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

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:

Section 1. Section 1 of chapter 50 of the laws of 2009, enacting the public protection and general government budget is amended by repealing the items hereinbelow set forth in brackets and by adding to such section the other items underscored in this section.

DIVISION OF CRIMINAL JUSTICE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

FUNDING AND PROGRAM ASSISTANCE PROGRAM

Special Revenue Funds - Other / Aid to Localities
Miscellaneous Special Revenue Fund - 339
Crimes Against Revenue Program Account

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

LBD12171-01-9

For payment to district attorneys who participate in the crimes against revenue program to be distributed in the same manner as the prior year or through a competitive 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 6,000,000

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

For services and expenses associated with local anti-auto theft programs, in accordance with section 89-d of the state finance law, distributed through a competitive 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 4,284,000

DIVISION OF PAROLE

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

PAROLE OPERATIONS PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

For costs associated with the provision of treatment, residential stabilization and other related services for offenders in the community, including residential stabilization for sex offenders, pursuant to existing contracts or to be distributed through a competitive 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 5,551,000

DIVISION OF PROBATION AND CORRECTIONAL ALTERNATIVES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

COMMUNITY CORRECTIONS PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

For payments to not-for-profit and government operated programs providing alternatives to incarceration, to be distributed pursuant to existing contracts or through a competitive process which includes an evaluation of the effectiveness of such 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 4,932,000

OFFICE OF REAL PROPERTY SERVICES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

POLICY AND ORGANIZATIONAL SUPPORT SERVICES PROGRAM

General Fund - Aid to Localities
Local Assistance Account - 001

For state financial assistance for improvement of the real property tax administration pursuant to a plan submitted by the office of real property services and approved by the division of the budget. Notwithstanding the provisions of any other 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 pursuant to sections 318, 354, 489-w, 1530, and 1573 of the real property tax law 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 two percent of such amount; PROVIDED FURTHER THAT THE AMOUNT OF THE EXPENDITURES OR LIABILITIES PURSUANT TO SECTION 1573 OF THE REAL PROPERTY TAX LAW, SHALL BE FURTHER REDUCED BY 12.5 PERCENT OF THE AMOUNT OF THIS APPROPRIATION THAT IS UNDISBURSED AS OF NOVEMBER 1, 2009, AND THAT THE AMOUNT OF THIS APPROPRIATION AVAILABLE FOR DISBURSEMENT ON OR AFTER SUCH DATE SHALL BE REDUCED BY 12.5 PERCENT OF THE AMOUNT THAT IS UNDISBURSED AS OF SUCH DATE. Such financial assistance shall include up to

$5,025,000 for payments to local governments pursuant to the rail infrastructure investment act of 2002; up to $690,000 for reimbursement for assessor training pursuant to sections 318 and 354 of the real property tax law; and up to $8,250,000 pursuant to section 1573 of the real property tax law, and shall include the payment of liabilities incurred prior to April 1, 2009 13,965,000

MISCELLANEOUS -- ALL STATE DEPARTMENTS AND AGENCIES

ALL STATE DEPARTMENTS AND AGENCIES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

Maintenance Undistributed

General Fund
Community Projects Fund - 007
Account BB

For services and expenses, grants in aid, or for contracts with certain not-for-profit agencies, universities, colleges, school districts, corporations, and/or municipalities pursuant to section 99-d of the state finance law. The funds appropriated hereby may be suballocated to any department, agency, or public authority.
[Pursuant to the provisions of subdivision 5 of section 24 of the state finance law and any provision of law requiring the approval of the director or division of the budget, such grants in aid shall be expended only pursuant to one or more plans submitted by the temporary president of the senate in accordance with such section. Such plan shall include but not be limited to an itemized list of grantees with the amount to be received by each. Thereafter, such list shall be included in a resolution approved by a majority vote of all members of the senate upon a roll call vote] NOTWITHSTANDING SUBDIVISION 5 OF SECTION 24 OF THE STATE FINANCE LAW, THE $74,375,000 APPROPRIATION SPECIFIED HEREIN SHALL BE AVAILABLE PURSUANT TO ONE OR SEVERAL PLANS, WHICH SHALL INCLUDE BUT NOT BE LIMITED TO AN ITEMIZED LIST OF GRANTEES WITH THE AMOUNT TO BE RECEIVED BY EACH, SUBMITTED BY THE SECRETARY OF THE SENATE FINANCE COMMITTEE BY JANUARY 15,

2010, AND SUBJECT TO THE APPROVAL OF THE DIRECTOR OF THE BUDGET ..... [85,000,000] 74,375,000

Maintenance Undistributed

General Fund
Community Projects Fund - 007
Account CC

For services and expenses, grants in aid, or for contracts with certain not-for-profit agencies, universities, colleges, school districts, corporations, and/or municipalities in a manner determined pursuant to subdivision 5 of section 24 of the state finance law. The funds appropriated hereby may be suballocated to any department, agency or public authority .... [20,000,000] 9,375,000

MISCELLANEOUS -- ALL STATE DEPARTMENTS AND AGENCIES

LOCAL GOVERNMENT ASSISTANCE

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

AID AND INCENTIVES FOR MUNICIPALITIES

General Fund / Aid to Localities
Local Assistance Account - 001

For payment to local governments under the aid and incentives for municipalities program pursuant to section 54 of the state finance law in accordance with the following:
For base level grants to municipalities .... [755,684,000] 750,336,517
For special aid and incentives for municipalities to the city of New York. 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 .... [327,889,668] 301,658,495
For a local government efficiency grant program administered by the department of state pursuant to section 54 of the state finance law.
Of the amount appropriated herein, up to $2,450,000 shall be made available for high priority planning grants and general

efficiency planning grants to eligible municipalities.
Of the amount appropriated herein, up to [$4,900,000] $4,400,000 shall be made available for efficiency implementation grants to eligible municipalities.
Of the amount appropriated herein, up to $4,165,000 shall be made available for twenty-first century demonstration project grants to eligible municipalities.
Of the amount appropriated herein, up to $1,960,000 shall be made available for municipal merger incentives for eligible municipalities.
Notwithstanding the above provisions of this appropriation, and subject to approval of the director of the budget, any unused moneys provided pursuant to this appropriation for high priority planning grants, general efficiency planning grants or twenty-first century demonstration project grants may be used for efficiency implementation grants, and any unused moneys provided pursuant to this appropriation for high priority planning grants, general efficiency planning grants or efficiency implementation grants may be used for twenty-first century demonstration project grants.
Notwithstanding any other provision of law, no payment shall be made from this appropriation without a certificate of approval by the director of the budget ..... [13,475,000] 12,975,000

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

COUNCIL ON THE ARTS

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

ADMINISTRATION PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

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

to, orchestras, dance companies, museums and theatre groups including nonprofit cultural organizations, botanical gardens, zoos, aquariums and public benefit corporations offering programs of arts related education for elementary and secondary school pupils. Such programs may include activities directly undertaken by the grantee, or indirectly by regranting of state funds by regional or local arts councils, among other organizations, to nonprofit cultural organizations.
Grants, including capital grants, awarded may be used for programs and activities relating to arts disciplines including, but not limited to, architecture, dance, design, music, theater, media, literature, museum activities, visual arts, folk arts, and arts in education programs; 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 38,900,000

CITY UNIVERSITY OF NEW YORK

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

CITY UNIVERSITY--COMMUNITY COLLEGES

General Fund / Aid to Localities
Local Assistance Account - 001

OPERATING ASSISTANCE

For state financial assistance, net of disallowances, for operating expenses of community colleges to be expended pursuant to regulations developed jointly by the state university trustees and the city university trustees and approved by the director of the budget, and shall include funds available on a matching basis to implement programs for the provision of education and training services to individuals eligible under the federal personal responsibility and work opportunity reconciliation act of 1996.
Notwithstanding any other provision of law, rule or regulation, aid payable from this appropriation to community colleges shall be distributed to the colleges according

to guidelines established by the city university trustees.
Notwithstanding any other law, rule, or regulation to the contrary, full funding for aidable community college enrollment for the college fiscal year 2009-10 and heretofore as provided under this appropriation is determined by the operating aid formulas defined in rules and regulations developed jointly by the boards of trustees of the state and city universities and approved by the director of the budget provided that the local sponsor may use funds contained in reserves for excess student revenue for operating support of a community college program even though said expenditures may cause expenses and student revenues to exceed one-third of the college's net operating budget for the college fiscal year 2009-10 provided that such funds do not cause the college's revenue from the local sponsor's contribution in aggregate to be less than the comparable amounts for the previous community college fiscal year and further provided that pursuant to standards and regulations of the state university trustees and the city university trustees for the college fiscal year 2009-10, community colleges may increase tuition and fees above that allowable under current education law if such standards and regulations require that in order to exceed the tuition limit otherwise set forth in the education law, local sponsor contributions either in the aggregate or for each full-time equivalent student shall be no less than the comparable amounts for the previous community college fiscal year .....
.....[177,687,230] 173,287,230

CATEGORICAL PROGRAMS

For payment of rental aid; 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 ...
..... 7,209,280

CITY UNIVERSITY -- SENIOR COLLEGES

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

to the senior colleges received from the city university construction fund;

(b) miscellaneous revenue and fees, including bad debt recoveries and income fund reimbursable cost recoveries;

(c) pursuant to section 6221 of the education law, a representative share of the operating costs of those activities within central administration and university-wide programs which, as determined by the state budget director, relate jointly to the senior colleges and community colleges, and New York city support for associate degree programs at the College of Staten Island and Medgar Evers College and notwithstanding any other provision of law, rule or regulation, New York city support for associate degree programs at New York city college of technology and John Jay college, with such support based on the 2006-07 full-time equivalent (FTE) associate degree enrollments at these campuses and calculated using the New York city contribution per city university community college FTE in the 2006-07 base year, totaling $32,275,000.

Items (a) and (b) of the foregoing shall be hereafter referred to as the senior college revenue offset, and item (c) as the central administration and university-wide programs offset.

