOCALITIES 2009-10

19 AIDS INSTITUTE PROGRAM

20 General Fund / Aid to Localities

21 Local Assistance Account - 001

22 For services and expenses related to a joint
23 project between the state and the city of
24 New York, known as the New York/New York
25 III Supportive Housing Agreement. No
26 expenditures shall be made for such
27 program prior to the approval of a method-
28 ology for allocation in accordance with a
29 plan approved by the commissioner and the
30 director of the budget. Furthermore, no
31 expenditure shall be made until a certifi-
32 cate of allocation has been approved by
33 the director of the budget with copies to
34 be filed with the chairpersons of the
35 senate finance committee and the assembly
36 ways and means committee.

37 The amounts appropriated pursuant to such
38 appropriation may be suballocated to other
39 state agencies, authorities, or accounts
40 for expenditures incurred in the operation
41 of programs funded by such appropriation,
42 provided, HOWEVER, THAT THE AMOUNT OF THIS
43 APPROPRIATION AVAILABLE FOR EXPENDITURE
44 AND DISBURSEMENT ON AND AFTER NOVEMBER 1,

1 2009 SHALL BE REDUCED BY 12.5 PERCENT OF
2 THE AMOUNT THAT WAS UNDISBURSED AS OF
3 NOVEMBER 1, 2009 4,490,000
4 Notwithstanding any inconsistent provision
5 of law, effective October 1, 2006, expend-
6 itures made from this appropriation shall
7 effectively provide a cost of living
8 adjustment for providers of the following
9 services, as determined by the commission-
10 er of the department of health, adolescent
11 services - act for youth; adolescent
12 services - general; adolescent services
13 schools; clinical education; clinical
14 guidelines development, clinical scholars;
15 clinical trials experimental treatment;
16 community development initiative; communi-
17 ty HIV prevention and primary care; commu-
18 nity services programs; criminal justice;
19 education and training; evaluation and
20 research; expanded syringe access program;
21 families in transition; family centered
22 care; harm reduction; general; harm
23 reduction - syringe exchange; HIV health
24 care and support services for women and
25 kids; HIV prevention, primary care support
26 services for substance abusers; homeless
27 shelters; legal services and advocacy;
28 lesbian, gay, bisexual, transgender -
29 adolescent; lesbian, gay, bisexual, trans-
30 gender - general; lesbian, gay, bisexual,
31 transgender - substance use; multiple
32 service agency; nutritional services;
33 pediatric centers of excellence; permanen-
34 cy planning; racial and ethnic minority;
35 social day care; specialized care centers
36 for youth; specialty; supportive housing;
37 treatment adherence; women's services -
38 general; women's services - peer; women's
39 services - supportive services and youth
40 access program. The commissioner of the
41 department of health shall determine the
42 standards and requirements necessary to
43 qualify for such increases. Further, each
44 local government unit or direct contract
45 provider receiving such funding shall
46 submit a written certification regarding
47 the use of such funds to be provided in
48 the format proscribed by the department.
49 Funds shall be allocated from this appropri-
50 ation pursuant to a plan prepared by the
51 commissioner and approved by the director
52 of the budget; PROVIDED, HOWEVER, THAT THE
53 AMOUNT OF THIS APPROPRIATION AVAILABLE FOR
54 EXPENDITURE AND DISBURSEMENT ON AND AFTER
55 NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5
56 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED

AS OF NOVEMBER 1, 2009 6,497,000

Special Revenue Funds - Other / Aid to Localities
HCRA Resources Fund - 061
Health Care Services Account

For grants to existing community service programs, as deemed appropriate by the department of health, including but not limited to community based organizations and other organizations providing specialized AIDS-related services targeted to minority and other high-risk populations. To ensure organizational viability, agency administration may be supported subject to review and approval of the commissioner of health. Up to \$125,000 may be transferred to the general fund - state purposes account for the administration of this program. Notwithstanding any provision of law to the contrary, the commissioner of health shall be authorized to continue contracts with community service programs, multi-service agencies and community development initiatives for all such contracts which were executed on or before March 31, 2009, without any additional requirements that such contracts be subject to competitive bidding or a request for proposals process; 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 18,923,000

For grants to existing community service programs to meet the increased demands for HIV education, prevention, outreach, legal and supportive services to high-risk groups and to address increased operating costs of these programs. To ensure organizational viability, agency administration may be supported subject to review and approval of the commissioner of health. Notwithstanding any provision of law to the contrary, the commissioner of health shall be authorized to continue contracts with community service programs, multiservice agencies and community development initiatives for all such contracts which were executed on or before March 31, 2009, without any additional requirements that such contracts be subject to competitive bidding or a request for proposals

1 process; PROVIDED, HOWEVER, THAT THE
2 AMOUNT OF THIS APPROPRIATION AVAILABLE FOR
3 EXPENDITURE AND DISBURSEMENT ON AND AFTER
4 NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5
5 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED
6 AS OF NOVEMBER 1, 2009 4,418,000
7 For services and expenses related to educa-
8 tion and prevention services and for
9 nutritional services including individuals
10 homebound with AIDS or in an adult day
11 care or home care setting; PROVIDED,
12 HOWEVER, THAT THE AMOUNT OF THIS APPROPRI-
13 ATION AVAILABLE FOR EXPENDITURE AND
14 DISBURSEMENT ON AND AFTER NOVEMBER 1, 2009
15 SHALL BE REDUCED BY 12.5 PERCENT OF THE
16 AMOUNT THAT WAS UNDISBURSED AS OF NOVEMBER
17 1, 2009 4,514,000
18 For grants for AIDS prevention and education
19 and AIDS related services to existing
20 community based organizations, as deemed
21 appropriate by the department of health
22 and to article 28 of the public health law
23 diagnostic and treatment centers. For the
24 purposes of this program, eligible organ-
25 izations must (1) operate in a neighbor-
26 hood or geographic area with high concen-
27 trations of at risk populations; and (2)
28 provide services and programs that are
29 culturally sensitive to the special social
30 and cultural needs of the at risk popu-
31 lations. To ensure organizational viabil-
32 ity, agency administration may be
33 supported subject to review and approval
34 of the commissioner of health. Notwith-
35 standing any provision of law to the
36 contrary, the commissioner of health shall
37 be authorized to continue contracts with
38 community service programs, multi-service
39 agencies and community development initi-
40 atives for all such contracts which were
41 executed on or before March 31, 2009,
42 without any additional requirements that
43 such contracts be subject to competitive
44 bidding or a request for proposals
45 process; PROVIDED, HOWEVER, THAT THE
46 AMOUNT OF THIS APPROPRIATION AVAILABLE FOR
47 EXPENDITURE AND DISBURSEMENT ON AND AFTER
48 NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5
49 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED
50 AS OF NOVEMBER 1, 2009 11,331,000
51 -----

52 Special Revenue Funds - Other / Aid to Localities
53 HCRA Resources Fund - 061
54 Maternal and Child HIV Services Account

1 For services and expenses related to special
2 programs for HIV services for infants and
3 pregnant women established pursuant to
4 section 71 of chapter 731 of the laws of
5 1993. Such programs may provide continuing
6 services to high-risk and HIV-positive
7 women and children. Up to 5 percent of
8 this appropriation may be transferred to
9 the general fund-state purposes account
10 for administration of this program;
11 PROVIDED, HOWEVER, THAT THE AMOUNT OF THIS
12 APPROPRIATION AVAILABLE FOR EXPENDITURE
13 AND DISBURSEMENT ON AND AFTER NOVEMBER 1,
14 2009 SHALL BE REDUCED BY 12.5 PERCENT OF
15 THE AMOUNT THAT WAS UNDISBURSED AS OF
16 NOVEMBER 1, 2009 4,625,000
17 -----

18 CENTER FOR COMMUNITY HEALTH PROGRAM

19 General Fund / Aid to Localities
20 Local Assistance Account - 001

21 For services and expenses related to provid-
22 ing nutritional services and to provide
23 nutritional education to pregnant women,
24 infants, and children, including suballo-
25 cations to the department of agriculture
26 and markets for the farmer's market nutri-
27 tion program and migrant worker services
28 and the office of temporary and disability
29 assistance for prenatal care assistance
30 program activities. A portion of this
31 appropriation may be transferred to state
32 operations appropriations for adminis-
33 tration of this program; PROVIDED, HOWEV-
34 ER, THAT THE AMOUNT OF THIS APPROPRIATION
35 AVAILABLE FOR EXPENDITURE AND DISBURSEMENT
36 ON AND AFTER NOVEMBER 1, 2009 SHALL BE
37 REDUCED BY 12.5 PERCENT OF THE AMOUNT THAT
38 WAS UNDISBURSED AS OF NOVEMBER 1, 2009 ...
39 20,610,000
40 For services and expenses, including operat-
41 ing expenses related to providing nutri-
42 tional services and nutrition education
43 for hunger prevention and nutrition
44 assistance. A portion of this appropri-
45 ation may be transferred to state oper-
46 ations appropriations for administration
47 of this program; PROVIDED, HOWEVER, THAT
48 THE AMOUNT OF THIS APPROPRIATION AVAILABLE
49 FOR EXPENDITURE AND DISBURSEMENT ON AND
50 AFTER NOVEMBER 1, 2009 SHALL BE REDUCED BY
51 12.5 PERCENT OF THE AMOUNT THAT WAS UNDIS-
52 BURSED AS OF NOVEMBER 1, 2009
53 30,900,000

1 For state grants for breast cancer detection
2 and education program pursuant to chapter
3 328 of the laws of 1989 as amended. A
4 portion of this appropriation may be
5 transferred to state operations appropri-
6 ations for administration of this program;
7 PROVIDED, HOWEVER, THAT THE AMOUNT OF THIS
8 APPROPRIATION AVAILABLE FOR EXPENDITURE
9 AND DISBURSEMENT ON AND AFTER NOVEMBER 1,
10 2009 SHALL BE REDUCED BY 12.5 PERCENT OF
11 THE AMOUNT THAT WAS UNDISBURSED AS OF
12 NOVEMBER 1, 2009 4,521,000
13 For services and expenses associated with
14 red cross emergency response preparedness,
15 including support for capital projects and
16 ensuring an adequate blood supply. Funds
17 shall be allocated from this appropriation
18 pursuant to a plan prepared by the commis-
19 sioner of health and approved by the
20 director of the budget; PROVIDED, HOWEVER,
21 THAT THE AMOUNT OF THIS APPROPRIATION
22 AVAILABLE FOR EXPENDITURE AND DISBURSEMENT
23 ON AND AFTER NOVEMBER 1, 2009 SHALL BE
24 REDUCED BY 12.5 PERCENT OF THE AMOUNT THAT
25 WAS UNDISBURSED AS OF NOVEMBER 1, 2009 ...
26 3,000,000
27 For additional services and expenses associ-
28 ated with red cross emergency response
29 preparedness, including support for capi-
30 tal projects and ensuring an adequate
31 blood supply. Funds shall be allocated
32 from this appropriation pursuant to a plan
33 prepared by the commissioner of health and
34 approved by the director of the budget.
35 Funds appropriated herein are supported by
36 savings resulting from the increased
37 Federal Medical Assistance Percentage
38 (FMAP) provided pursuant to the American
39 recovery and reinvestment act of 2009;
40 PROVIDED, HOWEVER, THAT THE AMOUNT OF THIS
41 APPROPRIATION AVAILABLE FOR EXPENDITURE
42 AND DISBURSEMENT ON AND AFTER NOVEMBER 1,
43 2009 SHALL BE REDUCED BY 12.5 PERCENT OF
44 THE AMOUNT THAT WAS UNDISBURSED AS OF
45 NOVEMBER 1, 2009 1,600,000
46 Notwithstanding any inconsistent provision
47 of law, effective October 1, 2006, expend-
48 itures made from this appropriation shall
49 effectively provide a cost of living
50 adjustment for providers of the following
51 services, as determined by the commis-
52 sioner of the department of health, red cross
53 emergency preparedness, nutrition educa-
54 tion and outreach, obesity prevention,
55 nutritional services to pregnant women,
56 infants and children, hunger prevention

1 and nutrition assistance program, Indian
2 health, asthma, prenatal care assistance
3 program, rape crisis, health and human
4 services sexuality related programs,
5 maternity and early childhood foundation,
6 comprehensive adolescent pregnancy
7 prevention, family planning, school
8 health, sudden infant death syndrome
9 education and outreach, childhood lead
10 poisoning prevention, enhanced services
11 for kids, act for youth, children with
12 special health care needs, regional peri-
13 natal data centers, migrant health, dental
14 services, osteoporosis prevention, eating
15 disorders, cancer services, cancer regis-
16 try, healthy heart, Alzheimer's disease
17 assistance centers, Alzheimer's research
18 and education, diabetes screening, educa-
19 tion, and prevention, tobacco control,
20 rabies, tick-borne disease, immunization,
21 universal prenatal and postpartum home
22 visitation, public health campaign, sexu-
23 ally transmitted diseases, and tuberculo-
24 sis control. The commissioner of the
25 department of health shall determine the
26 standards and requirements necessary to
27 qualify for such increases. Further, each
28 local government unit or direct contract
29 provider receiving such funding shall
30 submit written certification regarding the
31 use of such funds to be provided in the
32 format prescribed by the department. Funds
33 shall be allocated from this appropriation
34 pursuant to a plan prepared by the commis-
35 sioner and approved by the director of the
36 budget; PROVIDED, HOWEVER, THAT THE AMOUNT
37 OF THIS APPROPRIATION AVAILABLE FOR
38 EXPENDITURE AND DISBURSEMENT ON AND AFTER
39 NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5
40 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED
41 AS OF NOVEMBER 1, 2009 30,440,000
42 For services and expenses, including grants,
43 for statewide emergency contraception
44 outreach and education, training and
45 assistance as approved by the commis-
46 sioner. A portion of this appropriation may be
47 transferred to state operations appropri-
48 ations for administration of this program
49 [2,406,000] 2,206,000
50 For services and expenses associated with
51 new and existing school based health
52 centers. Funds appropriated herein are
53 supported by savings resulting from the
54 increased Federal Medical Assistance
55 Percentage (FMAP) provided pursuant to the
56 American recovery and reinvestment act of