In no event shall the state support for the operating expenses of the senior college approved programs and services for the 12-month period beginning July 1, 2009 Exceed [$1,096,493,377] $1,072,493,377 ...
..... [1,061,254,000] 1,037,254,000

EDUCATION DEPARTMENT

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

ELEMENTARY, MIDDLE, SECONDARY AND CONTINUING EDUCATION PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

For general support for public schools, pursuant to a chapter of the laws of 2009; including remaining 2008-09 school year obligations ..... [16,985,341,000] 16,525,341,000

For competitive grants for adult literacy/ education aid to public and private not-

for-profit agencies, including but not limited to, 2 and 4 year colleges, community based organizations, libraries, and volunteer literacy organizations and institutions which meet quality standards promulgated by the commissioner of education to provide programs of basic literacy, high school equivalency, and English as a second language to persons 16 years of age or older for the 2009-10 school year; PROVIDED, HOWEVER, THAT THE AMOUNT OF THIS APPROPRIATION AVAILABLE FOR EXPENDITURE AND DISBURSEMENT ON AND AFTER NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED AS OF NOVEMBER 1, 2009 4,906,000

For allowances to private schools for the blind and the deaf, including state aid for blind and deaf pupils in certain institutions to be paid for the purposes provided under article 85 of the education law for the education of deaf children under 3 years of age including transfers to the miscellaneous special revenue fund Rome school for the deaf account (339E6) pursuant to a plan to be developed by the commissioner and approved by the director of the budget. Notwithstanding any other inconsistent provisions of law, such funds appropriated herein shall be for the New York state pupils approved to attend such schools and whose admissions, attendance and termination therein is in accordance with rules and regulations of the commissioner of education.

Of the amounts appropriated herein, up to $6,651,000 shall be used for debt service on capital construction projects financed through the state dormitory authority and $111,449,000 shall be available for allowances to schools for the blind and deaf.

Provided further that, notwithstanding any inconsistent provision of law, upon disbursement of funds appropriated for additional allowances to private schools for the blind and deaf in the vocational and educational services for individuals with disabilities program special revenue funds-federal/aid to localities, funds appropriated herein shall be reduced in an amount equivalent to such disbursement and the portion of this appropriation so affected shall have no further force or effect. Such reduction in the general fund allowances to private schools for the blind and deaf shall be fully offset by

the special revenue funds-federal/aid to localities funds appropriated for additional allowances to private schools for the blind and deaf.

Notwithstanding any provision of the law to the contrary, funds appropriated herein shall be available for payment of liabilities heretofore accrued or hereafter to accrue and, subject to the approval of the director of the budget, such funds shall be available to the department net of disallowances, refunds, reimbursements and credits; 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 118,100,000

For July and August programs for school-aged children with handicapping conditions pursuant to section 4408 of the education law. Moneys appropriated herein shall be used as follows: (i) for remaining base year and prior school years obligations, (ii) for the purposes of subdivision 4 of section 3602 of the education law for schools operated under articles 87 and 88 of the education law, and (iii) notwithstanding any inconsistent provision of law, for payments made pursuant to this appropriation for current school year obligations, provided, however, that such payments shall not exceed 70 percent of the state aid due for the sum of the approved tuition and maintenance rates and transportation expense provided for herein; provided, however, that payment of eligible claims shall be payable in the order that such claims have been approved for payment by the commissioner of education, and provided further that no claim shall be set aside for insufficiency of funds to make a complete payment, but shall be eligible for a partial payment in one year and shall retain its priority date status for subsequent appropriations designated for such purposes. Notwithstanding any inconsistent provision of law to the contrary, funds appropriated herein shall only be available for liabilities incurred prior to July 1, 2010, shall be used to pay 2008-09 school year claims in the first instance, and represent the maximum amount payable during the 2009-10 state fiscal year. Notwithstanding any provision of law to the contrary, funds

appropriated herein shall be available for payment of liabilities heretofore accrued or hereafter to accrue and, subject to the approval of the director of the budget, such funds shall be available to the department net of disallowances, refunds, reimbursements and credits; 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 260,400,000

For services and expenses of a 2009-10 school year program for extended day and school violence prevention programs; 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 27,821,000

For services and expenses related to the development, implementation and operation of charter schools for the 2009-10 school year including $1,981,000 for administrative/technical support services provided by the charter school institute of the state university of New York. This appropriation shall only be available for expenditure upon the approval of an expenditure plan by the director of the budget and funds appropriated herein shall be transferred to the miscellaneous special revenue fund - charter schools stimulus account; 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 .. 5,528,000

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

For support of elementary, secondary, and post-secondary education from the state fiscal stabilization fund-education fund as funded by the American recovery and reinvestment act of 2009. Notwithstanding any other provision of law to the contrary, of the amounts appropriated herein, up to a total of $38,400,000 may be suballocated or transferred, subject to the approval of the director of the budget, to

the state university of New York and the city university of New York for operating expenses of community colleges of which $27,648,000 shall be available for suballocation or transfer to the state university of New York community college operating assistance program and $10,752,000 shall be available for suballocation or transfer to the city university of New York community colleges program. Funds appropriate herein shall be subject to all applicable reporting and accountability requirements contained in such act .... [1,235,000,000] 1,626,000,000

For the purposes of the state fiscal stabilization fund-other governmental services fund as funded by the American recovery and reinvestment act of 2009. Funds appropriated herein shall be subject to all applicable reporting and accountability requirements contained in such act.
Funds appropriated herein shall be available for services and expenses of a $40,000,000 teacher resources and computer training centers program for the 2009-10 school year provided that, notwithstanding any inconsistent provision of law, subject to the approval of the director of the budget. Funds appropriated herein shall be subject to all applicable reporting and accountability requirements contained in such act; 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 40,000,000

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

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

OFFICE OF HIGHER EDUCATION AND THE PROFESSIONS PROGRAM

General Fund / Aid to Localities

Local Assistance Account - 001

The moneys herein appropriated shall be available for higher and continuing education programs provided by independent colleges, universities and other organizations approved by the state education department.

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

Unrestricted aid to independent colleges and universities, notwithstanding any other section of law to the contrary, aid otherwise due and payable in the 2009-10 fiscal year shall be limited to the amount appropriated herein; 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 41,600,000

For higher education opportunity program awards. Funds appropriated herein shall be used by independent colleges to expand opportunities for the educationally and economically disadvantaged at independent institutions of higher learning; 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 23,752,000

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

For collegiate science and technology entry program (CSTEP)awards ..... [4,000,000] 3,806,000

CULTURAL EDUCATION PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

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

the contrary, such aid, and the state's liability therefor, shall represent fulfillment of the state's obligation for this program; PROVIDED, HOWEVER, THAT THE AMOUNT OF THE EXPENDITURE OR LIABILITY PURSUANT TO SUCH LAW SHALL BE FURTHER REDUCED BY 12.5 PERCENT OF SUCH REDUCED AMOUNT, AND THAT THE AMOUNT OF THIS APPROPRIATION AVAILABLE FOR EXPENDITURE AND DISBURSEMENT ON AND AFTER SUCH DATE SHALL BE REDUCED BY 12.5 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED AS OF NOVEMBER 1, 2009 80,500,000
For additional aid to public libraries; PROVIDED, HOWEVER, THAT THE AMOUNT OF THE EXPENDITURE OR LIABILITY PURSUANT TO SUCH LAW SHALL BE FURTHER REDUCED BY 12.5 PERCENT OF SUCH REDUCED AMOUNT, AND THAT THE AMOUNT OF THIS APPROPRIATION AVAILABLE FOR EXPENDITURE AND DISBURSEMENT ON AND AFTER SUCH DATE SHALL BE REDUCED BY 12.5 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED AS OF NOVEMBER 1, 2009 10,581,000

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

Grants to individual local governments or groups of cooperating local governments as provided in section 57.35 of the arts and cultural affairs 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 9,539,000

DEPARTMENT OF FAMILY ASSISTANCE

OFFICE OF CHILDREN AND FAMILY SERVICES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

FAMILY AND CHILDREN'S SERVICES PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

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

to provide services that meet the needs of families and enhance the safety and stability of children and youth in their homes and contractual agreements with non-for-profits to enhance the assessment of the need for, and provision of services to, victims of domestic violence that are involved in child protective services cases. Such funds are available to continue or expand existing programs with existing contractors that are satisfactorily performing services, to award new contracts to continue programs where existing contractors are not satisfactorily performing as determined by the office of children and family services, and/or award new contracts through a competitive 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 4,934,100

For services and expenses of certain local or regional multidisciplinary child abuse investigation teams approved by the office of children and family services for the purpose of investigating reports of suspected child abuse or maltreatment and for new and established child advocacy centers; 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 5,811,000

The money hereby appropriated is to be available for payment of state aid heretofore accrued or hereafter to accrue to municipalities. Subject to the approval of the director of the budget, the money hereby appropriated shall be available to the office net of disallowances, refunds, reimbursements, and credits.

Notwithstanding any inconsistent provision of law, the amount herein appropriated may be transferred to any other appropriation within the office of children and family services and/or the office of temporary and disability assistance and/or suballocated to the office of temporary and disability assistance for the purpose of paying local social services districts' costs of the above program and may be increased or decreased by interchange with any other appropriation or with any other

item or items within the amounts appropriated within the office of children and family services general fund - local assistance account 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.

Notwithstanding any inconsistent provision of law, in lieu of payments authorized by the social services law, or payments of federal funds otherwise due to the local social services districts for programs provided under the federal social security act or the federal food stamp act, funds herein appropriated, in amounts certified by the state commissioner or the state commissioner of health as due from local social services districts each month as their share of payments made pursuant to section 367-b of the social services law may be set aside by the state comptroller in an interest-bearing account with such interest accruing to the credit of the locality in order to ensure the orderly and prompt payment of providers under section 367-b of the social services law pursuant to an estimate provided by the commissioner of health of each local social services district's share of payments made pursuant to section 367-b of the social services law.

Notwithstanding any inconsistent provision of law, the amount hereby appropriated shall be available for the designated purposes, less the amount, as certified by the director of the budget, of any transfers from the general fund to the tobacco control and insurance initiatives pool established pursuant to section 2807-v of the public health law, to reflect the state savings attributable to this program resulting from an increase in the federal medical assistance percentage available to the state pursuant to the applicable provisions of the federal social security act.

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

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

For services and expenses of medical care for foster children. The amount appropriated herein shall be available for transfer or suballocation to the department of health for the medical assistance program for such services and expenses; 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 34,000,000

Of the amount appropriated herein, $23,605,938 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 locally operated youth development and delinquency prevention programs. No expenditure shall be made 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.

Notwithstanding the provisions of section 420 of the executive law which would require expenditure of state aid for youth programs in a total amount greater than [$23,605,938] THE AMOUNT APPROPRIATED, for payment of state aid for programs pursuant to article 19-A of the executive law, for delinquency prevention and youth development. Notwithstanding the provisions of section 420 of the executive law, eligibility for state aid reimbursement for counties which do not participate in the county comprehensive planning process shall be determined as follows: the aggregate amount of state aid for recreation, youth service and similar projects to a county and municipalities within such county shall not exceed $2,750 of which no more than $1,450 may be used for recreation projects, per 1,000 youths residing in the county based on a single count of such youths as shown by the last published federal census for the county certified in the same manner as provided by section 54 of the state finance law. The office shall 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.

Notwithstanding any inconsistent provision of law, moneys shall be made available to community agencies in cities with populations greater than 275,000 and to community agencies statewide 31,381,524

For payment of state aid for programs for the provision of services to runaway and homeless youth pursuant to subdivisions 2, 3 and 4 of section 420 of the executive law and pursuant to chapter 800 of the laws of 1985 amending the runaway and homeless youth act for the provision of transitional independent living support services and the establishment and operation of young adult shelters for youth between the ages of 16 and 21; the office of children and family services shall not reimburse any claims unless they are submitted within 12 months of the calendar quarter in which the claimed service or services were delivered; 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. No expenditures shall be made from this appropriation until an annual expenditure plan is approved by the director of the budget and a certificate of approval allocating these funds has been issued by the director of the budget and copies of such certificate or any amendment thereto filed with the state comptroller, the chairperson of the senate finance committee and the chairperson of the assembly ways and means committee 5,235,048

For services and expenses related to the home visiting program. Such funds are to be available pursuant to a plan prepared by the office of children and family services and approved by the director of the budget to continue or expand existing programs with existing contractors that are satisfactorily performing as determined by the office of children and family services, to award new contracts to continue programs where the existing contractors are not satisfactorily performing as determined by the office of children and family services and/or to award new contracts through a competitive 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 17,466,200

For services and expenses of the advantage after school program. Such funds are to be available pursuant to a plan prepared by the office of children and family services and approved by the director of the budget to extend or expand current contracts with community based organizations, to award new contracts to continue programs where the existing contractors are not satisfactorily performing as determined by the office of children and family services and/or to award new contracts through a competitive process to community based organizations; 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 19,172,500

TRAINING AND DEVELOPMENT PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

For state reimbursement to local social services districts for training expenses associated with title IV-a, title IV-e, title IV-d, title IV-f and title XIX of the federal social security act or their successor titles and programs.

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

Such funds are to be available for payment of aid heretofore accrued or hereafter to accrue to municipalities. Subject to the approval of the director of the budget, such funds shall be available to the office net of disallowances, refunds, reimbursements, and credits.

Notwithstanding any inconsistent provision of law, the amount herein appropriated may be transferred to any other appropriation and/or suballocated to any other agency for the purpose of paying local social services district cost or may be increased or decreased by interchange with any other

appropriation or with any other item or items within the amounts appropriated within the office of children and family services - local assistance account 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.

The amount appropriated herein, as may be adjusted by transfer of general fund moneys for administration of child welfare, training and development, public assistance, and food stamp programs appropriated in the office of children and family services and the office of temporary and disability assistance, shall constitute total state reimbursement for all local training programs in state fiscal year 2009-10; 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 5,515,800

DEPARTMENT OF FAMILY ASSISTANCE
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

EMPLOYMENT AND ECONOMIC SUPPORT ADMINISTRATION PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

Funds appropriated according to the following shall be available for payment of aid heretofore accrued or hereafter to accrue to municipalities. Notwithstanding any inconsistent provision of law, such funds may be increased or decreased by interchange with any other appropriation within the office of temporary and disability assistance general fund - local assistance account with the approval of the director of the budget. Notwithstanding section 153 of the social services law, such funds allocated to social services districts shall constitute total state reimbursement for local district administrative claims in State fiscal year 2009-2010:

For expenditures associated with the operation of a statewide electronic benefit transfer (EBT) system including the design, development, implementation and operation of a non-cash component consistent with the safety net provisions of chapter 436 of the laws of 1997 enacting comprehensive welfare reform; 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 10,345,000

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

Notwithstanding any inconsistent provision of law, reimbursement otherwise payable to social services districts from this appropriation shall be reduced in amounts sufficient to recover a local share for the cost of the electronic benefit issuance and control system (EBICS) and/or for the cost of the electronic benefit issuance (EBT) system or any successor system. Such local share shall be calculated as though such cost were expenditures for administration of programs of public assistance and care.

Notwithstanding section 153, 368-a, or subdivision 6 of section 95 of the social services law, or any other inconsistent provision of law, to establish local cost sharing in the fair hearing process, reimbursement otherwise payable to social services districts from this appropriation shall be reduced for the period commencing April 1, 2009 and ending March 31, 2010 by $5,897,000. Such reduction shall be prorated among social services districts based on the number of fair hearings related to public assistance programs or its predecessor programs, and medical assistance held in each district during state fiscal year 2008-09 as a proportion of the New York state fair hearing caseload related to such programs.

Notwithstanding section 153 of the social services law or any inconsistent provision of law, reimbursement otherwise payable to 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

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 5,000,000

SPECIALIZED SERVICES PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

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

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

Notwithstanding any inconsistent provision of law, in lieu of payments authorized by the social services law, or payments of federal funds otherwise due to the local social services districts for programs provided under the federal social security act or the federal food stamp act, funds herein appropriated, in amounts certified by the state commissioner or the state commissioner of health as due from local social services districts each month as their share of payments made pursuant to section 367-b of the social services law may be set aside by the state comptroller in an interest-bearing account with such interest accruing to the credit of the locality in order to ensure the orderly and prompt payment of providers under section 367-b of the social services law pursuant to an estimate provided by the commissioner of health of each local social services district's share of payments made pursuant to section 367-b of the social services law.

Such funds are to be available for payment of aid heretofore accrued or hereafter to accrue to municipalities. Subject to the approval of the director of the budget, such funds shall be available to the office of temporary and disability assistance program, net of disallowances,

refunds, reimbursements, and credits including, but not limited to, additional federal funds resulting from any changes in federal cost allocation methodologies. Notwithstanding any inconsistent provision of law, the amount herein appropriated may be increased or decreased by interchange with any other appropriation within the department of family assistance, office of temporary and disability assistance and office of children and family services general fund - local assistance account 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.

For 50 percent reimbursement of expenditures made by a social services district or a not-for-profit corporation for supportive service subsidies for single room occupancy housing for homeless individuals, pursuant to title 2 of article 2-A of the social services law. Subject to a plan approved by the director of the budget, up to $250,000 of the funds appropriated herein, may be used by the office of temporary and disability assistance through contract, for technical assistance to organizations operating or supervising the operation of a single room occupancy program; 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 16,074,000

For additional services and expenses for supportive service subsidies for single room occupancy housing. Funds appropriated herein are supported by savings resulting from the increased Federal Medical Assistance Percentage (FMAP) provided pursuant to the American recovery and reinvestment act of 2009; PROVIDED, HOWEVER, THAT THE AMOUNT OF THIS APPROPRIATION AVAILABLE FOR EXPENDITURE AND DISBURSEMENT ON AND AFTER NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED AS OF NOVEMBER 1, 2009 3,553,000

HIGHER EDUCATION SERVICES CORPORATION

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

STUDENT GRANT AND AWARD PROGRAMS 930,486,000

General Fund / Aid to Localities
Local Assistance Account - 001

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

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

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

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

Less an amount to be appropriated from the federal department of education fund - state stabilization fund - other governmental services account as funded by the American recovery and reinvestment act of 2009 for tuition assistance awards .....

	..... [(49,900,000)]	(53,864,000)
For the payment of tuition awards to part-time students pursuant to section 666 of the education law, as amended by chapter 947 of the laws of 1990	14,357,000	
For the payment of scholarship awards including New York state math and science teaching initiative scholarship pursuant to section 669-d of the education law, veteran's tuition assistance program pursuant to section 669-a of the education law, military enhanced recognition, incentive and tribute (MERIT) scholarships pursuant to section 668-e of the education law, world trade center memorial scholarships pursuant to section 668-d of the education law, memorial scholarships for children and spouses of deceased firefighters, volunteer firefighters and police officers, peace officers and emergency medical service workers pursuant to section 668-b of the education law, American airlines flight 587 memorial scholarships and program grants pursuant to section 668-f of the education law, scholarships for academic excellence pursuant to section 670-b of the education law, regents health care opportunity scholarships pursuant to section 678 of the education law, regents professional opportunity scholarships pursuant to section 679 of the education law, regents awards for children of deceased and disabled veterans pursuant to section 668 of the education law, regents physician loan forgiveness awards pursuant to section 677 of the education law, volunteer recruitment service scholarships pursuant to section 669-c of the education law, and Continental Airline flight 3407 memorial scholarships pursuant to section 668-g of the education law.		
Notwithstanding the provisions of any other law to the contrary, for state fiscal year 2009-2010 the liabilities of the state and the amounts to be distributed or otherwise expended by the state, pursuant to sections 668, 668-b, 668-d, 668-e, 668-f, 668-g, 669-a, 669-c, 669-d, 670-b, 677, 678 and 679 of the education law shall be determined by first calculating the amounts of the expenditures or other liabilities pursuant to such law, and then reducing the amounts so calculated by two percent of such amount.		