1 2009; PROVIDED, HOWEVER, THAT THE AMOUNT
2 OF THIS APPROPRIATION AVAILABLE FOR
3 EXPENDITURE AND DISBURSEMENT ON AND AFTER
4 NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5
5 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED
6 AS OF NOVEMBER 1, 2009 4,614,860
7 For services and expenses of health
8 promotion initiatives. A portion of this
9 appropriation may be transferred to state
10 operations appropriations for adminis-
11 tration of this program. Funds appropri-
12 ated herein are supported by savings
13 resulting from the increased Federal
14 Medical Assistance Percentage (FMAP)
15 provided pursuant to the American recovery
16 and reinvestment act of 2009; PROVIDED,
17 HOWEVER, THAT THE AMOUNT OF THIS APPROPRI-
18 ATION AVAILABLE FOR EXPENDITURE AND
19 DISBURSEMENT ON AND AFTER NOVEMBER 1, 2009
20 SHALL BE REDUCED BY 12.5 PERCENT OF THE
21 AMOUNT THAT WAS UNDISBURSED AS OF NOVEMBER
22 1, 2009 4,606,000
23 -----

24 Special Revenue Funds - Other / Aid to Localities
25 HCRA Resources Fund - 061
26 Health Care Services Account

27 For services and expenses of a statewide
28 public health campaign for tuberculosis
29 control and prevention and for screening
30 and education activities regarding sexual-
31 ly transmitted diseases, provided that any
32 funds allocated under this appropriation
33 shall not supplant existing local funds or
34 state funds allocated to county health
35 departments under article 6 of the public
36 health law. Up to \$300,000 of this appro-
37 priation may be transferred to state oper-
38 ations for the administration of this
39 program by the department of health;
40 PROVIDED, HOWEVER, THAT THE AMOUNT OF THIS
41 APPROPRIATION AVAILABLE FOR EXPENDITURE
42 AND DISBURSEMENT ON AND AFTER NOVEMBER 1,
43 2009 SHALL BE REDUCED BY 12.5 PERCENT OF
44 THE AMOUNT THAT WAS UNDISBURSED AS OF
45 NOVEMBER 1, 2009 6,196,000
46 -----

47 Special Revenue Funds - Other / Aid to Localities
48 HCRA Resources Fund - 061
49 Hospital Based Grants Program Account

50 For services and expenses related to provid-
51 ing nutritional services to pregnant
52 women, infants, and children. Notwith-

1 standing any other provision of law to the
2 contrary, up to 5 percent of the amount
3 appropriated may be transferred to the
4 general fund - state purposes account for
5 the administration of this program by the
6 department of health; PROVIDED, HOWEVER,
7 THAT THE AMOUNT OF THIS APPROPRIATION
8 AVAILABLE FOR EXPENDITURE AND DISBURSEMENT
9 ON AND AFTER NOVEMBER 1, 2009 SHALL BE
10 REDUCED BY 12.5 PERCENT OF THE AMOUNT THAT
11 WAS UNDISBURSED AS OF NOVEMBER 1, 2009 ...
12 8,572,000
13 -----

14 CENTER FOR ENVIRONMENTAL HEALTH PROGRAM

15 General Fund / Aid to Localities
16 Local Assistance Account - 001

17 For services and expenses related to the
18 water supply protection program; PROVIDED,
19 HOWEVER, THAT THE AMOUNT OF THIS APPROPRI-
20 ATION AVAILABLE FOR EXPENDITURE AND
21 DISBURSEMENT ON AND AFTER NOVEMBER 1, 2009
22 SHALL BE REDUCED BY 12.5 PERCENT OF THE
23 AMOUNT THAT WAS UNDISBURSED AS OF NOVEMBER
24 1, 2009 5,527,200
25 -----

26 CHILD HEALTH INSURANCE PROGRAM

27 Special Revenue Funds - Other / Aid to Localities
28 HCRA Resources Fund - 061
29 Children's Health Insurance Account

30 The money hereby appropriated is available
31 for payment of aid heretofore accrued or
32 hereafter accrued.

33 For services and expenses related to the
34 children's health insurance program
35 authorized pursuant to title 1-A of arti-
36 cle 25 of the public health law; PROVIDED,
37 HOWEVER, THAT THE AMOUNT OF THIS APPROPRI-
38 ATION AVAILABLE FOR EXPENDITURE AND
39 DISBURSEMENT ON AND AFTER NOVEMBER 1, 2009
40 SHALL BE REDUCED BY 10 PERCENT OF THE
41 AMOUNT THAT WAS UNDISBURSED AS OF NOVEMBER
42 1, 2009 442,500,000

43 For services and expenses related to the
44 children's health insurance program. Funds
45 appropriated herein are supported by
46 savings resulting from the increased
47 Federal Medical Assistance Percentage
48 (FMAP) provided pursuant to the American
49 recovery and reinvestment act of 2009;
50 PROVIDED, HOWEVER, THAT THE AMOUNT OF THIS

1 APPROPRIATION AVAILABLE FOR EXPENDITURE
2 AND DISBURSEMENT ON AND AFTER NOVEMBER 1,
3 2009 SHALL BE REDUCED BY 10 PERCENT OF THE
4 AMOUNT THAT WAS UNDISBURSED AS OF NOVEMBER
5 1, 2009 37,700,000
6 -----

7 HEALTH CARE REFORM ACT PROGRAM

8 Special Revenue Funds - Other / Aid to Localities
9 HCRA Resources Fund - 061
10 HCRA Program Account

11 For services, expenses, grants and transfers
12 necessary to implement the health care
13 reform act program in accordance with
14 section 2807-j, 2807-k, 2807-l, 2807-m,
15 2807-p, 2807-s and 2807-v of the public
16 health law. The moneys hereby appropriated
17 shall be available for payments heretofore
18 accrued or hereafter to accrue. Notwith-
19 standing any inconsistent provision of
20 law, the moneys hereby appropriated may be
21 increased or decreased by interchange or
22 transfer with any appropriation of the
23 department of health or by transfer or
24 suballocation to any appropriation of the
25 department of insurance, the office of
26 mental health and the state office for the
27 aging subject to the approval of the
28 director of the budget, who shall file
29 such approval with the department of audit
30 and control and copies thereof with the
31 chairman of the senate finance committee
32 and the chairman of the assembly ways and
33 means committee. With the approval of the
34 director of the budget, up to 5 percent of
35 this appropriation may be used for state
36 operations purposes. At the direction of
37 the director of the budget, funds may also
38 be transferred directly to the general
39 fund for the purpose of repaying a draw on
40 the tobacco revenue guarantee fund.

41 For transfer to the pool administrator for
42 the purpose of making supplemental gradu-
43 ate medical education payments. NOTWITH-
44 STANDING ANY OTHER PROVISION OF LAW TO THE
45 CONTRARY, FOR STATE FISCAL YEAR 2009-2010
46 THE LIABILITY OF THE STATE AND THE AMOUNT
47 TO BE DISTRIBUTED OR OTHERWISE EXPENDED BY
48 THE STATE ON OR AFTER NOVEMBER 1, 2009
49 SHALL BE DETERMINED BY FIRST CALCULATING
50 THE AMOUNT OF THE EXPENDITURE OR OTHER
51 LIABILITY PURSUANT TO SUCH LAW, AND THEN
52 REDUCING THE AMOUNT SO CALCULATED BY 12.5

1 PERCENT OF SUCH AMOUNT, AND THAT THE
2 AMOUNT OF THIS APPROPRIATION AVAILABLE FOR
3 DISBURSEMENT ON OR AFTER NOVEMBER 1, 2009
4 SHALL BE REDUCED BY 12.5 PERCENT OF THE
5 AMOUNT THAT IS UNDISBURSED AS OF SUCH DATE
6 30,400,000
7 For services and expenses of the ambulatory
8 care training program pursuant to subdivi-
9 sion 5-a of section 2807-m of the public
10 health law. NOTWITHSTANDING ANY OTHER
11 PROVISION OF LAW TO THE CONTRARY, FOR
12 STATE FISCAL YEAR 2009-2010 THE LIABILITY
13 OF THE STATE AND THE AMOUNT TO BE DISTRIB-
14 UTED OR OTHERWISE EXPENDED BY THE STATE ON
15 OR AFTER NOVEMBER 1, 2009 SHALL BE DETER-
16 MINED BY FIRST CALCULATING THE AMOUNT OF
17 THE EXPENDITURE OR OTHER LIABILITY PURSU-
18 ANT TO SUCH LAW, AND THEN REDUCING THE
19 AMOUNT SO CALCULATED BY 12.5 PERCENT OF
20 SUCH AMOUNT, AND THAT THE AMOUNT OF THIS
21 APPROPRIATION AVAILABLE FOR DISBURSEMENT
22 ON OR AFTER NOVEMBER 1, 2009 SHALL BE
23 REDUCED BY 12.5 PERCENT OF THE AMOUNT THAT
24 IS UNDISBURSED AS OF SUCH DATE
25 4,900,000
26 For services and expenses of the physician
27 loan repayment program pursuant to subdivi-
28 sion 5-a of section 2807-m of the public
29 health law. All or part of this appropri-
30 ation may be suballocated to the NYS high-
31 er education services corporation.
32 NOTWITHSTANDING ANY OTHER PROVISION OF LAW
33 TO THE CONTRARY, FOR STATE FISCAL YEAR
34 2009-2010 THE LIABILITY OF THE STATE AND
35 THE AMOUNT TO BE DISTRIBUTED OR OTHERWISE
36 EXPENDED BY THE STATE ON OR AFTER NOVEMBER
37 1, 2009 SHALL BE DETERMINED BY FIRST
38 CALCULATING THE AMOUNT OF THE EXPENDITURE
39 OR OTHER LIABILITY PURSUANT TO SUCH LAW,
40 AND THEN REDUCING THE AMOUNT SO CALCULATED
41 BY 12.5 PERCENT OF SUCH AMOUNT, AND THAT
42 THE AMOUNT OF THIS APPROPRIATION AVAILABLE
43 FOR DISBURSEMENT ON OR AFTER NOVEMBER 1,
44 2009 SHALL BE REDUCED BY 12.5 PERCENT OF
45 THE AMOUNT THAT IS UNDISBURSED AS OF SUCH
46 DATE 1,960,000
47 For services and expenses of the physician
48 practice support program pursuant to
49 subdivision 5-a of section 2807-m of the
50 public health law. NOTWITHSTANDING ANY
51 OTHER PROVISION OF LAW TO THE CONTRARY,
52 FOR STATE FISCAL YEAR 2009-2010 THE
53 LIABILITY OF THE STATE AND THE AMOUNT TO
54 BE DISTRIBUTED OR OTHERWISE EXPENDED BY
55 THE STATE ON OR AFTER NOVEMBER 1, 2009
56 SHALL BE DETERMINED BY FIRST CALCULATING

1 THE AMOUNT OF THE EXPENDITURE OR OTHER
2 LIABILITY PURSUANT TO SUCH LAW, AND THEN
3 REDUCING THE AMOUNT SO CALCULATED BY 12.5
4 PERCENT OF SUCH AMOUNT, AND THAT THE
5 AMOUNT OF THIS APPROPRIATION AVAILABLE FOR
6 DISBURSEMENT ON OR AFTER NOVEMBER 1, 2009
7 SHALL BE REDUCED BY 12.5 PERCENT OF THE
8 AMOUNT THAT IS UNDISBURSED AS OF SUCH DATE
9 4,900,000
10 For services and expenses related to physi-
11 cian workforce studies pursuant to subdi-
12 vision 5-a of section 2807-m of the public
13 health law. NOTWITHSTANDING ANY OTHER
14 PROVISION OF LAW TO THE CONTRARY, FOR
15 STATE FISCAL YEAR 2009-2010 THE LIABILITY
16 OF THE STATE AND THE AMOUNT TO BE DISTRIB-
17 UTED OR OTHERWISE EXPENDED BY THE STATE ON
18 OR AFTER NOVEMBER 1, 2009 SHALL BE DETER-
19 MINED BY FIRST CALCULATING THE AMOUNT OF
20 THE EXPENDITURE OR OTHER LIABILITY PURSU-
21 ANT TO SUCH LAW, AND THEN REDUCING THE
22 AMOUNT SO CALCULATED BY 12.5 PERCENT OF
23 SUCH AMOUNT, AND THAT THE AMOUNT OF THIS
24 APPROPRIATION AVAILABLE FOR DISBURSEMENT
25 ON OR AFTER NOVEMBER 1, 2009 SHALL BE
26 REDUCED BY 12.5 PERCENT OF THE AMOUNT THAT
27 IS UNDISBURSED AS OF SUCH DATE ... 590,000
28 For services and expenses of the diversity
29 in medicine/post-baccalaureate program
30 pursuant to subdivision 5-a of section
31 2807-m of the public health law. NOTWITH-
32 STANDING ANY OTHER PROVISION OF LAW TO THE
33 CONTRARY, FOR STATE FISCAL YEAR 2009-2010
34 THE LIABILITY OF THE STATE AND THE AMOUNT
35 TO BE DISTRIBUTED OR OTHERWISE EXPENDED BY
36 THE STATE ON OR AFTER NOVEMBER 1, 2009
37 SHALL BE DETERMINED BY FIRST CALCULATING
38 THE AMOUNT OF THE EXPENDITURE OR OTHER
39 LIABILITY PURSUANT TO SUCH LAW, AND THEN
40 REDUCING THE AMOUNT SO CALCULATED BY 12.5
41 PERCENT OF SUCH AMOUNT, AND THAT THE
42 AMOUNT OF THIS APPROPRIATION AVAILABLE FOR
43 DISBURSEMENT ON OR AFTER NOVEMBER 1, 2009
44 SHALL BE REDUCED BY 12.5 PERCENT OF THE
45 AMOUNT THAT IS UNDISBURSED AS OF SUCH DATE
46 1,960,000
47 For transfer to Roswell park cancer insti-
48 tute corporation; PROVIDED, HOWEVER, THAT
49 THE AMOUNT OF THIS APPROPRIATION AVAILABLE
50 FOR EXPENDITURE AND DISBURSEMENT ON AND
51 AFTER NOVEMBER 1, 2009 SHALL BE REDUCED BY
52 12.5 PERCENT OF THE AMOUNT THAT WAS UNDIS-
53 BURSED AS OF NOVEMBER 1, 2009
54 76,400,000
55 For state grants for the health workforce
56 retraining program. Notwithstanding

section 2807-g of the public health law, or any other provision of law to the contrary, funds hereby appropriated may be made available to other state agencies and facilities operated by the department of health for services and expenses related to the worker retraining program as disbursed pursuant to section 2807-g of the public health law. Provided, however, that the director of the budget must approve the release of any request for proposal or request for application or any other procurement initiatives issued on or after April 1, 2007. Further provided that any contract executed on or after April 1, 2007 must receive the prior approval of the director of the budget. A portion of this appropriation may be transferred to state operations appropriations. NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, FOR STATE FISCAL YEAR 2009-2010 THE LIABILITY OF THE STATE AND THE AMOUNT TO BE DISTRIBUTED OR OTHERWISE EXPENDED BY THE STATE ON OR AFTER NOVEMBER 1, 2009 SHALL BE DETERMINED BY FIRST CALCULATING THE AMOUNT OF THE EXPENDITURE OR OTHER LIABILITY PURSUANT TO SUCH LAW, AND THEN REDUCING THE AMOUNT SO CALCULATED BY 12.5 PERCENT OF SUCH AMOUNT, AND THAT THE AMOUNT OF THIS APPROPRIATION AVAILABLE FOR DISBURSEMENT ON OR AFTER NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5 PERCENT OF THE AMOUNT THAT IS UNDISBURSED AS OF SUCH DATE