Notwithstanding any other provision of law, no portion of this appropriation is available for payment of regents college scholarships, regents professional education in nursing scholarships, empire state challenger scholarships for teachers, empire state challenger fellowships for teachers, or empire state scholarships of excellence. Notwithstanding any other provision of law, no portion of this appropriation is available for the payment of interest on federal loans on behalf of students ineligible to have such payment paid by the federal government 39,152,000
For payment of scholarship and loan forgiveness awards of the senator Patricia K. McGee nursing faculty scholarship program and the nursing faculty loan forgiveness incentive program awarded pursuant to chapter 63 of the laws of 2005 as amended by chapters 161 and 746 of the laws of 2005. Notwithstanding the provisions of any other law to the contrary, for state fiscal year 2009-2010 the liabilities of the state and the amounts to be distributed or otherwise expended by the state, pursuant to sections 679-c and 679-d of the education law shall be determined by first calculating the amounts of the expenditures or other liabilities pursuant to such law, and then reducing the amounts so calculated by two percent of such amount 3,933,000
For payment of loan forgiveness awards of the regents licensed social worker loan forgiveness program awarded pursuant to chapter 57 of the laws of 2005 as amended by chapter 161 of the laws of 2005. Notwithstanding the provisions of any other 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, pursuant to section 679-a of the education law 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 two percent of such amount 978,000

Program account subtotal ... 847,486,000

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

For payment of tuition assistance .....
..... 5,900,000

Program fund subtotal 5,900,000

Special Revenue Funds - Federal / Aid to Localities
Federal Department of Education Fund - 267
HESC-College Access Challenge Grant Account

For services and expenses of the college access challenge grant program, including tuition assistance awards. Funds appropriated herein may be transferred to state operations appropriations 5,000,000

Program account subtotal 5,000,000

Special Revenue Funds - Federal / Aid to Localities
Federal Department of Education Fund - 267
Government Services Account

For the purposes of the state fiscal stabilization fund-other governmental services fund as funded by the American recovery and reinvestment act of 2009. Funds appropriated herein shall be subject to all applicable reporting and accountability requirements contained in such act.
Funds appropriated herein shall be available for additional tuition assistance awards, including part-time TAP, provided to eligible students as defined in section 667 of the education law and as further defined in rules and regulations adopted by the regents upon the recommendation of the commissioner of education and distributed in accordance with rules and regulations adopted by the trustees of the higher education services corporation upon the recommendation of the president and approval of the director of the budget ...
..... [49,900,000] 53,864,000

Program account subtotal ... [49,900,000] 53,864,000

DIVISION OF HOUSING AND COMMUNITY RENEWAL

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

FORECLOSURE PREVENTION PROGRAM 25,000,000

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

For the purposes of the state fiscal stabilization fund-other governmental services fund as funded by the American recovery and reinvestment act of 2009. Funds appropriated herein shall be subject to all applicable reporting and accountability requirements contained in such act.

For funds allocated to the division of housing and community renewal to be applied to the subprime foreclosure prevention services program set forth in section 2 of part NN of chapter 57 of the laws of 2008; 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 25,000,000

HOUSING DEVELOPMENT FUND PROGRAM

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

For carrying out the provisions of article XI of the private housing finance law, in relation to providing assistance to not-for-profit housing companies. 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; 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 9,341,000

NEIGHBORHOOD PRESERVATION PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

For carrying out the provisions of 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 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;

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 3,548,000

For additional funds for carrying out the provisions of article XVII of the private housing finance law. Funds expended from this appropriation shall be for the purpose of increasing annual contract amounts for not-for-profit corporations, and each not-for-profit corporation 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 XVII 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 rural housing coalition to provide technical assistance, training and other services to corporations pursuant to 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; 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 929,000

RURAL RENTAL ASSISTANCE PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

For carrying out the provisions of article XVII-A of the private housing finance law in relation to providing assistance to sponsors of housing for persons of low income.

Notwithstanding any other provision of law, such funds may be used by the commissioner of housing and community renewal in support of contracts scheduled to expire in 2009-10 for as many as 10 additional years; in support of contracts for new eligible projects for a period not to exceed 5 years; and in support of

contracts which reach their 25 year maximum in and/or prior to 2009-10 for an additional one year period.

Notwithstanding any other rule, regulation or law, moneys hereby appropriated are to be available for payment of contract obligations heretofore accrued or hereafter to accrue and are subject to the approval of the director of the budget; 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 16,060,000

DEPARTMENT OF LABOR

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

EMPLOYMENT AND TRAINING PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

For services and expenses of the Workforce Development Institute AFL-CIO for workforce Training, education and program development Initiatives; PROVIDED, HOWEVER, THAT THE AMOUNT OF THIS APPROPRIATION AVAILABLE FOR EXPENDITURE AND DISBURSEMENT ON AND AFTER NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED AS OF NOVEMBER 1, 2009 4,823,000

STATE UNIVERSITY OF NEW YORK

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

GENERAL FUND / AID TO LOCALITIES

COMMUNITY COLLEGE OPERATING ASSISTANCE

General Fund / Aid to Localities
Local Assistance Account - 001

Notwithstanding articles 5-a and 15 of section 355 of education law, for state financial assistance, net of disallowances, for operating expenses, including funds required to reimburse base aid costs for the 2008-09 and 2009-10 academic years, pursuant to regulations developed jointly with the city university trustees

and approved by the director of the budget, and subject to the availability of appropriations therefor.
Notwithstanding any other law, rule, or regulation to the contrary, full funding for aidable community college enrollment for the college fiscal years 2009-10 and thereafter as provided under this appropriation is determined by the operating aid formulas defined in rules and regulations developed jointly by the boards of trustees of the state and city universities and approved by the director of the budget provided that local sponsors may use funds contained in reserves for excess student revenue for operating support of a community college program even though said expenditures may cause expenses and student revenues to exceed one-third of the college's net operating costs for the college fiscal year 2009-10 provided that such funds do not cause the college's revenues from the local sponsor's contributions in aggregate to be less than the comparable amounts for the previous community college fiscal year and further provided that pursuant to standards and regulations of the state university trustees and the city university trustees for the college fiscal year 2009-10, community colleges may increase tuition and fees above that allowable under current education law if such standards and regulations require that in order to exceed the tuition limit otherwise set forth in the education law, local sponsor contributions either in the aggregate or for each full-time equivalent student shall be no less that the comparable amounts for the previous community college fiscal year .....
.....[462,836,726] 451,500,726
For payment of rental aid; 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 ...
..... 8,633,000

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

CONTINGENT AND OTHER APPROPRIATIONS

CITY UNIVERSITY OF NEW YORK

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

Fiduciary Funds
CUNY Senior College Operating Fund - 176

UNIVERSITY PROGRAMS

For additional operating assistance for the city university of New York ... 20,000,000
LESS AN AMOUNT TO BE ALLOCATED BY THE BOARD OF TRUSTEES ..... (24,000,000)

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

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

AIDS INSTITUTE PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

For services and expenses related to a joint project between the state and the city of New York, known as the New York/New York III Supportive Housing Agreement. No expenditures shall be made for such program prior to the approval of a methodology for allocation in accordance with a plan approved by the commissioner and the director of the budget. Furthermore, no expenditure shall be made until a certificate of allocation has been approved by the director of the budget with copies to be filed with the chairpersons of the senate finance committee and the assembly ways and means committee.
The amounts appropriated pursuant to such appropriation may be suballocated to other state agencies, authorities, or accounts for expenditures incurred in the operation of programs funded by such appropriation, provided, HOWEVER, THAT THE AMOUNT OF THIS APPROPRIATION AVAILABLE FOR EXPENDITURE AND DISBURSEMENT ON AND AFTER NOVEMBER 1,

2009 SHALL BE REDUCED BY 12.5 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED AS OF NOVEMBER 1, 2009 4,490,000

Notwithstanding any inconsistent provision of law, effective October 1, 2006, expenditures made from this appropriation shall effectively provide a cost of living adjustment for providers of the following services, as determined by the commissioner of the department of health, adolescent services - act for youth; adolescent services - general; adolescent services schools; clinical education; clinical guidelines development, clinical scholars; clinical trials experimental treatment; community development initiative; community HIV prevention and primary care; community services programs; criminal justice; education and training; evaluation and research; expanded syringe access program; families in transition; family centered care; harm reduction; general; harm reduction - syringe exchange; HIV health care and support services for women and kids; HIV prevention, primary care support services for substance abusers; homeless shelters; legal services and advocacy; lesbian, gay, bisexual, transgender - adolescent; lesbian, gay, bisexual, transgender - general; lesbian, gay, bisexual, transgender - substance use; multiple service agency; nutritional services; pediatric centers of excellence; permanency planning; racial and ethnic minority; social day care; specialized care centers for youth; specialty; supportive housing; treatment adherence; women's services - general; women's services - peer; women's services - supportive services and youth access program. The commissioner of the department of health shall determine the standards and requirements necessary to qualify for such increases. Further, each local government unit or direct contract provider receiving such funding shall submit a written certification regarding the use of such funds to be provided in the format proscribed by the department.