..... 10,400,000
For transfer to the pool administrator for the purposes of making state grants to public hospitals for recruitment and retention of health care workers. NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, FOR STATE FISCAL YEAR 2009-2010 THE LIABILITY OF THE STATE AND THE AMOUNT TO BE DISTRIBUTED OR OTHERWISE EXPENDED BY THE STATE ON OR AFTER NOVEMBER 1, 2009 SHALL BE DETERMINED BY FIRST CALCULATING THE AMOUNT OF THE EXPENDITURE OR OTHER LIABILITY PURSUANT TO SUCH LAW, AND THEN REDUCING THE AMOUNT SO CALCULATED BY 12.5 PERCENT OF SUCH AMOUNT, AND THAT THE AMOUNT OF THIS APPROPRIATION AVAILABLE FOR DISBURSEMENT ON OR AFTER NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5 PERCENT OF THE AMOUNT THAT IS UNDISBURSED AS OF SUCH DATE 23,800,000

For transfer to the pool administrator for the purposes of making state grants to public hospitals for recruitment and

1 retention of health care workers. Funds
2 appropriated herein are supported by
3 savings resulting from the increased
4 Federal Medical Assistance Percentage
5 (FMAP) provided pursuant to the American
6 recovery and reinvestment act of 2009.
7 NOTWITHSTANDING ANY OTHER PROVISION OF LAW
8 TO THE CONTRARY, FOR STATE FISCAL YEAR
9 2009-2010 THE LIABILITY OF THE STATE AND
10 THE AMOUNT TO BE DISTRIBUTED OR OTHERWISE
11 EXPENDED BY THE STATE ON OR AFTER NOVEMBER
12 1, 2009 SHALL BE DETERMINED BY FIRST
13 CALCULATING THE AMOUNT OF THE EXPENDITURE
14 OR OTHER LIABILITY PURSUANT TO SUCH LAW,
15 AND THEN REDUCING THE AMOUNT SO CALCULATED
16 BY 12.5 PERCENT OF SUCH AMOUNT, AND THAT
17 THE AMOUNT OF THIS APPROPRIATION AVAILABLE
18 FOR DISBURSEMENT ON OR AFTER NOVEMBER 1,
19 2009 SHALL BE REDUCED BY 12.5 PERCENT OF
20 THE AMOUNT THAT IS UNDISBURSED AS OF SUCH
21 DATE 25,300,000
22 For state grants for the health workforce
23 retraining program. Notwithstanding
24 section 2807-g of the public health law,
25 or any other provision of law to the
26 contrary, funds hereby appropriated may be
27 made available to other state agencies and
28 facilities operated by the department of
29 health for services and expenses related
30 to the worker retraining program as
31 disbursed pursuant to section 2807-g of
32 the public health law. Of this amount
33 \$8,900,000 shall be made available to fund
34 training for workers in jobs and job
35 skills that meet the changing requirements
36 of the health care industry pursuant to
37 section 2807-g(5) of the public health
38 law. Provided, however, that the director
39 of the budget must approve the release of
40 any request for proposal or request for
41 application or any other procurement
42 initiatives issued on or after April 1,
43 2007. Further provided that any contract
44 executed on or after April 1, 2007 must
45 receive the prior approval of the director
46 of the budget. A portion of this appropri-
47 ation may be transferred to state oper-
48 ations appropriations. Funds appropriated
49 herein are supported by savings resulting
50 from the increased Federal Medical Assist-
51 ance Percentage (FMAP) provided pursuant
52 to the American recovery and reinvestment
53 act of 2009. NOTWITHSTANDING ANY OTHER
54 PROVISION OF LAW TO THE CONTRARY, FOR
55 STATE FISCAL YEAR 2009-2010 THE LIABILITY
56 OF THE STATE AND THE AMOUNT TO BE DISTRIB-

1 UTED OR OTHERWISE EXPENDED BY THE STATE ON
2 OR AFTER NOVEMBER 1, 2009 SHALL BE DETER-
3 MINED BY FIRST CALCULATING THE AMOUNT OF
4 THE EXPENDITURE OR OTHER LIABILITY PURSU-
5 ANT TO SUCH LAW, AND THEN REDUCING THE
6 AMOUNT SO CALCULATED BY 12.5 PERCENT OF
7 SUCH AMOUNT, AND THAT THE AMOUNT OF THIS
8 APPROPRIATION AVAILABLE FOR DISBURSEMENT
9 ON OR AFTER NOVEMBER 1, 2009 SHALL BE
10 REDUCED BY 12.5 PERCENT OF THE AMOUNT THAT
11 IS UNDISBURSED AS OF SUCH DATE.

12 21,100,000

13 For services and expenses related to the
14 tobacco use prevention and control program
15 including grants to support cancer
16 research. A portion of this appropriation
17 may be transferred to state operations
18 appropriations. Funds appropriated herein
19 are supported by savings resulting from
20 the increased Federal Medical Assistance
21 Percentage (FMAP) provided pursuant to the
22 American recovery and reinvestment act of
23 2009; PROVIDED, HOWEVER, THAT THE AMOUNT
24 OF THIS APPROPRIATION AVAILABLE FOR
25 EXPENDITURE AND DISBURSEMENT ON AND AFTER
26 NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5
27 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED
28 AS OF NOVEMBER 1, 2009; PROVIDED HOWEVER,
29 THAT THE REDUCTION SHALL NOT APPLY TO
30 FUNDS TRANSFERRED TO STATE OPERATIONS
31 APPROPRIATIONS [60,900,000]

50,900,000

32 For transfer to the Roswell park cancer
33 institute to support operating costs asso-
34 ciated with cancer research. A portion of
35 this appropriation may be transferred to
36 state operations appropriations. Funds
37 appropriated herein are supported by
38 savings resulting from the increased
39 Federal Medical Assistance Percentage
40 (FMAP) provided pursuant to the American
41 recovery and reinvestment act of 2009;
42 PROVIDED, HOWEVER, THAT THE AMOUNT OF THIS
43 APPROPRIATION AVAILABLE FOR EXPENDITURE
44 AND DISBURSEMENT ON AND AFTER NOVEMBER 1,
45 2009 SHALL BE REDUCED BY 12.5 PERCENT OF
46 THE AMOUNT THAT WAS UNDISBURSED AS OF
47 NOVEMBER 1, 2009 14,500,000

48 For services and expenses of the New York
49 state area health education center
50 program. NOTWITHSTANDING ANY OTHER
51 PROVISION OF LAW TO THE CONTRARY, FOR
52 STATE FISCAL YEAR 2009-2010 THE LIABILITY
53 OF THE STATE AND THE AMOUNT TO BE DISTRIB-
54 UTED OR OTHERWISE EXPENDED BY THE STATE ON
55 OR AFTER NOVEMBER 1, 2009 SHALL BE DETER-
56 MINED BY FIRST CALCULATING THE AMOUNT OF

1 THE EXPENDITURE OR OTHER LIABILITY PURSU-
2 ANT TO SUCH LAW, AND THEN REDUCING THE
3 AMOUNT SO CALCULATED BY 12.5 PERCENT OF
4 SUCH AMOUNT, AND THAT THE AMOUNT OF THIS
5 APPROPRIATION AVAILABLE FOR DISBURSEMENT
6 ON OR AFTER NOVEMBER 1, 2009 SHALL BE
7 REDUCED BY 12.5 PERCENT OF THE AMOUNT THAT
8 IS UNDISBURSED AS OF SUCH DATE
9 2,500,000
10 For state grants for rural health care
11 access development. NOTWITHSTANDING ANY
12 OTHER PROVISION OF LAW TO THE CONTRARY,
13 FOR STATE FISCAL YEAR 2009-2010 THE
14 LIABILITY OF THE STATE AND THE AMOUNT TO
15 BE DISTRIBUTED OR OTHERWISE EXPENDED BY
16 THE STATE ON OR AFTER NOVEMBER 1, 2009
17 SHALL BE DETERMINED BY FIRST CALCULATING
18 THE AMOUNT OF THE EXPENDITURE OR OTHER
19 LIABILITY PURSUANT TO SUCH LAW, AND THEN
20 REDUCING THE AMOUNT SO CALCULATED BY 12.5
21 PERCENT OF SUCH AMOUNT, AND THAT THE
22 AMOUNT OF THIS APPROPRIATION AVAILABLE FOR
23 DISBURSEMENT ON OR AFTER NOVEMBER 1, 2009
24 SHALL BE REDUCED BY 12.5 PERCENT OF THE
25 AMOUNT THAT IS UNDISBURSED AS OF SUCH DATE
26 10,400,000
27 For state grants for rural health network
28 development. NOTWITHSTANDING ANY OTHER
29 PROVISION OF LAW TO THE CONTRARY, FOR
30 STATE FISCAL YEAR 2009-2010 THE LIABILITY
31 OF THE STATE AND THE AMOUNT TO BE DISTRIB-
32 UTED OR OTHERWISE EXPENDED BY THE STATE ON
33 OR AFTER NOVEMBER 1, 2009 SHALL BE DETER-
34 MINED BY FIRST CALCULATING THE AMOUNT OF
35 THE EXPENDITURE OR OTHER LIABILITY PURSU-
36 ANT TO SUCH LAW, AND THEN REDUCING THE
37 AMOUNT SO CALCULATED BY 12.5 PERCENT OF
38 SUCH AMOUNT, AND THAT THE AMOUNT OF THIS
39 APPROPRIATION AVAILABLE FOR DISBURSEMENT
40 ON OR AFTER NOVEMBER 1, 2009 SHALL BE
41 REDUCED BY 12.5 PERCENT OF THE AMOUNT THAT
42 IS UNDISBURSED AS OF SUCH DATE.
43 6,700,000
44 For state grants for cancer related services
45 pursuant to section 2807-r of the public
46 health law. A portion of this appropri-
47 ation may be transferred to state oper-
48 ations appropriations. A portion of this
49 appropriation may be transferred to state
50 operations appropriations. Funds appro-
51 priated herein are supported by savings
52 resulting from the increased Federal
53 Medical Assistance Percentage (FMAP)
54 provided pursuant to the American recovery
55 and reinvestment act of 2009; PROVIDED,
56 HOWEVER, THAT THE AMOUNT OF THIS APPROPRI-

1 ATION AVAILABLE FOR EXPENDITURE AND
2 DISBURSEMENT ON AND AFTER NOVEMBER 1, 2009
3 SHALL BE REDUCED BY 12.5 PERCENT OF THE
4 AMOUNT THAT WAS UNDISBURSED AS OF NOVEMBER
5 1, 2009 17,500,000
6 For transfer to the pool administrator for
7 distributions related to school based
8 health clinics; PROVIDED, HOWEVER, THAT
9 THE AMOUNT OF THIS APPROPRIATION AVAILABLE
10 FOR EXPENDITURE AND DISBURSEMENT ON AND
11 AFTER NOVEMBER 1, 2009 SHALL BE REDUCED BY
12 12.5 PERCENT OF THE AMOUNT THAT WAS UNDIS-
13 BURSED AS OF NOVEMBER 1, 2009 .. 6,400,000
14 For services and expenses related to the
15 disease management demonstration program
16 [4,700,000] 1,910,000
17 For transfer to the pool administrator for
18 state grants for poison control centers. A
19 portion of this appropriation may be
20 transferred to state operations appropri-
21 ations. Funds appropriated herein are
22 supported by savings resulting from the
23 increased Federal Medical Assistance
24 Percentage (FMAP) provided pursuant to the
25 American recovery and reinvestment act of
26 2009; PROVIDED, HOWEVER, THAT THE AMOUNT
27 OF THIS APPROPRIATION AVAILABLE FOR
28 EXPENDITURE AND DISBURSEMENT ON AND AFTER
29 NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5
30 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED
31 AS OF NOVEMBER 1, 2009 4,800,000
32 For additional state grants to improve
33 access to infertility services, treat-
34 ments, and procedures. Funds appropriated
35 herein are supported by savings resulting
36 from the increased Federal Medical Assist-
37 ance Percentage (FMAP) provided pursuant
38 to the American recovery and reinvestment
39 act of 2009; PROVIDED, HOWEVER, THAT THE
40 AMOUNT OF THIS APPROPRIATION AVAILABLE FOR
41 EXPENDITURE AND DISBURSEMENT ON AND AFTER
42 NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5
43 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED
44 AS OF NOVEMBER 1, 2009 4,600,000
45 For services and expenses related to school
46 based health centers. The total amount of
47 funds provided herein shall be distributed
48 to school-based health center providers
49 based on the ratio of each provider's
50 total enrollment for all sites to the
51 total enrollment of all providers. This
52 formula shall be applied to the total
53 amount made available herein, provided,
54 however, that notwithstanding any contrary
55 provision of law, the commissioner of
56 health may establish minimum and maximum

awards for providers; 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 ...
..... 3,200,000

MEDICAL ASSISTANCE PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

Notwithstanding any inconsistent provision
of paragraph (e) of subdivision 4 of
section 2807-c of the public health law or
any other contrary provision of law and
subject to the availability of federal
financial participation, the operating
cost component of per diem rates of
payment by governmental agencies for inpa-
tient services provided by a general
hospital or a distinct unit of a general
hospital for services, as described below,
that would otherwise be subject to the
provisions of paragraph (e) of subdivision
4 of section 2807-c of the public health
law, shall, with regard to days of service
occurring on and after December 1, 2009
through March 31, 2010, be in accord with
the following:

- (a) For physical medical rehabilitation
services and for chemical dependency reha-
bilitation services, such rates shall
reflect the use of 2005 operating costs
for each respective category of services
as reported by each facility to the
department of health prior to December 1,
2008 and as adjusted for inflation pursu-
ant to paragraph (c) of subdivision 10 of
section 2807-c of the public health law,
as otherwise modified by any applicable
statute, provided, however, that such 2005
reported operating costs shall, for rate-
setting purposes, be held to a ceiling of
110 percent of the average of such
reported costs in the region in which the
facility is located, as determined pursu-
ant to clause (E) of subparagraph (iii) of
paragraph (1) of subdivision 4 of section
2807-c of the public health law; and
- (b) For services provided by rural hospitals
designated as critical access hospitals in
accordance with title XVIII of the federal
social security act, such rates shall

1 reflect the use of 2005 operating costs as
2 reported by each facility to the depart-
3 ment of health prior to December 1, 2008
4 and as adjusted for inflation pursuant to
5 paragraph (c) of subdivision 10 of section
6 2807-c of the public health law, as other-
7 wise modified by any applicable statutes,
8 provided, however, that such 2005 reported
9 operating costs shall, for rate-setting
10 purposes, be held to a ceiling of 110
11 percent of the average of such reported
12 costs for all such designated hospitals
13 statewide; and

14 (c) For inpatient services provided by
15 specialty long term acute care hospitals
16 and for inpatient services provided by
17 cancer hospitals as so designated as of
18 December 31, 2008, such rates shall
19 reflect the use of 2005 operating costs
20 for each respective category of facility
21 as reported by each facility to the
22 department of health prior to December 1,
23 2008 and as adjusted for inflation pursu-
24 ant to paragraph (c) of subdivision 10 of
25 section 2807-c of the public health law,
26 as otherwise modified by any applicable
27 statutes; and

28 (d) For facilities designated by the federal
29 department of health and human services as
30 exempt acute care children's hospitals,
31 for which a discrete institutional cost
32 report was filed for the 2006 calendar
33 year, and which has reported medicaid
34 discharges greater than 50 percent of
35 total discharges in such cost report, such
36 rates shall reflect the use of 2006 oper-
37 ating costs as reported by each facility
38 to the department of health prior to
39 December 1, 2008 and as adjusted for
40 inflation pursuant to paragraph (c) of
41 subdivision 10 of section 2807-c of the
42 public health law, as otherwise modified
43 by any applicable statutes, and as deter-
44 mined on a per case basis or per diem
45 basis, as set forth in regulations promul-
46 gated by the commissioner of health; and

47 (e) Rates established pursuant to this
48 section shall be deemed as excluding
49 reimbursement for physician services for
50 inpatient services and claims for medicaid
51 fee payments for such physician services
52 for such inpatient care may be submitted
53 separately from the rate in accordance
54 with otherwise applicable law; and

55 (f) Such rates of payment pursuant to this
56 section for a general hospital or distinct

1 unit of a general hospital without
 2 adequate cost experience shall be based on
 3 the lower of the facility's or unit's
 4 inpatient budgeted operating costs per
 5 day, adjusted to actual, or the applicable
 6 regional ceiling, if any; and
 7 (g) Provided, however, if this chapter
 8 appropriates sufficient additional funds
 9 to support payments for inpatient services
 10 provided by a general hospital or a
 11 distinct unit of a general hospital, as
 12 described in this paragraph, using the
 13 methodology in existence on February 28,
 14 2009 as set forth in section 2807-c of the
 15 public health law, the provisions of this
 16 section shall not apply and shall be
 17 considered null and void as of February
 18 28, 2009 [250,741,000] 245,141,000
 19 For services and expenses of the medical
 20 assistance program including nursing home
 21 services.
 22 Notwithstanding any contrary provision of
 23 law, for the period April 1, 2009 through
 24 March 31, 2010, for rates of payment by
 25 government agencies for inpatient services
 26 provided by residential health care facil-
 27 ities, in determining the operating compo-
 28 nent of a facility's rate for care
 29 provided for an AIDS patient in a residen-
 30 tial health care facility designated as an
 31 AIDS facility or having a discrete AIDS
 32 unit, the operating component of such
 33 rates shall not reflect an occupancy
 34 factor increase [1,574,104,000] 1,564,304,000
 35 For services and expenses of the medical
 36 assistance program including other long
 37 term care services [1,835,372,000] 1,827,272,000
 38 -----

39 Special Revenue Funds - Federal / Aid to Localities
 40 Federal Health and Human Services Fund - 265
 41 Medicaid Direct Account

42 Notwithstanding any inconsistent provision
 43 of paragraph (e) of subdivision 4 of
 44 section 2807-c of the public health law or
 45 any other contrary provision of law and
 46 subject to the availability of federal
 47 financial participation, the operating
 48 cost component of per diem rates of
 49 payment by governmental agencies for inpa-
 50 tient services provided by a general
 51 hospital or a distinct unit of a general
 52 hospital for services, as described below,
 53 that would otherwise be subject to the
 54 provisions of paragraph (e) of subdivision

4 of section 2807-c of the public health law, shall, with regard to days of service occurring on and after December 1, 2009 through March 31, 2010, be in accord with the following:

- (a) For physical medical rehabilitation services and for chemical dependency rehabilitation services, such rates shall reflect the use of 2005 operating costs for each respective category of services as reported by each facility to the department of health prior to December 1, 2008 and as adjusted for inflation pursuant to paragraph (c) of subdivision 10 of section 2807-c of the public health law, as otherwise modified by any applicable statute, provided, however, that such 2005 reported operating costs shall, for rate-setting purposes, be held to a ceiling of 110 percent of the average of such reported costs in the region in which the facility is located, as determined pursuant to clause (E) of subparagraph (iii) of paragraph (1) of subdivision 4 of section 2807-c of the public health law; and
- (b) For services provided by rural hospitals designated as critical access hospitals in accordance with title XVIII of the federal social security act, such rates shall reflect the use of 2005 operating costs as reported by each facility to the department of health prior to December 1, 2008 and as adjusted for inflation pursuant to paragraph (c) of subdivision 10 of section 2807-c of the public health law, as otherwise modified by any applicable statutes, provided, however, that such 2005 reported operating costs shall, for rate-setting purposes, be held to a ceiling of 110 percent of the average of such reported costs for all such designated hospitals statewide; and
- (c) For inpatient services provided by specialty long term acute care hospitals and for inpatient services provided by cancer hospitals as so designated as of December 31, 2008, such rates shall reflect the use of 2005 operating costs for each respective category of facility as reported by each facility to the department of health prior to December 1, 2008 and as adjusted for inflation pursuant to paragraph (c) of subdivision 10 of section 2807-c of the public health law, as otherwise modified by any applicable statutes; and

(d) For facilities designated by the federal department of health and human services as exempt acute care children's hospitals, for which a discrete institutional cost report was filed for the 2006 calendar year, and which has reported medicaid discharges greater than 50 percent of total discharges in such cost report, such rates shall reflect the use of 2006 operating costs as reported by each facility to the department of health prior to December 1, 2008 and as adjusted for inflation pursuant to paragraph (c) of subdivision 10 of section 2807-c of the public health law, as otherwise modified by any applicable statutes, and as determined on a per case basis or per diem basis, as set forth in regulations promulgated by the commissioner of health; and

(e) Rates established pursuant to this section shall be deemed as excluding reimbursement for physician services for inpatient services and claims for medicaid fee payments for such physician services for such inpatient care may be submitted separately from the rate in accordance with otherwise applicable law; and

(f) Such rates of payment pursuant to this section for a general hospital or distinct unit of a general hospital without adequate cost experience shall be based on the lower of the facility's or unit's inpatient budgeted operating costs per day, adjusted to actual, or the applicable regional ceiling, if any; and

(g) Provided, however, if this chapter appropriates sufficient additional funds to support payments for inpatient services provided by a general hospital or a distinct unit of a general hospital, as described in this paragraph, using the methodology in existence on February 28, 2009 as set forth in section 2807-c of the public health law, the provisions of this section shall not apply and shall be considered null and void as of February 28, 2009 [4,599,282,000] 4,590,302,000

For services and expenses of the medical assistance program including nursing home services.

Notwithstanding any contrary provision of law, for the period April 1, 2009 through March 31, 2010, for rates of payment by government agencies for inpatient services provided by residential health care facilities, in determining the operating compo-

1 nent of a facility's rate for care
2 provided for an AIDS patient in a residen-
3 tial health care facility designated as an
4 AIDS facility or having a discrete AIDS
5 unit, the operating component of such
6 rates shall not reflect an occupancy
7 factor increase [3,939,764,000] 3,924,050,000
8 For services and expenses of the medical
9 assistance program including other long
10 term care services [3,027,976,000] 3,014,989,000

11 OFFICE OF LONG TERM CARE

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

14 For services and expenses, including grants,
15 of the uniform assessment program. All or
16 a portion of this appropriation may be
17 transferred to state operations appropri-
18 ations; PROVIDED, HOWEVER, THAT THE AMOUNT
19 OF THIS APPROPRIATION AVAILABLE FOR
20 EXPENDITURE AND DISBURSEMENT ON AND AFTER
21 NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5
22 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED
23 AS OF NOVEMBER 1, 2009 5,000,000

24 For services and expenses related to trau-
25 matic brain injury including but not
26 limited to services rendered to individ-
27 uals enrolled in the federally approved
28 home and community based services (HCBS)
29 waiver and including personal and nonper-
30 sonal services spending originally author-
31 ized by appropriations and reappropri-
32 ations enacted prior to 1996. All or part
33 of this appropriation may be transferred
34 to state operations appropriations;
35 PROVIDED, HOWEVER, THAT THE AMOUNT OF THIS
36 APPROPRIATION AVAILABLE FOR EXPENDITURE
37 AND DISBURSEMENT ON AND AFTER NOVEMBER 1,
38 2009 SHALL BE REDUCED BY 12.5 PERCENT OF
39 THE AMOUNT THAT WAS UNDISBURSED AS OF
40 NOVEMBER 1, 2009 13,733,400
41 -----

42 DEPARTMENT OF MENTAL HYGIENE

43 OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

44 STATE OPERATIONS AND AID TO LOCALITIES 2009-10

45 COMMUNITY TREATMENT SERVICES PROGRAM

46 General Fund / Aid to Localities
47 Local Assistance Account - 001

1 For services and expenses related to problem
2 gambling and chemical dependence outpa-
3 tient and chemotherapy services; PROVIDED,
4 HOWEVER, THAT THE AMOUNT OF THIS APPROPRI-
5 ATION AVAILABLE FOR EXPENDITURE AND
6 DISBURSEMENT ON AND AFTER NOVEMBER 1, 2009
7 SHALL BE REDUCED BY 12.5 PERCENT OF THE
8 AMOUNT THAT WAS UNDISBURSED AS OF NOVEMBER
9 1, 2009 105,500,000
10 For the state share of medical assistance
11 payments for outpatient services and the
12 state share of disproportionate share
13 payments; PROVIDED, HOWEVER, THAT THE
14 AMOUNT OF THIS APPROPRIATION AVAILABLE FOR
15 EXPENDITURE AND DISBURSEMENT ON AND AFTER
16 NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5
17 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED
18 AS OF NOVEMBER 1, 2009 32,780,000
19 -----

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

23 For services and expenses related to resi-
24 dential services; PROVIDED, HOWEVER, THAT
25 THE AMOUNT OF THIS APPROPRIATION AVAILABLE
26 FOR EXPENDITURE AND DISBURSEMENT ON AND
27 AFTER NOVEMBER 1, 2009 SHALL BE REDUCED BY
28 12.5 PERCENT OF THE AMOUNT THAT WAS UNDIS-
29 BURSED AS OF NOVEMBER 1, 2009
30 89,500,000
31 For services and expenses related to crisis
32 services; PROVIDED, HOWEVER, THAT THE
33 AMOUNT OF THIS APPROPRIATION AVAILABLE FOR
34 EXPENDITURE AND DISBURSEMENT ON AND AFTER
35 NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5
36 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED
37 AS OF NOVEMBER 1, 2009 16,000,000
38 -----

39 PREVENTION AND PROGRAM SUPPORT

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

43 Notwithstanding any provision of law to the
44 contrary, the commissioner of the office
45 of alcoholism and substance abuse services
46 shall be authorized to continue contracts
47 which were executed on or before March 31,
48 2009 with entities providing services for
49 problem gambling and chemical dependency
50 prevention and treatment services, without
51 any additional requirements that such

contracts be subject to competitive bidding, a request for proposal process or other administrative procedures. Of the amounts appropriated herein, at least [\$16,770,568] \$15,549,248 shall be made available to the New York City Department of Education for the continuation of such school-operated prevention programs provided by school district employees; 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 46,000,000

Special Revenue Funds - Other / Aid to Localities
Chemical Dependence Service Fund - 346

Notwithstanding any provision of law, rule or regulation to the contrary, a portion of this appropriation related to enforcement action fine and/or levy moneys may be made available to localities and nonprofit and for-profit agencies for payment of expenses for facilities operating under a receivership pursuant to section 19.41 of the mental hygiene law. Such funds may also be transferred to state operations and/or any appropriation of the office of alcoholism and substance abuse services and appropriations of the department of health, the office of medicaid inspector general, the office of mental health, and the office of mental retardation and developmental disabilities with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee; 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 7,840,000

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

1 ADULT SERVICES PROGRAM

2 General Fund / Aid to Localities
3 Local Assistance Account - 001

4 For services and expenses of various commu-
5 nity mental health non-residential
6 programs, pursuant to article 41 of the
7 mental hygiene law, including but not
8 limited to sections 41.13, 41.18, 41.23,
9 and 41.47. NOTWITHSTANDING ANY OTHER
10 PROVISION OF LAW TO THE CONTRARY, FOR
11 STATE FISCAL YEAR 2009-2010 THE LIABILITY
12 OF THE STATE AND THE AMOUNT TO BE DISTRIB-
13 UTED OR OTHERWISE EXPENDED BY THE STATE ON
14 OR AFTER NOVEMBER 1, 2009 SHALL BE DETER-
15 MINED BY FIRST CALCULATING THE AMOUNT OF
16 THE EXPENDITURE OR OTHER LIABILITY PURSU-
17 ANT TO SUCH LAW, AND THEN REDUCING THE
18 AMOUNT SO CALCULATED BY 12.5 PERCENT OF
19 SUCH AMOUNT, AND THAT THE AMOUNT OF THIS
20 APPROPRIATION AVAILABLE FOR DISBURSEMENT
21 ON OR AFTER NOVEMBER 1, 2009 SHALL BE
22 REDUCED BY 12.5 PERCENT OF THE AMOUNT THAT
23 IS UNDISBURSED AS OF SUCH DATE