Funds shall be allocated from this appropriation pursuant to a plan prepared by the commissioner and approved by the director of the budget; 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 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

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 4,418,000

For services and expenses related to education and prevention services and for nutritional services including individuals homebound with AIDS or in an adult day care or home care setting; PROVIDED, HOWEVER, THAT THE AMOUNT OF THIS APPROPRIATION AVAILABLE FOR EXPENDITURE AND DISBURSEMENT ON AND AFTER NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED AS OF NOVEMBER 1, 2009 4,514,000

For grants for AIDS prevention and education and AIDS related services to existing community based organizations, as deemed appropriate by the department of health and to article 28 of the public health law diagnostic and treatment centers. For the purposes of this program, eligible organizations must (1) operate in a neighborhood or geographic area with high concentrations of at risk populations; and (2) provide services and programs that are culturally sensitive to the special social and cultural needs of the at risk populations. 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, 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 11,331,000

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

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

CENTER FOR COMMUNITY HEALTH PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

For services and expenses related to providing nutritional services and to provide nutritional education to pregnant women, infants, and children, including suballocations to the department of agriculture and markets for the farmer's market nutrition program and migrant worker services and the office of temporary and disability assistance for prenatal care assistance program activities. A portion of this appropriation may be transferred to state operations appropriations for administration of this program; 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 20,610,000

For services and expenses, including operating expenses related to providing nutritional services and nutrition education for hunger prevention and nutrition assistance. A portion of this appropriation may be transferred to state operations appropriations for administration of this program; 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 30,900,000

For state grants for breast cancer detection and education program pursuant to chapter 328 of the laws of 1989 as amended. A portion of this appropriation may be transferred to state operations appropriations for administration of this program; PROVIDED, HOWEVER, THAT THE AMOUNT OF THIS APPROPRIATION AVAILABLE FOR EXPENDITURE AND DISBURSEMENT ON AND AFTER NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED AS OF NOVEMBER 1, 2009 4,521,000

For services and expenses associated with red cross emergency response preparedness, including support for capital projects and ensuring an adequate blood supply. Funds shall be allocated from this appropriation pursuant to a plan prepared by the commissioner of health and approved by the director of the budget; 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 3,000,000

For additional services and expenses associated with red cross emergency response preparedness, including support for capital projects and ensuring an adequate blood supply. Funds shall be allocated from this appropriation pursuant to a plan prepared by the commissioner of health and approved by the director of the budget. Funds appropriated herein are supported by savings resulting from the increased Federal Medical Assistance Percentage (FMAP) provided pursuant to the American recovery and reinvestment act of 2009; PROVIDED, HOWEVER, THAT THE AMOUNT OF THIS APPROPRIATION AVAILABLE FOR EXPENDITURE AND DISBURSEMENT ON AND AFTER NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED AS OF NOVEMBER 1, 2009 1,600,000

Notwithstanding any inconsistent provision of law, effective October 1, 2006, expenditures made from this appropriation shall effectively provide a cost of living adjustment for providers of the following services, as determined by the commissioner of the department of health, red cross emergency preparedness, nutrition education and outreach, obesity prevention, nutritional services to pregnant women, infants and children, hunger prevention

and nutrition assistance program, Indian health, asthma, prenatal care assistance program, rape crisis, health and human services sexuality related programs, maternity and early childhood foundation, comprehensive adolescent pregnancy prevention, family planning, school health, sudden infant death syndrome education and outreach, childhood lead poisoning prevention, enhanced services for kids, act for youth, children with special health care needs, regional perinatal data centers, migrant health, dental services, osteoporosis prevention, eating disorders, cancer services, cancer registry, healthy heart, Alzheimer's disease assistance centers, Alzheimer's research and education, diabetes screening, education, and prevention, tobacco control, rabies, tick-borne disease, immunization, universal prenatal and postpartum home visitation, public health campaign, sexually transmitted diseases, and tuberculosis control. The commissioner of the department of health shall determine the standards and requirements necessary to qualify for such increases. Further, each local government unit or direct contract provider receiving such funding shall submit written certification regarding the use of such funds to be provided in the format prescribed by the department. Funds shall be allocated from this appropriation pursuant to a plan prepared by the commissioner and approved by the director of the budget; 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 30,440,000

For services and expenses, including grants, for statewide emergency contraception outreach and education, training and assistance as approved by the commissioner. A portion of this appropriation may be transferred to state operations appropriations for administration of this program ..... [2,406,000] 2,206,000

For services and expenses associated with new and existing school based health centers. Funds appropriated herein are supported by savings resulting from the increased Federal Medical Assistance Percentage (FMAP) provided pursuant to the American recovery and reinvestment act of

2009; PROVIDED, HOWEVER, THAT THE AMOUNT OF THIS APPROPRIATION AVAILABLE FOR EXPENDITURE AND DISBURSEMENT ON AND AFTER NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED AS OF NOVEMBER 1, 2009 4,614,860

For services and expenses of health promotion initiatives. A portion of this appropriation may be transferred to state operations appropriations for administration of this program. Funds appropriated herein are supported by savings resulting from the increased Federal Medical Assistance Percentage (FMAP) provided pursuant to the American recovery and reinvestment act of 2009; PROVIDED, HOWEVER, THAT THE AMOUNT OF THIS APPROPRIATION AVAILABLE FOR EXPENDITURE AND DISBURSEMENT ON AND AFTER NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED AS OF NOVEMBER 1, 2009 4,606,000

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

For services and expenses of a statewide public health campaign for tuberculosis control and prevention and for screening and education activities regarding sexually transmitted diseases, provided that any funds allocated under this appropriation shall not supplant existing local funds or state funds allocated to county health departments under article 6 of the public health law. Up to $300,000 of this appropriation may be transferred to state operations for the administration of this program by the department of health; 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 6,196,000

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

For services and expenses related to providing nutritional services to pregnant women, infants, and children. Notwith-

standing any other provision of law to the contrary, up to 5 percent of the amount appropriated may be transferred to the general fund - state purposes account for the administration of this program by the department of health; 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 8,572,000

CENTER FOR ENVIRONMENTAL HEALTH PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

For services and expenses related to the water supply protection program; 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 5,527,200

CHILD HEALTH INSURANCE PROGRAM

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

The money hereby appropriated is available for payment of aid heretofore accrued or hereafter accrued.
For services and expenses related to the children's health insurance program authorized pursuant to title 1-A of article 25 of the public health law; PROVIDED, HOWEVER, THAT THE AMOUNT OF THIS APPROPRIATION AVAILABLE FOR EXPENDITURE AND DISBURSEMENT ON AND AFTER NOVEMBER 1, 2009 SHALL BE REDUCED BY 10 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED AS OF NOVEMBER 1, 2009 442,500,000
For services and expenses related to the children's health insurance program. Funds appropriated herein are supported by savings resulting from the increased Federal Medical Assistance Percentage (FMAP) provided pursuant to the American recovery and reinvestment act of 2009; PROVIDED, HOWEVER, THAT THE AMOUNT OF THIS

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

HEALTH CARE REFORM ACT PROGRAM

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

For services, expenses, grants and transfers necessary to implement the health care reform act program in accordance with section 2807-j, 2807-k, 2807-l, 2807-m, 2807-p, 2807-s and 2807-v of the public health law. The moneys hereby appropriated shall be available for payments heretofore accrued or hereafter to accrue. Notwithstanding any inconsistent provision of law, the moneys hereby appropriated may be increased or decreased by interchange or transfer with any appropriation of the department of health or by transfer or suballocation to any appropriation of the department of insurance, the office of mental health and the state office for the aging subject to 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. With the approval of the director of the budget, up to 5 percent of this appropriation may be used for state operations purposes. At the direction of the director of the budget, funds may also be transferred directly to the general fund for the purpose of repaying a draw on the tobacco revenue guarantee fund.

For transfer to the pool administrator for the purpose of making supplemental graduate medical education payments. 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 30,400,000

For services and expenses of the ambulatory care training program pursuant to subdivision 5-a of section 2807-m of the public health law. 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 4,900,000

For services and expenses of the physician loan repayment program pursuant to subdivision 5-a of section 2807-m of the public health law. All or part of this appropriation may be suballocated to the NYS higher education services corporation. 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 1,960,000

For services and expenses of the physician practice support program pursuant to subdivision 5-a of section 2807-m of the public health law. 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 4,900,000

For services and expenses related to physician workforce studies pursuant to subdivision 5-a of section 2807-m of the public health law. 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 ... 590,000

For services and expenses of the diversity in medicine/post-baccalaureate program pursuant to subdivision 5-a of section 2807-m of the public health law. 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 1,960,000

For transfer to Roswell park cancer institute corporation; 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 76,400,000

For state grants for the health workforce 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

retention of health care workers. 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. 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 25,300,000

For state grants for the health workforce 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. Of this amount $8,900,000 shall be made available to fund training for workers in jobs and job skills that meet the changing requirements of the health care industry pursuant to section 2807-g(5) 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. 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. 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 DISTRIB-

UTED 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. 21,100,000

For services and expenses related to the tobacco use prevention and control program including grants to support cancer research. A portion of this appropriation may be transferred to state operations appropriations. Funds appropriated herein are supported by savings resulting from the increased Federal Medical Assistance Percentage (FMAP) provided pursuant to the American recovery and reinvestment act of 2009; PROVIDED, HOWEVER, THAT THE AMOUNT OF THIS APPROPRIATION AVAILABLE FOR EXPENDITURE AND DISBURSEMENT ON AND AFTER NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED AS OF NOVEMBER 1, 2009; PROVIDED HOWEVER, THAT THE REDUCTION SHALL NOT APPLY TO FUNDS TRANSFERRED TO STATE OPERATIONS APPROPRIATIONS ..... [60,900,000] 50,900,000

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

For services and expenses of the New York state area health education center program. 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 2,500,000

For state grants for rural health care access development. 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 state grants for rural health network development. 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. 6,700,000

For state grants for cancer related services pursuant to section 2807-r of the public health law. A portion of this appropriation may be transferred to state operations appropriations. A portion of this appropriation may be transferred to state operations appropriations. Funds appropriated herein are supported by savings resulting from the increased Federal Medical Assistance Percentage (FMAP) provided pursuant to the American recovery and reinvestment act of 2009; PROVIDED, HOWEVER, THAT THE AMOUNT OF THIS APPROPRI-

ATION 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 17,500,000

For transfer to the pool administrator for distributions related to school based health clinics; 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 .. 6,400,000

For services and expenses related to the disease management demonstration program ..... [4,700,000] 1,910,000

For transfer to the pool administrator for state grants for poison control centers. A portion of this appropriation may be transferred to state operations appropriations. Funds appropriated herein are supported by savings resulting from the increased Federal Medical Assistance Percentage (FMAP) provided pursuant to the American recovery and reinvestment act of 2009; PROVIDED, HOWEVER, THAT THE AMOUNT OF THIS APPROPRIATION AVAILABLE FOR EXPENDITURE AND DISBURSEMENT ON AND AFTER NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED AS OF NOVEMBER 1, 2009 4,800,000

For additional state grants to improve access to infertility services, treatments, and procedures. Funds appropriated herein are supported by savings resulting from the increased Federal Medical Assistance Percentage (FMAP) provided pursuant to the American recovery and reinvestment act of 2009; PROVIDED, HOWEVER, THAT THE AMOUNT OF THIS APPROPRIATION AVAILABLE FOR EXPENDITURE AND DISBURSEMENT ON AND AFTER NOVEMBER 1, 2009 SHALL BE REDUCED BY 12.5 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED AS OF NOVEMBER 1, 2009 4,600,000