24 74,932,000
25 For services and expenses of various commu-
26 nity mental health emergency programs,
27 including comprehensive psychiatric emer-
28 gency programs pursuant to section 41.51
29 of the mental hygiene law. NOTWITHSTANDING
30 ANY OTHER PROVISION OF LAW TO THE CONTRA-
31 RY, FOR STATE FISCAL YEAR 2009-2010 THE
32 LIABILITY OF THE STATE AND THE AMOUNT TO
33 BE DISTRIBUTED OR OTHERWISE EXPENDED BY
34 THE STATE ON OR AFTER NOVEMBER 1, 2009
35 SHALL BE DETERMINED BY FIRST CALCULATING
36 THE AMOUNT OF THE EXPENDITURE OR OTHER
37 LIABILITY PURSUANT TO SUCH LAW, AND THEN
38 REDUCING THE AMOUNT SO CALCULATED BY 12.5
39 PERCENT OF SUCH AMOUNT, AND THAT THE
40 AMOUNT OF THIS APPROPRIATION AVAILABLE FOR
41 DISBURSEMENT ON OR AFTER NOVEMBER 1, 2009
42 SHALL BE REDUCED BY 12.5 PERCENT OF THE
43 AMOUNT THAT IS UNDISBURSED AS OF SUCH DATE
44 6,889,000

45 For transfer to the department of health to
46 reimburse the department for the state
47 share of medical assistance payments for
48 various mental health services. Notwith-
49 standing any inconsistent provision of
50 law, a portion of the money herein appro-
51 priated may be made available for transfer
52 to the department of health for the state
53 share of disproportionate share payments
54 to voluntary nonprofit general hospitals

pursuant to chapter 119 of the laws of 1997 as amended. Notwithstanding any inconsistent provision of law, an amount up to \$600,000 of this appropriation may be available for transfer to the department of health to reimburse the department for the state share of medical assistance payments related to certain hospitals with an increase in psychiatric inpatient volume of 5 percent or more during their participation in the alternate rate methodology (ARMS) through 1993. NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, FOR STATE FISCAL YEAR 2009-2010 THE LIABILITY OF THE STATE AND THE AMOUNT TO BE DISTRIBUTED OR OTHERWISE EXPENDED BY THE STATE ON OR AFTER NOVEMBER 1, 2009 SHALL BE DETERMINED BY FIRST CALCULATING THE AMOUNT OF THE EXPENDITURE OR OTHER LIABILITY PURSUANT TO SUCH LAW, AND THEN REDUCING THE AMOUNT SO CALCULATED BY 12.5 PERCENT OF SUCH AMOUNT, AND THAT THE AMOUNT OF THIS APPROPRIATION AVAILABLE FOR DISBURSEMENT ON OR AFTER NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5 PERCENT OF THE AMOUNT THAT IS UNDISBURSED AS OF SUCH DATE, EXCLUDING \$7,467,000 NECESSARY FOR DEBT SERVICE PAYMENTS 322,202,000

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

For services and expenses of various community mental health non-residential programs, pursuant to article 41 of the mental hygiene law, including but not limited to sections 41.13, 41.18, 41.23 and 41.47. Notwithstanding any other provision of law to the contrary, up to \$1,500,000 of this appropriation shall be made available to the Research Foundation for Mental Hygiene, Inc. pursuant to a contract with the office of mental health for two mental health managed care demonstration programs. One program shall be located in one or more of Chautauqua, Erie, Genesee, Monroe, Onondaga and Wyoming counties, and the other program shall be located in the city of New York. An amount from this appropriation when combined with the appropriation for the miscellaneous special revenue fund - 339 medication reimbursement account shall provide up to \$15,000,000 for grants to

1 the counties and city of New York to
2 provide medication, and other services
3 necessary to prescribe and administer
4 medication pursuant to a plan approved by
5 the commissioner of mental health, as
6 authorized under chapter 408 of the laws
7 of 1999 as amended. NOTWITHSTANDING ANY
8 OTHER PROVISION OF LAW TO THE CONTRARY,
9 FOR STATE FISCAL YEAR 2009-2010 THE
10 LIABILITY OF THE STATE AND THE AMOUNT TO
11 BE DISTRIBUTED OR OTHERWISE EXPENDED BY
12 THE STATE ON OR AFTER NOVEMBER 1, 2009
13 SHALL BE DETERMINED BY FIRST CALCULATING
14 THE AMOUNT OF THE EXPENDITURE OR OTHER
15 LIABILITY PURSUANT TO SUCH LAW, AND THEN
16 REDUCING THE AMOUNT SO CALCULATED BY 12.5
17 PERCENT OF SUCH AMOUNT, AND THAT THE
18 AMOUNT OF THIS APPROPRIATION AVAILABLE FOR
19 DISBURSEMENT ON OR AFTER NOVEMBER 1, 2009
20 SHALL BE REDUCED BY 12.5 PERCENT OF THE
21 AMOUNT THAT IS UNDISBURSED AS OF SUCH DATE
22 184,200,000

23 For services and expenses of various commu-
24 nity mental health residential programs,
25 including but not limited to community
26 residences pursuant to sections 41.44 and
27 41.38 of the mental hygiene law. Notwith-
28 standing the provisions of section 31.03
29 of the mental hygiene law and any other
30 inconsistent provision of law, moneys
31 appropriated for family care shall be
32 available for, but not limited to, the
33 purchase of substitute caretakers up to a
34 maximum of 14 days and payments limited to
35 \$686 per year based upon financial need
36 for the personal needs of each client
37 residing in the family care home.
38 NOTWITHSTANDING ANY OTHER PROVISION OF LAW
39 TO THE CONTRARY, FOR STATE FISCAL YEAR
40 2009-2010 THE LIABILITY OF THE STATE AND
41 THE AMOUNT TO BE DISTRIBUTED OR OTHERWISE
42 EXPENDED BY THE STATE ON OR AFTER NOVEMBER
43 1, 2009 SHALL BE DETERMINED BY FIRST
44 CALCULATING THE AMOUNT OF THE EXPENDITURE
45 OR OTHER LIABILITY PURSUANT TO SUCH LAW,
46 AND THEN REDUCING THE AMOUNT SO CALCULATED
47 BY 12.5 PERCENT OF SUCH AMOUNT, AND THAT
48 THE AMOUNT OF THIS APPROPRIATION AVAILABLE
49 FOR DISBURSEMENT ON OR AFTER NOVEMBER 1,
50 2009 SHALL BE REDUCED BY 12.5 PERCENT OF
51 THE AMOUNT THAT IS UNDISBURSED AS OF SUCH
52 DATE, EXCLUDING \$7,195,000 NECESSARY FOR
53 DEBT SERVICE PAYMENTS 312,277,000

54 For services and expenses associated with
55 the restoration of the proposed one
56 percent reduction in the 2008-09 cost of

1 living adjustment. Funds appropriated
2 herein are supported by savings resulting
3 from the increased Federal Medical Assist-
4 ance Percentage (FMAP) provided pursuant
5 to the American recovery and reinvestment
6 act of 2009; PROVIDED, HOWEVER, THAT THE
7 AMOUNT OF THIS APPROPRIATION AVAILABLE FOR
8 EXPENDITURE AND DISBURSEMENT ON AND AFTER
9 NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5
10 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED
11 AS OF NOVEMBER 1, 2009 4,019,000
12 -----

13 Special Revenue Funds - Other / Aid to Localities
14 Miscellaneous Special Revenue Fund - 339
15 Medication Reimbursement Account

16 For services and expenses related to adult
17 mental health services, including assisted
18 outpatient treatment pursuant to article 9
19 and other provisions of the mental hygiene
20 law. Notwithstanding any other provision
21 of law, this appropriation may be made
22 available upon the approval of the direc-
23 tor of the budget. NOTWITHSTANDING ANY
24 OTHER PROVISION OF LAW TO THE CONTRARY,
25 FOR STATE FISCAL YEAR 2009-2010 THE
26 LIABILITY OF THE STATE AND THE AMOUNT TO
27 BE DISTRIBUTED OR OTHERWISE EXPENDED BY
28 THE STATE ON OR AFTER NOVEMBER 1, 2009
29 SHALL BE DETERMINED BY FIRST CALCULATING
30 THE AMOUNT OF THE EXPENDITURE OR OTHER
31 LIABILITY PURSUANT TO SUCH LAW, AND THEN
32 REDUCING THE AMOUNT SO CALCULATED BY 12.5
33 PERCENT OF SUCH AMOUNT, AND THAT THE
34 AMOUNT OF THIS APPROPRIATION AVAILABLE FOR
35 DISBURSEMENT ON OR AFTER NOVEMBER 1, 2009
36 SHALL BE REDUCED BY 12.5 PERCENT OF THE
37 AMOUNT THAT IS UNDISBURSED AS OF SUCH DATE
38 7,580,000
39 -----

40 CHILDREN AND YOUTH SERVICES PROGRAM

41 General Fund / Aid to Localities
42 Local Assistance Account - 001

43 For services and expenses of various commu-
44 nity mental health non-residential
45 programs, pursuant to article 41 of the
46 mental hygiene law, including but not
47 limited to sections 41.13, 41.18 and
48 41.23. NOTWITHSTANDING ANY OTHER PROVISION
49 OF LAW TO THE CONTRARY, FOR STATE FISCAL
50 YEAR 2009-2010 THE LIABILITY OF THE STATE
51 AND THE AMOUNT TO BE DISTRIBUTED OR OTHER-

1 WISE EXPENDED BY THE STATE ON OR AFTER
2 NOVEMBER 1, 2009 SHALL BE DETERMINED BY
3 FIRST CALCULATING THE AMOUNT OF THE
4 EXPENDITURE OR OTHER LIABILITY PURSUANT TO
5 SUCH LAW, AND THEN REDUCING THE AMOUNT SO
6 CALCULATED BY 12.5 PERCENT OF SUCH AMOUNT,
7 AND THAT THE AMOUNT OF THIS APPROPRIATION
8 AVAILABLE FOR DISBURSEMENT ON OR AFTER
9 NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5
10 PERCENT OF THE AMOUNT THAT IS UNDISBURSED
11 AS OF SUCH DATE 17,217,000
12 For transfer to the department of health to
13 reimburse the department for the state
14 share of medical assistance payments for
15 various mental health services. Notwith-
16 standing any inconsistent provision of
17 law, a portion of the money herein appro-
18 priated may be made available for transfer
19 to the department of health for the state
20 share of disproportionate share payments
21 to voluntary nonprofit general hospitals
22 pursuant to chapter 119 of the laws of
23 1997 as amended. NOTWITHSTANDING ANY OTHER
24 PROVISION OF LAW TO THE CONTRARY, FOR
25 STATE FISCAL YEAR 2009-2010 THE LIABILITY
26 OF THE STATE AND THE AMOUNT TO BE DISTRIB-
27 UTED OR OTHERWISE EXPENDED BY THE STATE ON
28 OR AFTER NOVEMBER 1, 2009 SHALL BE DETER-
29 MINED BY FIRST CALCULATING THE AMOUNT OF
30 THE EXPENDITURE OR OTHER LIABILITY PURSU-
31 ANT TO SUCH LAW, AND THEN REDUCING THE
32 AMOUNT SO CALCULATED BY 12.5 PERCENT OF
33 SUCH AMOUNT, AND THAT THE AMOUNT OF THIS
34 APPROPRIATION AVAILABLE FOR DISBURSEMENT
35 ON OR AFTER NOVEMBER 1, 2009 SHALL BE
36 REDUCED BY 12.5 PERCENT OF THE AMOUNT THAT
37 IS UNDISBURSED AS OF SUCH DATE
38 133,615,000
39 -----

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

43 For services and expenses of various commu-
44 nity mental health non-residential
45 programs, pursuant to article 41 of the
46 mental hygiene law, including but not
47 limited to sections 41.13, 41.18, and
48 41.23. NOTWITHSTANDING ANY OTHER PROVISION
49 OF LAW TO THE CONTRARY, FOR STATE FISCAL
50 YEAR 2009-2010 THE LIABILITY OF THE STATE
51 AND THE AMOUNT TO BE DISTRIBUTED OR OTHER-
52 WISE EXPENDED BY THE STATE ON OR AFTER
53 NOVEMBER 1, 2009 SHALL BE DETERMINED BY
54 FIRST CALCULATING THE AMOUNT OF THE

1 EXPENDITURE OR OTHER LIABILITY PURSUANT TO
2 SUCH LAW, AND THEN REDUCING THE AMOUNT SO
3 CALCULATED BY 12.5 PERCENT OF SUCH AMOUNT,
4 AND THAT THE AMOUNT OF THIS APPROPRIATION
5 AVAILABLE FOR DISBURSEMENT ON OR AFTER
6 NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5
7 PERCENT OF THE AMOUNT THAT IS UNDISBURSED
8 AS OF SUCH DATE 59,251,000
9 For services and expenses of various commu-
10 nity mental health emergency programs;
11 PROVIDED, HOWEVER, THAT THE AMOUNT OF THIS
12 APPROPRIATION AVAILABLE FOR EXPENDITURE
13 AND DISBURSEMENT ON AND AFTER NOVEMBER 1,
14 2009 SHALL BE REDUCED BY 12.5 PERCENT OF
15 THE AMOUNT THAT WAS UNDISBURSED AS OF
16 NOVEMBER 1, 2009 13,826,000
17 -----

18 COMMUNITY MENTAL HEALTH SUPPORT AND WORKFORCE REINVESTMENT
19 PROGRAM

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

23 For services and expenses of various adult
24 community mental health residential
25 programs; PROVIDED, HOWEVER, THAT THE
26 AMOUNT OF THIS APPROPRIATION AVAILABLE FOR
27 EXPENDITURE AND DISBURSEMENT ON AND AFTER
28 NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5
29 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED
30 AS OF NOVEMBER 1, 2009 7,717,000
31 -----