For services and expenses related to school based health centers. The total amount of funds provided herein shall be distributed to school-based health center providers based on the ratio of each provider's total enrollment for all sites to the total enrollment of all providers. This formula shall be applied to the total amount made available herein, provided, however, that notwithstanding any contrary provision of law, the commissioner of 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 inpatient 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 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 (l) 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 ..... [250,741,000] 245,141,000

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 component of a facility's rate for care provided for an AIDS patient in a residential health care facility designated as an AIDS facility or having a discrete AIDS unit, the operating component of such rates shall not reflect an occupancy factor increase ..... [1,574,104,000] 1,564,304,000

For services and expenses of the medical assistance program including other long term care services ..... [1,835,372,000] 1,827,272,000

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

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 inpatient 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 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 (l) 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-

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

OFFICE OF LONG TERM CARE

General Fund / Aid to Localities
Local Assistance Account - 001

For services and expenses, including grants, of the uniform assessment program. All or a portion of this appropriation may be transferred to state operations appropriations; 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 5,000,000
For services and expenses related to traumatic brain injury including but not limited to services rendered to individuals enrolled in the federally approved home and community based services (HCBS) waiver and including personal and nonpersonal services spending originally authorized by appropriations and reappropriations enacted prior to 1996. All or part of this appropriation may be transferred to state operations appropriations; 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 13,733,400

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

COMMUNITY TREATMENT SERVICES PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

For services and expenses related to problem gambling and chemical dependence outpatient and chemotherapy services; 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 105,500,000

For the state share of medical assistance payments for outpatient services and the state share of disproportionate share payments; 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 32,780,000

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

For services and expenses related to residential services; 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 89,500,000

For services and expenses related to crisis services; 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 16,000,000

PREVENTION AND PROGRAM SUPPORT

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

Notwithstanding any provision of law to the contrary, the commissioner of the office of alcoholism and substance abuse services shall be authorized to continue contracts which were executed on or before March 31, 2009 with entities providing services for problem gambling and chemical dependency prevention and treatment services, without 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

ADULT SERVICES PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

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, 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 74,932,000

For services and expenses of various community mental health emergency programs, including comprehensive psychiatric emergency programs pursuant to section 41.51 of the mental hygiene law. 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 6,889,000

For transfer to the department of health to reimburse the department for the state share of medical assistance payments for various mental health services. Notwithstanding any inconsistent provision of law, a portion of the money herein appropriated may be made available for transfer to the department of health for the state share of disproportionate share payments 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

the counties and city of New York to provide medication, and other services necessary to prescribe and administer medication pursuant to a plan approved by the commissioner of mental health, as authorized under chapter 408 of the laws of 1999 as amended. 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 184,200,000

For services and expenses of various community mental health residential programs, including but not limited to community residences pursuant to sections 41.44 and 41.38 of the mental hygiene law. Notwithstanding the provisions of section 31.03 of the mental hygiene law and any other inconsistent provision of law, moneys appropriated for family care shall be available for, but not limited to, the purchase of substitute caretakers up to a maximum of 14 days and payments limited to $686 per year based upon financial need for the personal needs of each client residing in the family care home. 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 $7,195,000 NECESSARY FOR DEBT SERVICE PAYMENTS 312,277,000

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

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

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

For services and expenses related to adult mental health services, including assisted outpatient treatment pursuant to article 9 and other provisions of the mental hygiene law. Notwithstanding any other provision of law, this appropriation may be made available upon the approval of the director of the budget. 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 7,580,000

CHILDREN AND YOUTH SERVICES PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

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 and 41.23. 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 OTHER-

WISE 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 17,217,000

For transfer to the department of health to reimburse the department for the state share of medical assistance payments for various mental health services. Notwithstanding any inconsistent provision of law, a portion of the money herein appropriated may be made available for transfer to the department of health for the state share of disproportionate share payments to voluntary nonprofit general hospitals pursuant to chapter 119 of the laws of 1997 as amended. 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 133,615,000

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, and 41.23. 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 59,251,000

For services and expenses of various community mental health emergency programs; 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 13,826,000

COMMUNITY MENTAL HEALTH SUPPORT AND WORKFORCE REINVESTMENT PROGRAM

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

For services and expenses of various adult community mental health residential programs; 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 7,717,000

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

COMMUNITY SERVICES PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

For the state share of medical assistance services expenses incurred by the department of health for the provision of medical assistance services to the developmentally disabled; PROVIDED, HOWEVER, THAT THE AMOUNT OF THIS APPROPRIATION AVAILABLE FOR EXPENDITURE AND DISBURSEMENT ON AND AFTER NOVEMBER 1, 2009 SHALL BE REDUCED BY 5 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED AS OF NOVEMBER 1, 2009,

HOWEVER, VOLUNTARY-OPERATED INTERMEDIATE CARE FACILITIES SHALL BE EXCLUDED FROM THIS REDUCTION 1,371,273,000

For services and expenses related to the provision of residential services to the developmentally disabled; PROVIDED, HOWEVER, THAT THE AMOUNT OF THIS APPROPRIATION AVAILABLE FOR EXPENDITURE AND DISBURSEMENT ON AND AFTER NOVEMBER 1, 2009 SHALL BE REDUCED BY 10 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED AS OF NOVEMBER 1, 2009 16,722,000

For services and expenses related to the provision of family support services to the developmentally disabled; PROVIDED, HOWEVER, THAT THE AMOUNT OF THIS APPROPRIATION AVAILABLE FOR EXPENDITURE AND DISBURSEMENT ON AND AFTER NOVEMBER 1, 2009 SHALL BE REDUCED BY 10 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED AS OF NOVEMBER 1, 2009 56,269,000

For services and expenses related to the provision of workshop, day training and employment services to the developmentally disabled; PROVIDED, HOWEVER, THAT THE AMOUNT OF THIS APPROPRIATION AVAILABLE FOR EXPENDITURE AND DISBURSEMENT ON AND AFTER NOVEMBER 1, 2009 SHALL BE REDUCED BY 10 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED AS OF NOVEMBER 1, 2009 44,480,000

For the services and expenses related to the provision of workshop, day training and employment services to the developmentally disabled. Funds appropriated herein are supported by savings resulting from the increased Federal Medical Assistance Percentage (FMAP) provided pursuant to the American recovery and reinvestment act of 2009; PROVIDED, HOWEVER, THAT THE AMOUNT OF THIS APPROPRIATION AVAILABLE FOR EXPENDITURE AND DISBURSEMENT ON AND AFTER NOVEMBER 1, 2009 SHALL BE REDUCED BY 10 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED AS OF NOVEMBER 1, 2009 5,000,000

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

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

a programmatic and fiscal plan to be approved by the director of the budget.
Notwithstanding any provision of law to the contrary, the director of the budget is authorized to make suballocations from this appropriation to the department of health medical assistance program.
Notwithstanding any other provision of law, the money hereby appropriated may be transferred to state operations and/or any appropriation of 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.
Notwithstanding any provision of law to the contrary, the moneys hereby appropriated, or so much thereof as may be necessary, are to be available for the purposes herein specified for obligations heretofore accrued or hereafter to accrue; PROVIDED, HOWEVER, THAT THE AMOUNT OF THIS APPROPRIATION AVAILABLE FOR EXPENDITURE AND DISBURSEMENT ON AND AFTER NOVEMBER 1, 2009 SHALL BE REDUCED BY 5 PERCENT OF THE AMOUNT THAT WAS UNDISBURSED AS OF NOVEMBER 1, 2009 320,000,000

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

For services and expenses related to the provision of HCBS waiver day services to developmentally disabled individuals residing in intermediate care facilities.
Notwithstanding any other provision of law, the money hereby appropriated may be transferred to state operations and/or any appropriation of 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 10

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

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

ENERGY RESEARCH AND DEVELOPMENT AUTHORITY

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

RESEARCH, DEVELOPMENT AND DEMONSTRATION PROGRAM

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

Research, development and demonstration program grants; 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 .. 8,543,000
University of Rochester laboratory for laser energetics; 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 691,000

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

CAPITAL PROJECTS 2009-10

ENVIRONMENT AND RECREATION (CCP)

Environmental Protection Fund

Environment and Recreation Purpose

For services and expenses of projects and purposes authorized by section 92-s of the state finance law to receive funding from the solid waste account in accordance with a programmatic and financial plan to be approved by the director of the budget, including suballocation to other state departments and agencies, according to the following:

Non-hazardous landfill closure projects (09LC09ER)	[750,000]	0
Secondary materials regional marketing assistance and energy conservation services projects (09SM09ER)	[2,250,000]	1,381,000
Pesticides program (09PD09ER) ..	[575,000]	500,000
Notwithstanding any law to the contrary, for assessment and recovery of any natural resource damages (09RD09ER)	[450,000]	431,000
Notwithstanding any law to the contrary, for the pollution prevention institute; including [$1,000,000] $959,000 for the Green Initiative Institute and [$350,000] $336,000 for the Interstate Chemicals Clearinghouse (09PP09ER)	[2,350,000]	2,253,000
For services and expenses of projects and purposes authorized by section 92-s of the state finance law to receive funding from the parks, recreation and historic preservation account in accordance with a programmatic and financial plan to be approved by the director of the budget, including suballocation to other state departments and agencies, according to the following:		
Local waterfront revitalization programs, notwithstanding any law to the contrary, not less than, $9,750,000 for waterfront revitalization projects which are in or primarily serve areas where demographic and other relevant data for such areas demonstrate that the areas are densely populated and have sustained physical deterioration, decay, neglect, or disinvestment, or where a substantial proportion of the residential population is of low income or is otherwise disadvantaged and is underserved with respect to the existing recreational opportunities in the area; and provided further this appropriation shall not be construed to restrict the use of any additional monies for such projects; $1,000,000 for Buffalo Waterfront; $300,000 for Niagara River Greenway; and [$750,000] $700,000 for Hudson and Champlain Docks (09WR09ER)	[24,375,000]	24,021,000