32 DEPARTMENT OF MENTAL HYGIENE

33 OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

34 STATE OPERATIONS AND AID TO LOCALITIES 2009-10

35 COMMUNITY SERVICES PROGRAM

36 General Fund / Aid to Localities
37 Local Assistance Account - 001

38 For the state share of medical assistance
39 services expenses incurred by the depart-
40 ment of health for the provision of
41 medical assistance services to the devel-
42 opmentally disabled; PROVIDED, HOWEVER,
43 THAT THE AMOUNT OF THIS APPROPRIATION
44 AVAILABLE FOR EXPENDITURE AND DISBURSEMENT
45 ON AND AFTER NOVEMBER 1, 2009 SHALL BE
46 REDUCED BY 5 PERCENT OF THE AMOUNT THAT
47 WAS UNDISBURSED AS OF NOVEMBER 1, 2009,

1 HOWEVER, VOLUNTARY-OPERATED INTERMEDIATE
2 CARE FACILITIES SHALL BE EXCLUDED FROM
3 THIS REDUCTION 1,371,273,000
4 For services and expenses related to the
5 provision of residential services to the
6 developmentally disabled; PROVIDED, HOWEV-
7 ER, THAT THE AMOUNT OF THIS APPROPRIATION
8 AVAILABLE FOR EXPENDITURE AND DISBURSEMENT
9 ON AND AFTER NOVEMBER 1, 2009 SHALL BE
10 REDUCED BY 10 PERCENT OF THE AMOUNT THAT
11 WAS UNDISBURSED AS OF NOVEMBER 1, 2009 ...
12 16,722,000
13 For services and expenses related to the
14 provision of family support services to
15 the developmentally disabled; PROVIDED,
16 HOWEVER, THAT THE AMOUNT OF THIS APPROPRI-
17 ATION AVAILABLE FOR EXPENDITURE AND
18 DISBURSEMENT ON AND AFTER NOVEMBER 1, 2009
19 SHALL BE REDUCED BY 10 PERCENT OF THE
20 AMOUNT THAT WAS UNDISBURSED AS OF NOVEMBER
21 1, 2009 56,269,000
22 For services and expenses related to the
23 provision of workshop, day training and
24 employment services to the developmentally
25 disabled; PROVIDED, HOWEVER, THAT THE
26 AMOUNT OF THIS APPROPRIATION AVAILABLE FOR
27 EXPENDITURE AND DISBURSEMENT ON AND AFTER
28 NOVEMBER 1, 2009 SHALL BE REDUCED BY 10
29 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED
30 AS OF NOVEMBER 1, 2009 44,480,000
31 For the services and expenses related to the
32 provision of workshop, day training and
33 employment services to the developmentally
34 disabled. Funds appropriated herein are
35 supported by savings resulting from the
36 increased Federal Medical Assistance
37 Percentage (FMAP) provided pursuant to the
38 American recovery and reinvestment act of
39 2009; PROVIDED, HOWEVER, THAT THE AMOUNT
40 OF THIS APPROPRIATION AVAILABLE FOR
41 EXPENDITURE AND DISBURSEMENT ON AND AFTER
42 NOVEMBER 1, 2009 SHALL BE REDUCED BY 10
43 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED
44 AS OF NOVEMBER 1, 2009 5,000,000
45 -----

46 Special Revenue Funds - Other / Aid to Localities
47 Miscellaneous Special Revenue Fund - 339
48 OMRDD - Provider of Service Account

49 For services and expenses related to mental
50 retardation and developmental disabilities
51 services associated with the New York
52 state options for people through services
53 (NYS-OPTS) initiative, in accordance with

1 a programmatic and fiscal plan to be
2 approved by the director of the budget.
3 Notwithstanding any provision of law to the
4 contrary, the director of the budget is
5 authorized to make suballocations from
6 this appropriation to the department of
7 health medical assistance program.
8 Notwithstanding any other provision of law,
9 the money hereby appropriated may be
10 transferred to state operations and/or any
11 appropriation of the office of mental
12 retardation and developmental disabili-
13 ties, with the approval of the director of
14 the budget who shall file such approval
15 with the department of audit and control
16 and copies thereof with the chairman of
17 the senate finance committee and the
18 chairman of the assembly ways and means
19 committee.
20 Notwithstanding any provision of law to the
21 contrary, the moneys hereby appropriated,
22 or so much thereof as may be necessary,
23 are to be available for the purposes here-
24 in specified for obligations heretofore
25 accrued or hereafter to accrue; PROVIDED,
26 HOWEVER, THAT THE AMOUNT OF THIS APPROPRI-
27 ATION AVAILABLE FOR EXPENDITURE AND
28 DISBURSEMENT ON AND AFTER NOVEMBER 1, 2009
29 SHALL BE REDUCED BY 5 PERCENT OF THE
30 AMOUNT THAT WAS UNDISBURSED AS OF NOVEMBER
31 1, 2009 320,000,000
32 -----

33 Special Revenue Funds - Other / Aid to Localities
34 Miscellaneous Special Revenue Fund - 339
35 OMRDD - Day Services Account

36 For services and expenses related to the
37 provision of HCBS waiver day services to
38 developmentally disabled individuals
39 residing in intermediate care facilities.
40 Notwithstanding any other provision of law,
41 the money hereby appropriated may be
42 transferred to state operations and/or any
43 appropriation of the office of mental
44 retardation and developmental disabili-
45 ties, with the approval of the director of
46 the budget who shall file such approval
47 with the department of audit and control
48 and copies thereof with the chairman of
49 the senate finance committee and the
50 chairman of the assembly ways and means
51 committee; PROVIDED, HOWEVER, THAT THE
52 AMOUNT OF THIS APPROPRIATION AVAILABLE FOR
53 EXPENDITURE AND DISBURSEMENT ON AND AFTER
54 NOVEMBER 1, 2009 SHALL BE REDUCED BY 10

1 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED
2 AS OF NOVEMBER 1, 2009 98,000,000
3 -----

4 S 5. Section 1 of chapter 55 of the laws of 2008, enacting the trans-
5 portation, economic development and environmental conservation budget,
6 is amended by repealing the items hereinbelow set forth in brackets and
7 by adding to such section the other items underscored in this section.

8 ENERGY RESEARCH AND DEVELOPMENT AUTHORITY

9 STATE OPERATIONS AND AID TO LOCALITIES 2009-10

10 RESEARCH, DEVELOPMENT AND DEMONSTRATION PROGRAM

11 Special Revenue Funds - Other / Aid to Localities
12 Miscellaneous Special Revenue Fund - 339
13 Energy Research and Planning Account

14 Research, development and demonstration
15 program grants; PROVIDED, HOWEVER, THAT
16 THE AMOUNT OF THIS APPROPRIATION AVAILABLE
17 FOR EXPENDITURE AND DISBURSEMENT ON AND
18 AFTER NOVEMBER 1, 2009 SHALL BE REDUCED BY
19 12.5 PERCENT OF THE AMOUNT THAT WAS UNDIS-
20 BURSED AS OF NOVEMBER 1, 2009 .. 8,543,000
21 University of Rochester laboratory for laser
22 energetics; PROVIDED, HOWEVER, THAT THE
23 AMOUNT OF THIS APPROPRIATION AVAILABLE FOR
24 EXPENDITURE AND DISBURSEMENT ON AND AFTER
25 NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5
26 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED
27 AS OF NOVEMBER 1, 2009 691,000
28 -----

29 DEPARTMENT OF ENVIRONMENTAL CONSERVATION

30 CAPITAL PROJECTS 2009-10

31 ENVIRONMENT AND RECREATION (CCP)

32 Environmental Protection Fund

33 Environment and Recreation Purpose

34 For services and expenses of projects and
35 purposes authorized by section 92-s of
36 the state finance law to receive funding
37 from the solid waste account in accord-
38 ance with a programmatic and financial
39 plan to be approved by the director of
40 the budget, including suballocation to
41 other state departments and agencies,
42 according to the following:

1	Non-hazardous landfill closure projects	
2	(09LC09ER) [750,000]	0
3	Secondary materials regional marketing	
4	assistance and energy conservation	
5	services projects (09SM09ER)	
6	..... [2,250,000]	1,381,000
7	Pesticides program (09PD09ER) .. [575,000]	500,000
8	Notwithstanding any law to the contrary,	
9	for assessment and recovery of any	
10	natural resource damages (09RD09ER)	
11	..... [450,000]	431,000
12	Notwithstanding any law to the contrary,	
13	for the pollution prevention institute;	
14	including [\$1,000,000] \$959,000 for the	
15	Green Initiative Institute and	
16	[\$350,000] \$336,000 for the Interstate	
17	Chemicals Clearinghouse (09PP09ER)	
18	..... [2,350,000]	2,253,000
19	For services and expenses of projects and	
20	purposes authorized by section 92-s of	
21	the state finance law to receive funding	
22	from the parks, recreation and historic	
23	preservation account in accordance with	
24	a programmatic and financial plan to be	
25	approved by the director of the budget,	
26	including suballocation to other state	
27	departments and agencies, according to	
28	the following:	
29	Local waterfront revitalization programs,	
30	notwithstanding any law to the contrary,	
31	not less than, \$9,750,000 for waterfront	
32	revitalization projects which are in or	
33	primarily serve areas where demographic	
34	and other relevant data for such areas	
35	demonstrate that the areas are densely	
36	populated and have sustained physical	
37	deterioration, decay, neglect, or disin-	
38	vestment, or where a substantial propor-	
39	tion of the residential population is of	
40	low income or is otherwise disadvantaged	
41	and is underserved with respect to the	
42	existing recreational opportunities in	
43	the area; and provided further this	
44	appropriation shall not be construed to	
45	restrict the use of any additional	
46	monies for such projects; \$1,000,000 for	
47	Buffalo Waterfront; \$300,000 for Niagara	
48	River Greenway; and [\$750,000] \$700,000	
49	for Hudson and Champlain Docks	
50	(09WR09ER) [24,375,000]	24,021,000

1 Parks, recreation and historic preserva-
2 tion projects, notwithstanding any law
3 to the contrary, not less than,
4 \$8,490,000 for municipal parks projects
5 which are in or primarily serve areas
6 where demographic and other relevant
7 data for such areas demonstrate that the
8 areas are densely populated and have
9 sustained physical deterioration, decay,
10 neglect or disinvestment or where a
11 substantial proportion of the residen-
12 tial population is of low income or is
13 otherwise disadvantaged and is under-
14 served with respect to the existing
15 recreational opportunities in the area,
16 and notwithstanding any law to the
17 contrary, \$500,000 for Olmstead Park
18 (09MP09ER) [21,225,000] 20,813,000

19 Notwithstanding any law to the contrary,
20 for state parks and land and easement
21 infrastructure, access and stewardship
22 projects which shall include capital
23 projects: (i) on state parks and state
24 owned lands acquired pursuant to
25 sections 54-0303 and 56-0307 of the
26 environmental conservation law and (ii)
27 on state parks or state owned lands and
28 easements under the jurisdiction of the
29 department of environmental conservation
30 or the office of parks, recreation and
31 historic preservation for access oppor-
32 tunities for people with disabilities;
33 access to the State Forest Preserve;
34 State reforestation, Wildlife Management
35 areas and conservation easement lands;
36 recreational trail construction and
37 maintenance; Catskill and Adirondack
38 campground improvements to public access
39 and sanitation facilities; environmental
40 education; conservation education facil-
41 ity improvements; archeological, histor-
42 ic, cultural and natural resource
43 surveys, forest health surveys, inter-
44 pretation, and inventories; Forest
45 Preserve and state forest unit manage-
46 ment planning; conservation easement
47 public recreation planning; habitat
48 restoration and enhancement; state fish
49 hatchery improvements; water access
50 facilities and safety improvements;
51 public beach facility development and
52 improvement; public access improvements
53 at day use areas; state historic site
54 exterior restoration; and cabin area and

1 camping facility development, restora-
2 tion and reconstruction (09ST09ER)
3 [7,000,000] 5,000,000

4 Notwithstanding any law to the contrary,
5 for the purposes of Hudson-Fulton Cham-
6 plain Quadricentennial celebrations,
7 projects and programs (09QC09ER)
8 [1,500,000] 450,000

9 For services and expenses of projects and
10 purposes authorized by section 92-s of
11 the state finance law to receive funding
12 from the open space account in accord-
13 ance with a programmatic and financial
14 plan to be approved by the director of
15 the budget, including suballocation to
16 other state departments and agencies,
17 according to the following:

18 Costs related to the acquisition of the
19 following properties: Atlantic Coast,
20 Long Island Sound Coastal Area, Long
21 Island South Shore Estuary Reserve,
22 Peconic Pinelands Maritime Reserve
23 Projects, Central Pine Barrens, Adiron-
24 dack Mountain Club Lands, Hudson River
25 projects, Western Suffolk/Nassau Special
26 Groundwater Protection Areas, Harbor
27 Herons Wildlife Complex, Inner City/
28 Underserved Community Parks, Long Pond/
29 Butler Woods, Staten Island Greenbelt,
30 Staten Island Wet Woods, Harlem River
31 Waterfront, Great Swamp, Neversink High-
32 lands, Plutarch/Black Creek Wetlands
33 Complex, New York Highlands, Mongaup
34 Valley Wildlife Management Area, North-
35 ern Putnam Greenway, Putnam Railroad,
36 Schunnemunk Mountain/Moodna
37 Creek/Woodcock Mountain, Sterling
38 Forest, Shawangunk Mountains, Northeast-
39 ern Westchester Watershed and Biodiver-
40 sity Lands, Rockland Riverfront
41 Communities/Palisades Ridge, Catskill
42 Mountain/Delaware River Region,
43 Beaverkill/Willowemoc, Hudson River
44 Estuary/Greenway Trail Corridor, Cats-
45 kill Unfragmented Forest, Long Path, New
46 York City Watershed Lands, Taconic
47 Ridge/ Harlem Valley, Albany Pine Bush,
48 Five Rivers Environmental Education
49 Center, Helderberg Escarpment, Pine
50 Bush-Hudson River Link/Tivoli Preserve,
51 Batten Kill Watershed-Saratoga National
52 Historic Park View shed, Washington
53 County Agricultural Lands-Saratoga

1 National Historic Park View shed, West-
2 mere Woods, International Paper Fee
3 Lands, Lake George watershed, Lake Cham-
4 plain watershed, Boeselager forestry,
5 Domtar/Lyme Fee Lands, Catskill River
6 and Road corridor, Rensselaer plateau,
7 Hudson River Gorge, Franklinton Vlaie
8 Wildlife Management area, Black Creek
9 Marsh/Vly Swamp, Mohawk River Valley
10 Corridor/Barge Canal, Oomsdale farm and
11 surrounding landscape, Susquehanna River
12 Valley Corridor, Pilot Knob, Floodwood
13 Camp, Lake Champlain Shoreline and
14 Wetlands, Saratoga County, Mays Pond
15 Tract, State Forest and Wildlife Manage-
16 ment Area Protection, Follensby Park,
17 National Lead/Tahawus, Undeveloped Lake
18 George Shore, Whitney Park, Finch Wood-
19 lands, Washington County Grasslands,
20 Northern Flow River Corridors, Recre-
21 ational Trail Linkages and Networks, Bog
22 River/Beaver River Headwater Complex,
23 Maumee Swamp, Moose River Corridor, Rome
24 Sand Plains, Saint Lawrence River
25 Islands, Shorelines and Wetlands, East-
26 ern Lake Ontario Shoreline and Islands,
27 Tug Hill Core Forests and Headwater
28 Streams, Tioga County Park Opportu-
29 nities, Nelson Swamp, Genny-Green
30 Trail/Link Trail, Clark Reservation
31 State Park, Salmon River Corridor, State
32 Parks Greenbelt/Tompkins County, Catta-
33 raugus Creek and tributaries, Carpenter
34 Falls/Bear Swamp Creek Corridor, Junius
35 Ponds State Forest and Wildlife Manage-
36 ment Area Protection, Tonawanda Creek
37 Watershed, Two Rivers State Park, Finger
38 Lakes Shoreline, Buffalo/Niagara River
39 Corridors, Northern Montezuma Wetlands,
40 HiTor/Bristol Hills, Braddock Bay,
41 Catharine Valley Complex, Sonnenberg
42 Gardens, Western Finger Lakes: Conesus,
43 Hemlock, Canadice and Honeoye, Genesee
44 Greenway/Recreationway, Allegany State
45 Park, Alder Bottom Pond/French Creek,
46 Great Lakes Shorelines and Niagara
47 River, Chautauqua Lake Access, Shore
48 Lands and Vistas, Randolph Swamp, Eigh-
49 teen Mile Creek/Hampton Brook Woods,
50 Statewide Small Projects, Working Forest
51 Lands, State Park and State Historic
52 Site Protection, (a) notwithstanding any
53 law to the contrary, \$500,000 from the
54 land acquisition allocation for urban
55 forestry projects provided that no less
56 than \$250,000 shall be made available

1	for such programs in cities with popu-	
2	lations of 65,000 or more; (b) notwith-	
3	standing any law to the contrary,	
4	\$1,575,000 from the land acquisition	
5	allocation to the land trust alliance	
6	for the purpose of awarding grants on a	
7	competitive basis to local land trusts,	
8	provided that up to ten percent of such	
9	amount may be made available for admin-	
10	istrative costs and/or technical assist-	
11	ance (09LA09ER)	
12	..... [60,000,000]	58,900,000
13	Agricultural non-point source abatement	
14	and control projects (09AN09ER)	
15	..... [12,200,000]	11,468,000
16	Notwithstanding any law to the contrary,	
17	for the Hudson River Estuary Management	
18	Plan prepared pursuant to section	
19	11-0306 of the environmental conserva-	
20	tion law (09HE09ER)	
21	..... [4,800,000]	3,706,000
22	Notwithstanding any law to the contrary,	
23	for state assistance payments, pursuant	
24	to a smart growth program, provided on a	
25	competitive basis, to counties, cities,	
26	towns, or villages to establish, update	
27	or implement comprehensive plans in a	
28	manner consistent with smart growth;	
29	provided, however, that up to 25 percent	
30	of such payments may be awarded to not-	
31	for-profit organizations for such	
32	purposes (09SG09ER)	
33	..... [500,000]	400,000
34	Agriculture and farmland protection activ-	
35	ities (09FP09ER)	
36	..... [23,000,000]	22,054,000
37	Notwithstanding any law to the contrary,	
38	for the Finger Lakes-Lake Ontario	
39	Watershed Protection Alliance (09FL09ER)	
40	..... [1,200,000]	1,151,000
41	Notwithstanding any law to the contrary,	
42	for the state share of costs of wastewa-	
43	ter treatment improvement projects	
44	undertaken by municipalities to upgrade	
45	municipal systems to meet stormwater,	
46	combined sewer overflow, sanitary sewer	
47	overflow and wastewater treatment	
48	discharge requirements with priority	
49	given to systems that are in violation	
50	of title 8 of article 17 of the environ-	

1 mental conservation law and aquatic
2 habitat restoration projects undertaken
3 by municipalities and not-for-profit
4 corporations for aquatic habitat resto-
5 ration projects as defined in subdivi-
6 sion 1 of section 56-0101 of the envi-
7 ronmental conservation law (09WQ09ER) ..
8 [9,000,000] 8,900,000

9 Notwithstanding any law to the contrary
10 for New York ocean and Great Lakes
11 ecosystem conservation projects,
12 consistent with the policy articulated
13 in article 14 of the environmental
14 conservation law (09GL09ER)
15 [6,000,000] 5,953,000

16 Notwithstanding any law to the contrary,
17 for the implementation of the recommen-
18 dations of the invasive species task
19 force prepared pursuant to chapter 324
20 of the laws of 2003 and for the purposes
21 set forth in chapter 674 of the laws of
22 2007 including not less than [\$100,000]
23 \$96,000 for Lake George, provided that
24 not less than \$1,000,000 be made avail-
25 able for invasive species eradication,
26 and including grants related to the
27 control and management of invasive
28 species. Such funding for grants shall
29 be provided on a competitive basis in
30 consultation with the New York Invasive
31 Species Council (09IS09ER)
32 [5,000,000] 4,794,000

33 INSURANCE DEPARTMENT

34 STATE OPERATIONS AND AID TO LOCALITIES 2009-10

35 REGULATION PROGRAM

36 General Fund / Aid to Localities
37 Local Assistance Account - 001

38 For services and expenses related to reim-
39 bursing employers with 50 or fewer employ-
40 ees for providing broad-based insurance
41 coverage for mental, nervous, or emotional
42 disorders at least equal to the coverage
43 provided for physical health pursuant to
44 chapter 748 of the laws of 2006
45 [99,200,000] 79,743,000
46 -----

47 Special Revenue Funds - Other / Aid to Localities
48 Miscellaneous Special Revenue Fund - 339

1 Insurance Department Account

2 For suballocation to the department of
3 health for aid to localities payments for
4 services and expenses related to the
5 administration of the cervical cancer
6 vaccine program. A portion of this appro-
7 priation may be transferred to state oper-
8 ations for administration of the program
9 [4,700,000] 3,000,000

10 For suballocation to the department of
11 health for aid to localities payments for
12 services and expenses related to the
13 administration of the childhood lead
14 poisoning primary prevention program. A
15 portion of this appropriation may be
16 transferred to state operations for admin-
17 istration of the program; PROVIDED, HOWEV-
18 ER, THAT THE AMOUNT OF THIS APPROPRIATION
19 AVAILABLE FOR EXPENDITURE AND DISBURSEMENT
20 ON AND AFTER NOVEMBER 1, 2009 SHALL BE
21 REDUCED BY 12.5 PERCENT OF THE AMOUNT THAT
22 WAS UNDISBURSED AS OF NOVEMBER 1, 2009 ...
23 5,170,000

24 For suballocation to the department of
25 health for aid to localities payments for
26 services and expenses related to the
27 administration of the immunization
28 program. A portion of this appropriation
29 may be transferred to state operations for
30 administration of the program; PROVIDED,
31 HOWEVER, THAT THE AMOUNT OF THIS APPROPRI-
32 ATION AVAILABLE FOR EXPENDITURE AND
33 DISBURSEMENT ON AND AFTER NOVEMBER 1, 2009
34 SHALL BE REDUCED BY 12.5 PERCENT OF THE
35 AMOUNT THAT WAS UNDISBURSED AS OF NOVEMBER
36 1, 2009 7,520,000

37 For services and expenses related to the
38 healthy NY program. A portion of this
39 appropriation may be transferred to state
40 operations appropriations. [Notwithstand-
41 ing the provisions of any other law to
42 the contrary, for state fiscal year 2008-
43 2009 the liability of the state and the
44 amount to be distributed or otherwise
45 expended by the state pursuant to sections
46 4326 and 4327 of the insurance law shall
47 be determined by first calculating the
48 amount of the expenditure or other liabil-
49 ity pursuant to such law, and then reduc-
50 ing the amount so calculated by two
51 percent of such amount] NOTWITHSTANDING
52 ANY OTHER PROVISION OF LAW TO THE CONTRA-
53 RY, FOR STATE FISCAL YEAR 2009-2010 THE
54 LIABILITY OF THE STATE AND THE AMOUNT TO
55 BE DISTRIBUTED OR OTHERWISE EXPENDED BY

1 THE STATE PURSUANT TO SECTIONS 4326 AND
2 4327 OF THE INSURANCE LAW ON OR AFTER
3 NOVEMBER 1, 2009 SHALL BE DETERMINED BY
4 FIRST CALCULATING THE AMOUNT OF THE
5 EXPENDITURE OR OTHER LIABILITY PURSUANT TO
6 SUCH LAW, AND THEN REDUCING THE AMOUNT SO
7 CALCULATED BY 12.5 PERCENT OF SUCH AMOUNT,
8 AND THAT THE AMOUNT OF THIS APPROPRIATION
9 AVAILABLE FOR DISBURSEMENT ON OR AFTER
10 NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5
11 PERCENT OF THE AMOUNT THAT IS UNDISBURSED
12 AS OF SUCH DATE 161,040,000
13 -----

14 DEPARTMENT OF STATE

15 STATE OPERATIONS AND AID TO LOCALITIES 2009-10

16 LOCAL GOVERNMENT AND COMMUNITY SERVICES PROGRAM

17 General Fund / Aid to Localities
18 Local Assistance Account - 001

19 For payment to not-for-profit tax exempt
20 entities for the purpose of delivering
21 civil legal services to the poor in
22 accordance with the following
23 sub-schedule; PROVIDED, HOWEVER, THAT THE
24 AMOUNT OF THIS APPROPRIATION AVAILABLE FOR
25 EXPENDITURE AND DISBURSEMENT ON AND AFTER
26 NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5
27 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED
28 AS OF NOVEMBER 1, 2009 4,241,911

29 sub-schedule

30 Brooklyn Bar Association
31 27,360
32 CASA of Albany Co Mediation ..
33 2,048
34 CASA of Erie Co 3,757
35 CASA of Orange Co Mediation ..
36 3,757
37 CASA of Rockland Co 2,048
38 CASA of Ulster 3,750
39 CASA of Westchester Mental
40 Health 5,629
41 Chautauqua County Legal
42 services 24,477
43 Chemung County Legal Services
44 (LAWNY)..... 44,417
45 Community Advocacy Group
46 8,222
47 Erie County Volunteer Lawyers
48 Project 24,119
49 Farmworkers Legal Services ...

1	.....	49,751
2	FOCUS	39,689
3	Empire Justice Center	
4	.....	264,939
5	Hiscock Legal Aid Society	
6	.....	33,194
7	Housing Conservation Coordina-	
8	tors	7,522
9	Lawyers Alliance for New York	
10	.....	27,144
11	Legal Aid Bureau of Buffalo ..	
12	.....	30,129
13	Legal Aid of Rockland County .	
14	.....	29,281
15	Legal Aid Society of Rochester	
16	.....	33,154
17	Legal Aid Society NYC	
18	.....	1,091,251
19	Legal Aid Society of North-	
20	eastern NY	216,826
21	Legal Services for the Elderly	
22	Disabled and Disadvantaged .	
23	.....	7,507
24	Legal Services of Central New	
25	York	256,561
26	Legal Services of Hudson	
27	Valley	184,447
28	Legal Services of New York	
29	City	1,157,381
30	Medicare Rights Center	
31	.....	10,530
32	Monroe County Legal Assistance	
33	Center (LAWNY)	37,930
34	Nassau Suffolk Law Services ..	
35	.....	198,883
36	Neighborhood Legal Services	
37	(Orleans, Genesee, Wyoming)	
38	.....	18,069
39	Neighborhood Legal Services	
40	(Erie)	159,043
41	Neighborhood Legal Services	
42	(Niagara)	30,328
43	New York Legal Assistance	
44	Group (NYLAG)	12,060
45	Public Utility Law Project ...	
46	.....	34,666
47	Puerto Rican Legal Defense and	
48	Education Fund	15,084
49	Research Found. CUNY-Brookdale	
50	.....	11,258
51	Southern Tier Legal Services	
52	(LAWNY)	49,114
53	Urban Justice Center ..	18,766
54	Volunteer Legal Services of	
55	(NYC)	43,701

1 Volunteer Legal Services of
2 Monroe 24,119
3 -----

4 Special Revenue Funds - Other / Aid to Localities
5 Miscellaneous Special Revenue Fund - 339
6 Local Wireless Public Safety Answering Point Account

7 [Notwithstanding the provisions of any other
8 law to the contrary, for state fiscal year
9 2009-2010 the liability of the state and
10 the amount to be distributed or otherwise
11 expended by the state pursuant to section
12 309 of the county law shall be determined
13 by first calculating the amount of the
14 expenditure or other liability pursuant to
15 such law, and then reducing the amount so
16 calculated by two percent of such amount.]
17 For expenses of local wireless public safety
18 answering points associated with eligible
19 wireless 911 service costs. NOTWITHSTAND-
20 ING ANY OTHER PROVISION OF LAW TO THE
21 CONTRARY, FOR STATE FISCAL YEAR 2009-2010
22 THE LIABILITY OF THE STATE AND THE AMOUNT
23 TO BE DISTRIBUTED OR OTHERWISE EXPENDED BY
24 THE STATE ON OR AFTER NOVEMBER 1, 2009
25 SHALL BE DETERMINED BY FIRST CALCULATING
26 THE AMOUNT OF THE EXPENDITURE OR OTHER
27 LIABILITY PURSUANT TO SUCH LAW, AND THEN
28 REDUCING THE AMOUNT SO CALCULATED BY 12.5
29 PERCENT OF SUCH AMOUNT, AND THAT THE
30 AMOUNT OF THIS APPROPRIATION AVAILABLE FOR
31 DISBURSEMENT ON OR AFTER NOVEMBER 1, 2009
32 SHALL BE REDUCED BY 12.5 PERCENT OF THE
33 AMOUNT THAT IS UNDISBURSED AS OF SUCH DATE
34 4,900,000