Parks, recreation and historic preservation projects, notwithstanding any law to the contrary, not less than, $8,490,000 for municipal parks projects which are in or primarily serve areas where demographic and other relevant data for such areas demonstrate that the areas are densely populated and have sustained physical deterioration, decay, neglect or disinvestment or where a substantial proportion of the residential population is of low income or is otherwise disadvantaged and is underserved with respect to the existing recreational opportunities in the area, and notwithstanding any law to the contrary, $500,000 for Olmstead Park (09MP09ER) ..... [21,225,000] 20,813,000

Notwithstanding any law to the contrary, for state parks and land and easement infrastructure, access and stewardship projects which shall include capital projects: (i) on state parks and state owned lands acquired pursuant to sections 54-0303 and 56-0307 of the environmental conservation law and (ii) on state parks or state owned lands and easements under the jurisdiction of the department of environmental conservation or the office of parks, recreation and historic preservation for access opportunities for people with disabilities; access to the State Forest Preserve; State reforestation, Wildlife Management areas and conservation easement lands; recreational trail construction and maintenance; Catskill and Adirondack campground improvements to public access and sanitation facilities; environmental education; conservation education facility improvements; archeological, historic, cultural and natural resource surveys, forest health surveys, interpretation, and inventories; Forest Preserve and state forest unit management planning; conservation easement public recreation planning; habitat restoration and enhancement; state fish hatchery improvements; water access facilities and safety improvements; public beach facility development and improvement; public access improvements at day use areas; state historic site exterior restoration; and cabin area and

camping facility development, restoration and reconstruction (09ST09ER) .... [7,000,000] 5,000,000

Notwithstanding any law to the contrary, for the purposes of Hudson-FultonChamplain Quadricentennial celebrations, projects and programs (09QC09ER) .... [1,500,000] 450,000

For services and expenses of projects and purposes authorized by section 92-s of the state finance law to receive funding from the open space account in accordance with a programmatic and financial plan to be approved by the director of the budget, including suballocation to other state departments and agencies, according to the following:

Costs related to the acquisition of the following properties: Atlantic Coast, Long Island Sound Coastal Area, Long Island South Shore Estuary Reserve, Peconic Pinelands Maritime Reserve Projects, Central Pine Barrens, Adirondack Mountain Club Lands, Hudson River projects, Western Suffolk/Nassau Special Groundwater Protection Areas, Harbor Herons Wildlife Complex, Inner City/Underserved Community Parks, Long Pond/Butler Woods, Staten Island Greenbelt, Staten Island Wet Woods, Harlem River Waterfront, Great Swamp, Neversink Highlands, Plutarch/Black Creek Wetlands Complex, New York Highlands, Mongaup Valley Wildlife Management Area, Northern Putnam Greenway, Putnam Railroad, Schunnemunk Mountain/Moodna Creek/Woodcock Mountain, Sterling Forest, Shawangunk Mountains, Northeastern Westchester Watershed and Biodiversity Lands, Rockland Riverfront Communities/Palisades Ridge, Catskill Mountain/Delaware River Region, Beaverkill/Willowemoc, Hudson River Estuary/Greenway Trail Corridor, Catskill Unfragmented Forest, Long Path, New York City Watershed Lands, Taconic Ridge/ Harlem Valley, Albany Pine Bush, Five Rivers Environmental Education Center, Helderberg Escarpment, Pine Bush-Hudson River Link/Tivoli Preserve, Batten Kill Watershed-Saratoga National Historic Park View shed, Washington County Agricultural Lands-Saratoga

National Historic Park View shed, Westmere Woods, International Paper Fee Lands, Lake George watershed, Lake Champlain watershed, Boeselager forestry, Domtar/Lyme Fee Lands, Catskill River and Road corridor, Rensselaer plateau, Hudson River Gorge, Franklinton Vlaie Wildlife Management area, Black Creek Marsh/Vly Swamp, Mohawk River Valley Corridor/Barge Canal, Oomsdale farm and surrounding landscape, Susquehanna River Valley Corridor, Pilot Knob, Floodwood Camp, Lake Champlain Shoreline and Wetlands, Saratoga County, Mays Pond Tract, State Forest and Wildlife Management Area Protection, Follensby Park, National Lead/Tahawus, Undeveloped Lake George Shore, Whitney Park, Finch Woodlands, Washington County Grasslands, Northern Flow River Corridors, Recreational Trail Linkages and Networks, Bog River/Beaver River Headwater Complex, Maumee Swamp, Moose River Corridor, Rome Sand Plains, Saint Lawrence River Islands, Shorelines and Wetlands, Eastern Lake Ontario Shoreline and Islands, Tug Hill Core Forests and Headwater Streams, Tioga County Park Opportunities, Nelson Swamp, Genny-Green Trail/Link Trail, Clark Reservation State Park, Salmon River Corridor, State Parks Greenbelt/Tompkins County, Cattaraugus Creek and tributaries, Carpenter Falls/Bear Swamp Creek Corridor, Junius Ponds State Forest and Wildlife Management Area Protection, Tonawanda Creek Watershed, Two Rivers State Park, Finger Lakes Shoreline, Buffalo/Niagara River Corridors, Northern Montezuma Wetlands, HiTor/Bristol Hills, Braddock Bay, Catharine Valley Complex, Sonnenberg Gardens, Western Finger Lakes: Conesus, Hemlock, Canadice and Honeoye, Genesee Greenway/Recreationway, Allegany State Park, Alder Bottom Pond/French Creek, Great Lakes Shorelines and Niagara River, Chautauqua Lake Access, Shore Lands and Vistas, Randolph Swamp, Eighteen Mile Creek/Hampton Brook Woods, Statewide Small Projects, Working Forest Lands, State Park and State Historic Site Protection, (a) notwithstanding any law to the contrary, $500,000 from the land acquisition allocation for urban forestry projects provided that no less than $250,000 shall be made available

for such programs in cities with populations of 65,000 or more; (b) notwithstanding any law to the contrary, $1,575,000 from the land acquisition allocation to the land trust alliance for the purpose of awarding grants on a competitive basis to local land trusts, provided that up to ten percent of such amount may be made available for administrative costs and/or technical assistance (09LA09ER) .... [60,000,000] 58,900,000

Agricultural non-point source abatement and control projects (09AN09ER) .... [12,200,000] 11,468,000

Notwithstanding any law to the contrary, for the Hudson River Estuary Management Plan prepared pursuant to section 11-0306 of the environmental conservation law (09HE09ER) .... [4,800,000] 3,706,000

Notwithstanding any law to the contrary, for state assistance payments, pursuant to a smart growth program, provided on a competitive basis, to counties, cities, towns, or villages to establish, update or implement comprehensive plans in a manner consistent with smart growth; provided, however, that up to 25 percent of such payments may be awarded to not-for-profit organizations for such purposes (09SG09ER) .... [500,000] 400,000

Agriculture and farmland protection activities (09FP09ER) .... [23,000,000] 22,054,000

Notwithstanding any law to the contrary, for the Finger Lakes-Lake Ontario Watershed Protection Alliance (09FL09ER) ..... [1,200,000] 1,151,000

Notwithstanding any law to the contrary, for the state share of costs of wastewater treatment improvement projects undertaken by municipalities to upgrade municipal systems to meet stormwater, combined sewer overflow, sanitary sewer overflow and wastewater treatment discharge requirements with priority given to systems that are in violation of title 8 of article 17 of the environ-

mental conservation law and aquatic habitat restoration projects undertaken by municipalities and not-for-profit corporations for aquatic habitat restoration projects as defined in subdivision 1 of section 56-0101 of the environmental conservation law (09WQ09ER) .. .. [9,000,000] 8,900,000

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

Notwithstanding any law to the contrary, for the implementation of the recommendations of the invasive species task force prepared pursuant to chapter 324 of the laws of 2003 and for the purposes set forth in chapter 674 of the laws of 2007 including not less than [$100,000] $96,000 for Lake George, provided that not less than $1,000,000 be made available for invasive species eradication, and including grants related to the control and management of invasive species. Such funding for grants shall be provided on a competitive basis in consultation with the New York Invasive Species Council (09IS09ER) .... [5,000,000] 4,794,000

INSURANCE DEPARTMENT

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

REGULATION PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

For services and expenses related to reimbursing employers with 50 or fewer employees for providing broad-based insurance coverage for mental, nervous, or emotional disorders at least equal to the coverage provided for physical health pursuant to chapter 748 of the laws of 2006 .... [99,200,000] 79,743,000

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

Insurance Department Account

For suballocation to the department of health for aid to localities payments for services and expenses related to the administration of the cervical cancer vaccine program. A portion of this appropriation may be transferred to state operations for administration of the program ..... [4,700,000] 3,000,000

For suballocation to the department of health for aid to localities payments for services and expenses related to the administration of the childhood lead poisoning primary prevention program. A portion of this appropriation may be transferred to state operations for administration of the program; 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 5,170,000

For suballocation to the department of health for aid to localities payments for services and expenses related to the administration of the immunization program. A portion of this appropriation may be transferred to state operations for administration of the program; 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 7,520,000

For services and expenses related to the healthy NY program. A portion of this appropriation may be transferred to state operations appropriations. [Notwithstanding the provisions of any other law to the contrary, for state fiscal year 2008-2009 the liability of the state and the amount to be distributed or otherwise expended by the state pursuant to sections 4326 and 4327 of the insurance law 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 two percent of such amount] 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 PURSUANT TO SECTIONS 4326 AND 4327 OF THE INSURANCE LAW 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 161,040,000

DEPARTMENT OF STATE

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

LOCAL GOVERNMENT AND COMMUNITY SERVICES PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

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

sub-schedule

Brooklyn Bar Association .....
..... 27,360
CASA of Albany Co Mediation ..
..... 2,048
CASA of Erie Co 3,757
CASA of Orange Co Mediation ..
..... 3,757
CASA of Rockland Co 2,048
CASA of Ulster 3,750
CASA of Westchester Mental Health 5,629
Chautauqua County Legal services 24,477
Chemung County Legal Services (LAWNY)..... 44,417
Community Advocacy Group .....
..... 8,222
Erie County Volunteer Lawyers Project 24,119
Farmworkers Legal Services ...