35 [Notwithstanding the provisions of any other
36 law to the contrary, for state fiscal year
37 2009-2010 the liability of the state and
38 the amount to be distributed or otherwise
39 expended by the state pursuant to section
40 309 of the county law shall be determined
41 by first calculating the amount of the
42 expenditure or other liability pursuant to
43 such law, and then reducing the amount so
44 calculated by two percent of such amount.]
45 For expenses of local wireless public safety
46 answering points associated with eligible
47 wireless 911 service costs, including but
48 not limited to financing and acquisition
49 costs. NOTWITHSTANDING ANY OTHER
50 PROVISION OF LAW TO THE CONTRARY, FOR
51 STATE FISCAL YEAR 2009-2010 THE LIABILITY
52 OF THE STATE AND THE AMOUNT TO BE DISTRIB-
53 UTED OR OTHERWISE EXPENDED BY THE STATE ON
54 OR AFTER NOVEMBER 1, 2009 SHALL BE DETER-

MINED BY FIRST CALCULATING THE AMOUNT OF
 THE EXPENDITURE OR OTHER LIABILITY PURSU-
 ANT TO SUCH LAW, AND THEN REDUCING THE
 AMOUNT SO CALCULATED BY 12.5 PERCENT OF
 SUCH AMOUNT, AND THAT THE AMOUNT OF THIS
 APPROPRIATION AVAILABLE FOR DISBURSEMENT
 ON OR AFTER NOVEMBER 1, 2009 SHALL BE
 REDUCED BY 12.5 PERCENT OF THE AMOUNT THAT
 IS UNDISBURSED AS OF SUCH DATE

..... 4,900,000

DEPARTMENT OF TRANSPORTATION

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

MASS TRANSPORTATION ASSISTANCE PROGRAM	
..... [25,251,000]	6,312,750

General Fund / Aid to Localities
 Local Assistance Account - 001

For payment to the metropolitan transporta-
 tion authority for the costs of the
 reduced fare for school children program.
 No expenditure shall be made hereunder
 until a certificate of approval has been
 issued by the director of the budget and a
 copy of such certificate filed with the
 state comptroller, the chairperson of the
 senate finance committee and the chair-
 person of the assembly ways and means
 committee. Moneys appropriated herein may
 be made available at such times as deemed
 appropriate by the commissioner of trans-
 portation and the director of the budget .
 [25,251,000] 6,312,750

MASS TRANSPORTATION OPERATING ASSISTANCE FUND PROGRAM	
..... [1,743,240,000]	1,620,384,204

Special Revenue Funds - Other / Aid to Localities
 Mass Transportation Operating Assistance Fund - 313
 Metropolitan Mass Transportation Operating Assistance
 Account

Notwithstanding any inconsistent provision
 of law, the following appropriations are
 for payment of mass transportation operat-
 ing assistance provided that payments from
 this appropriation shall be made pursuant
 to a financial plan approved by the direc-
 tor of the budget.

1	To the metropolitan transportation authority	
2	for the operating expenses of the New York	
3	city transit authority, the Manhattan and	
4	Bronx surface transit operating authority,	
5	and the Staten Island rapid transit oper-	
6	ating authority [936,814,500]	857,761,483
7	To the metropolitan transportation authority	
8	for the operating expenses of the Long	
9	Island rail road company and the Metro-	
10	North commuter railroad company which	
11	includes the New York state portion of	
12	Harlem, Hudson, Port Jervis, Pascack, and	
13	the New Haven commuter railroad services	
14	regardless of whether the services are	
15	provided directly or pursuant to joint	
16	service agreements [480,260,200]	436,945,704
17	To Rockland county for a trans-Hudson bus	
18	service to be provided pursuant to a	
19	contract between Rockland county and	
20	Metro-North commuter railroad	
21	..... [2,810,400]	2,739,843
22	To the city of New York for the operating	
23	expenses of the Staten Island ferry	
24	notwithstanding any other provisions of	
25	law [24,446,500]	23,768,580
26	To the county of Westchester for the operat-	
27	ing expenses thereof incurred for public	
28	transportation services, provided within	
29	the county directly or under contract	
30	..... [43,011,800]	41,867,182
31	To the county of Nassau or its sub-grantees	
32	for the operating expenses thereof	
33	incurred for public transportation	
34	services [48,348,600]	47,939,822
35	To the county of Suffolk for operating	
36	expenses thereof incurred for public	
37	transportation services, provided within	
38	the county directly or under contract	
39	..... [20,661,600]	20,119,522
40	To the city of New York for the operating	
41	expenses thereof incurred for public	
42	transportation services, provided within	
43	the city directly or under contract;	
44	provided however, that \$2,000,000 of this	
45	appropriation shall be for expenses	
46	incurred for the Staten Island express bus	
47	service [66,015,100]	64,201,033
48	To all other public transportation systems	
49	serving primarily within the metropolitan	
50	commuter transportation district, as	
51	defined in section 1262 of the public	
52	authorities law, eligible to receive oper-	
53	ating assistance under the provisions of	
54	section 18-b of the transportation law for	
55	the operating expenses thereof in accord-	

1	ance with a service and usage formula to	
2	be established by the commissioner of	
3	transportation with the approval of the	
4	director of the budget [24,396,600]	23,491,359
5	-----	
6	Program account subtotal	
7	..... [1,651,077,300]	1,526,960,529
8	-----	
9	MASS TRANSPORTATION OPERATING ASSISTANCE PROGRAM	
10	..... 221,869,900	
11	-----	
12	General Fund / Aid to Localities	
13	Local Assistance Account - 001	
14	Notwithstanding any inconsistent provision	
15	of law, the following appropriations are	
16	for the payment of mass transportation	
17	operating assistance pursuant to section	
18	18-b of the transportation law. To the	
19	metropolitan transportation authority for	
20	the operating expenses of the New York	
21	city transit authority, the Manhattan and	
22	Bronx surface transit operating authority,	
23	and the Staten Island rapid transit oper-	
24	ating authority, provided, however, that	
25	[\$4,817,000] \$2,408,500 may be paid to the	
26	metropolitan transportation authority on	
27	or after April 1, 2009 but not later than	
28	May 10, 2009 [4,817,000]	2,408,500
29	To the metropolitan transportation authority	
30	for the operating expenses of the Long	
31	Island rail road company and the Metro-	
32	North commuter railroad company which	
33	include operating expenses for the New	
34	York state portion of Harlem, Hudson, Port	
35	Jervis, Pascack, and New Haven commuter	
36	railroad services regardless of whether	
37	such services are provided directly or	
38	pursuant to joint service agreements	
39	..... [8,045,000]	4,022,500
40	To the city of New York for the operating	
41	expenses of the Staten Island ferry	
42	notwithstanding any other provision of law	
43	..... [575,700]	287,850
44	To the county of Westchester for the operat-	
45	ing expenses thereof incurred for the	
46	public transportation services, provided	
47	within the county directly or under	
48	contract [486,400]	243,200
49	To the county of Nassau or its sub-grantees	
50	for the operating expenses thereof	
51	incurred for public transportation	
52	services [393,500]	196,750

1	To the county of Suffolk for operating	
2	expenses thereof incurred for public	
3	transportation services, provided within	
4	the county directly or under contract	
5	..... [139,300]	69,650
6	To the city of New York for the operating	
7	expenses thereof incurred for public	
8	transportation services, provided within	
9	the city directly or under contract	
10	..... [1,373,200]	686,600
11	To all other public transportation systems	
12	serving primarily within the metropolitan	
13	commuter transportation district eligible	
14	to receive operating assistance under the	
15	provisions of section 18-b of the trans-	
16	portation law for the operating expenses	
17	thereof in accordance with a service and	
18	usage formula to be established by the	
19	commissioner of transportation with the	
20	approval of the director of the budget ...	
21	..... [386,800]	369,950
22	-----	
23	Program account subtotal .. [27,433,900]	19,502,000
24	-----	

25 Special Revenue Funds - Other / Aid to Localities
 26 Mass Transportation Operating Assistance Fund - 313
 27 Metropolitan Mass Transportation Operating Assistance
 28 Account

29	Notwithstanding any inconsistent provision	
30	of law, the following appropriations are	
31	for the payment of mass transportation	
32	operating assistance pursuant to section	
33	18-b of the transportation law and section	
34	88-a of the state finance law. To the	
35	metropolitan transportation authority for	
36	the operating expenses of the New York	
37	city transit authority, the Manhattan and	
38	Bronx surface transit operating authority,	
39	and the Staten Island rapid transit oper-	
40	ating authority [153,855,000]	156,263,500
41	To the metropolitan transportation authority	
42	for the operating expenses of the Long	
43	Island rail road company and the Metro-	
44	North commuter railroad company which	
45	include operating expenses for the New	
46	York state portion of Harlem, Hudson, Port	
47	Jervis, Pascack, and New Haven commuter	
48	railroad services regardless of whether	
49	such services are provided directly or	
50	pursuant to joint service agreements	
51	..... [21,207,000]	25,229,500
52	To the city of New York for the operating	
53	expenses of the Staten Island ferry	

1	..... [2,196,000]	2,483,850	
2	To the county of Westchester for the operat-		
3	ing expenses thereof incurred for public		
4	transportation services, provided within		
5	the county directly or under contract		
6	..... [2,317,000]	2,560,200	
7	To the county of Nassau or its sub-grantees		
8	for the operating expenses thereof		
9	incurred for public transportation		
10	services [2,146,000]	2,342,750	
11	To the county of Suffolk for operating		
12	expenses thereof incurred for public		
13	transportation services, provided within		
14	the county directly or under contract		
15	..... [785,000]	854,650	
16	To the city of New York for the operating		
17	expenses thereof incurred for public		
18	transportation services, provided within		
19	the city directly or under contract		
20	..... [5,395,000]	6,081,600	
21	To eligible public transportation systems		
22	serving primarily within the metropolitan		
23	commuter transportation district, as		
24	defined in section 1262 of the public		
25	authorities law, eligible to receive oper-		
26	ating assistance under the provisions of		
27	section 18-b of the transportation law for		
28	the operating expenses thereof in accord-		
29	ance with a service and usage formula to		
30	be established by the commissioner of		
31	transportation with the approval of the		
32	director of the budget [1,639,000]	1,655,850	
33	-----		
34	Program account subtotal		
35	..... [189,540,000]	197,471,900	
36	-----		
37	ADDITIONAL MASS TRANSPORTATION ASSISTANCE PROGRAM		
38	..... [44,866,800]		35,747,846
39	-----		
40	General Fund / Aid to Localities		
41	Local Assistance Account - 001		
42	To the Capital District transportation		
43	authority for the operating expenses ther-		
44	eof [6,618,000]	6,397,266	
45	To the Capital District transportation		
46	authority for additional operating		
47	expenses thereof [2,476,735]	1,593,840	
48	To the Central New York regional transporta-		
49	tion authority for the operating expenses		
50	thereof [5,730,200]	5,082,454	
51	To the Central New York regional transporta-		
52	tion authority for additional operating		
53	expenses thereof [721,043]	360,522	

1	To the Rochester-Genesee regional transpor-	
2	tation authority for the operating	
3	expenses thereof [3,314,500]	3,265,062
4	To the Rochester-Genesee regional transpor-	
5	tation authority for additional operating	
6	expenses thereof [4,426,643]	3,319,983
7	To the Niagara Frontier transportation	
8	authority for the operating expenses ther-	
9	eof [5,529,200]	4,481,492
10	To the Niagara Frontier transportation	
11	authority for additional operating	
12	expenses thereof [1,098,830]	549,416
13	To all other public transportation systems	
14	serving primarily outside of the metropol-	
15	itan commuter transportation district	
16	eligible to receive operating assistance	
17	under the provisions of section 18-b of	
18	the transportation law for the operating	
19	expenses thereof in accordance with a	
20	service and usage formula to be estab-	
21	lished by the commissioner of transporta-	
22	tion with the approval of the director of	
23	the budget [3,674,900]	3,674,900
24	To all other public transportation systems	
25	serving primarily outside of the metropol-	
26	itan commuter transportation district	
27	eligible to receive operating assistance	
28	under the provisions of section 18-b of	
29	the transportation law for additional	
30	operating expenses thereof in accordance	
31	with a service and usage formula to be	
32	established by the commissioner of tran-	
33	sportaion with the approval of the direc-	
34	tor of the budget [891,449]	401,152
35	-----	
36	To Rockland county for a trans-Hudson bus	
37	service to be provided pursuant to a	
38	contract between Rockland county and	
39	Metro-North commuter railroad ... [66,997]	33,499
40	To the city of New York for the operating	
41	expenses of the Staten Island ferry	
42	..... [660,526]	330,263
43	To the county of Westchester for the operat-	
44	ing expenses thereof incurred for the	
45	public transportation services, provided	
46	within the county directly or under	
47	contract [1,104,278]	552,139
48	To the county of Nassau or its sub-grantees	
49	for the operating expenses thereof	
50	incurred for public transportation	
51	services [5,628,286]	3,993,250
52	To the county of Suffolk for operating	
53	expenses thereof incurred for public	
54	transportation services, provided within	
55	the county directly or under contract	

1	..... [514,269]	257,135
2	To the city of New York for the operating	
3	expenses thereof incurred for public	
4	transportation services, provided within	
5	the city directly or under contract	
6	..... [1,763,568]	881,784
7	To all other public transportation systems	
8	serving primarily within the metropolitan	
9	commuter transportation district eligible	
10	to receive operating assistance under the	
11	provisions of section 18-b of the trans-	
12	portation law for the operating expenses	
13	thereof in accordance with a service and	
14	usage formula to be established by the	
15	commissioner of transportation with the	
16	approval of the director of the budget ...	
17	..... [647,376]	573,688
18	-----	
19	Program account subtotal .. [44,866,800]	35,747,846
20	-----	

21 S 6. This act shall take effect immediately and shall be deemed to
22 have been in full force and effect on and after April 1, 2009.