..... 49,751
FOCUS 39,689
Empire Justice Center .....
..... 264,939
Hiscock Legal Aid Society ....
..... 33,194
Housing Conservation Coordinators 7,522
Lawyers Alliance for New York
..... 27,144
Legal Aid Bureau of Buffalo ..
..... 30,129
Legal Aid of Rockland County .
..... 29,281
Legal Aid Society of Rochester
..... 33,154
Legal Aid Society NYC .....
..... 1,091,251
Legal Aid Society of Northeastern NY 216,826
Legal Services for the Elderly Disabled and Disadvantaged .
..... 7,507
Legal Services of Central New York 256,561
Legal Services of Hudson Valley 184,447
Legal Services of New York City 1,157,381
Medicare Rights Center .....
..... 10,530
Monroe County Legal Assistance Center (LAWNY) 37,930
Nassau Suffolk Law Services ..
..... 198,883
Neighborhood Legal Services (Orleans, Genesee, Wyoming)
..... 18,069
Neighborhood Legal Services (Erie) 159,043
Neighborhood Legal Services (Niagara) 30,328
New York Legal Assistance Group (NYLAG) 12,060
Public Utility Law Project ...
..... 34,666
Puerto Rican Legal Defense and Education Fund 15,084
Research Found. CUNY-Brookdale
..... 11,258
Southern Tier Legal Services (LAWNY) 49,114
Urban Justice Center .. 18,766
Volunteer Legal Services of (NYC) 43,701

Volunteer Legal Services of
Monroe 24,119

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

[Notwithstanding the provisions of any other 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 pursuant to section 309 of the county law 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 two percent of such amount.]
For expenses of local wireless public safety answering points associated with eligible wireless 911 service costs. 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
..... 4,900,000
[Notwithstanding the provisions of any other 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 pursuant to section 309 of the county law 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 two percent of such amount.]
For expenses of local wireless public safety answering points associated with eligible wireless 911 service costs, including but not limited to financing and acquisition costs. 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 DETER-

MINED 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 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 transportation 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 chairperson of the assembly ways and means committee. Moneys appropriated herein may be made available at such times as deemed appropriate by the commissioner of transportation 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 operating assistance provided that payments from this appropriation shall be made pursuant to a financial plan approved by the director of the budget.

To the metropolitan transportation authority for the operating expenses of the New York city transit authority, the Manhattan and Bronx surface transit operating authority, and the Staten Island rapid transit operating authority	[936,814,500]	857,761,483
To the metropolitan transportation authority for the operating expenses of the Long Island rail road company and the Metro-North commuter railroad company which includes the New York state portion of Harlem, Hudson, Port Jervis, Pascack, and the New Haven commuter railroad services regardless of whether the services are provided directly or pursuant to joint service agreements	[480,260,200]	436,945,704
To Rockland county for a trans-Hudson bus service to be provided pursuant to a contract between Rockland county and Metro-North commuter railroad	[2,810,400]	2,739,843
To the city of New York for the operating expenses of the Staten Island ferry notwithstanding any other provisions of law	[24,446,500]	23,768,580
To the county of Westchester for the operating expenses thereof incurred for public transportation services, provided within the county directly or under contract	[43,011,800]	41,867,182
To the county of Nassau or its sub-grantees for the operating expenses thereof incurred for public transportation services	[48,348,600]	47,939,822
To the county of Suffolk for operating expenses thereof incurred for public transportation services, provided within the county directly or under contract	[20,661,600]	20,119,522
To the city of New York for the operating expenses thereof incurred for public transportation services, provided within the city directly or under contract; provided however, that $2,000,000 of this appropriation shall be for expenses incurred for the Staten Island express bus service	[66,015,100]	64,201,033
To all other public transportation systems serving primarily within the metropolitan commuter transportation district, as defined in section 1262 of the public authorities law, eligible to receive operating assistance under the provisions of section 18-b of the transportation law for the operating expenses thereof in accord-		

ance with a service and usage formula to be established by the commissioner of transportation with the approval of the director of the budget ..... [24,396,600] 23,491,359

Program account subtotal ..... [1,651,077,300] 1,526,960,529

MASS TRANSPORTATION OPERATING ASSISTANCE PROGRAM 221,869,900

General Fund / Aid to Localities
Local Assistance Account - 001

Notwithstanding any inconsistent provision of law, the following appropriations are for the payment of mass transportation operating assistance pursuant to section 18-b of the transportation law. To the metropolitan transportation authority for the operating expenses of the New York city transit authority, the Manhattan and Bronx surface transit operating authority, and the Staten Island rapid transit operating authority, provided, however, that [$4,817,000] $2,408,500 may be paid to the metropolitan transportation authority on or after April 1, 2009 but not later than May 10, 2009 ..... [4,817,000] 2,408,500

To the metropolitan transportation authority for the operating expenses of the Long Island rail road company and the Metro-North commuter railroad company which include operating expenses for the New York state portion of Harlem, Hudson, Port Jervis, Pascack, and New Haven commuter railroad services regardless of whether such services are provided directly or pursuant to joint service agreements ..... [8,045,000] 4,022,500

To the city of New York for the operating expenses of the Staten Island ferry notwithstanding any other provision of law ..... [575,700] 287,850

To the county of Westchester for the operating expenses thereof incurred for the public transportation services, provided within the county directly or under contract ..... [486,400] 243,200

To the county of Nassau or its sub-grantees for the operating expenses thereof incurred for public transportation services ..... [393,500] 196,750

To the county of Suffolk for operating expenses thereof incurred for public transportation services, provided within the county directly or under contract		
.....	[139,300]	69,650
To the city of New York for the operating expenses thereof incurred for public transportation services, provided within the city directly or under contract		
.....	[1,373,200]	686,600
To all other public transportation systems serving primarily within the metropolitan commuter transportation district eligible to receive operating assistance under the provisions of section 18-b of the transportation law for the operating expenses thereof in accordance with a service and usage formula to be established by the commissioner of transportation with the approval of the director of the budget ...		
.....	[386,800]	369,950
Program account subtotal ..	[27,433,900]	19,502,000

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 the payment of mass transportation operating assistance pursuant to section 18-b of the transportation law and section 88-a of the state finance law. To the metropolitan transportation authority for the operating expenses of the New York city transit authority, the Manhattan and Bronx surface transit operating authority, and the Staten Island rapid transit operating authority	[153,855,000]	156,263,500
To the metropolitan transportation authority for the operating expenses of the Long Island rail road company and the Metro-North commuter railroad company which include operating expenses for the New York state portion of Harlem, Hudson, Port Jervis, Pascack, and New Haven commuter railroad services regardless of whether such services are provided directly or pursuant to joint service agreements		
.....	[21,207,000]	25,229,500
To the city of New York for the operating expenses of the Staten Island ferry		

.....	[2,196,000]	2,483,850
To the county of Westchester for the operating expenses thereof incurred for public transportation services, provided within the county directly or under contract		
.....	[2,317,000]	2,560,200
To the county of Nassau or its sub-grantees for the operating expenses thereof incurred for public transportation services	[2,146,000]	2,342,750
To the county of Suffolk for operating expenses thereof incurred for public transportation services, provided within the county directly or under contract		
.....	[785,000]	854,650
To the city of New York for the operating expenses thereof incurred for public transportation services, provided within the city directly or under contract		
.....	[5,395,000]	6,081,600
To eligible public transportation systems serving primarily within the metropolitan commuter transportation district, as defined in section 1262 of the public authorities law, eligible to receive operating assistance under the provisions of section 18-b of the transportation law for the operating expenses thereof in accordance with a service and usage formula to be established by the commissioner of transportation with the approval of the director of the budget	[1,639,000]	1,655,850
Program account subtotal		
.....	[189,540,000]	197,471,900
ADDITIONAL MASS TRANSPORTATION ASSISTANCE PROGRAM		
.....	[44,866,800]	35,747,846
General Fund / Aid to Localities		
Local Assistance Account - 001		
To the Capital District transportation authority for the operating expenses thereof	[6,618,000]	6,397,266
To the Capital District transportation authority for additional operating expenses thereof	[2,476,735]	1,593,840
To the Central New York regional transportation authority for the operating expenses thereof	[5,730,200]	5,082,454
To the Central New York regional transportation authority for additional operating expenses thereof	[721,043]	360,522

To the Rochester-Genesee regional transportation authority for the operating expenses thereof ..... [3,314,500]		3,265,062
To the Rochester-Genesee regional transportation authority for additional operating expenses thereof ..... [4,426,643]		3,319,983
To the Niagara Frontier transportation authority for the operating expenses thereof ..... [5,529,200]		4,481,492
To the Niagara Frontier transportation authority for additional operating expenses thereof ..... [1,098,830]		549,416
To all other public transportation systems serving primarily outside of the metropolitan commuter transportation district eligible to receive operating assistance under the provisions of section 18-b of the transportation law for the operating expenses thereof in accordance with a service and usage formula to be established by the commissioner of transportation with the approval of the director of the budget ..... [3,674,900]		3,674,900
To all other public transportation systems serving primarily outside of the metropolitan commuter transportation district eligible to receive operating assistance under the provisions of section 18-b of the transportation law for additional operating expenses thereof in accordance with a service and usage formula to be established by the commissioner of transportaion with the approval of the director of the budget ..... [891,449]		401,152

To Rockland county for a trans-Hudson bus service to be provided pursuant to a contract between Rockland county and Metro-North commuter railroad ... [66,997]		33,499
To the city of New York for the operating expenses of the Staten Island ferry .... [660,526]		330,263
To the county of Westchester for the operating expenses thereof incurred for the public transportation services, provided within the county directly or under contract ..... [1,104,278]		552,139
To the county of Nassau or its sub-grantees for the operating expenses thereof incurred for public transportation services ..... [5,628,286]		3,993,250
To the county of Suffolk for operating expenses thereof incurred for public transportation services, provided within the county directly or under contract		

.....	[514,269]	257,135
To the city of New York for the operating expenses thereof incurred for public transportation services, provided within the city directly or under contract		
.....	[1,763,568]	881,784
To all other public transportation systems serving primarily within the metropolitan commuter transportation district eligible to receive operating assistance under the provisions of section 18-b of the transportation law for the operating expenses thereof in accordance with a service and usage formula to be established by the commissioner of transportation with the approval of the director of the budget ...		
.....	[647,376]	573,688
Program account subtotal ..	[44,866,800]	35,747,846

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