

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

6611--B

I N S E N A T E

January 19, 2010

A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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

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

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

7 HIGHER EDUCATION SERVICES CORPORATION

8 STATE OPERATIONS AND AID TO LOCALITIES 2009-10

9 STUDENT GRANT AND AWARD PROGRAMS

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

12 For tuition assistance awards, including
13 part-time TAP, provided to eligible
14 students as defined in section 667 of the
15 education law and as further defined in
16 rules and regulations adopted by the

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

LBD12610-03-0

regents upon the recommendation of the commissioner of education and distributed in accordance with rules and regulations adopted by the trustees of the higher education services corporation upon the recommendation of the president and approval of the director of the budget.

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

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

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

[838,966,000] 864,125,000

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

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

ADULT SERVICES PROGRAM

General Fund / Aid to Localities

1 Local Assistance Account - 001

2 For transfer to the Commission on Quality of
3 Care and Advocacy for Persons with Disa-
4 bilities for services and expenses associ-
5 ated with legal services and support for
6 parents with psychiatric disabilities.
7 Funds appropriated herein are supported by
8 savings resulting from the increased
9 Federal Medical Assistance Percentage
10 (FMAP) provided pursuant to the American
11 recovery and reinvestment act of 2009
12 300,000

13 FOR SERVICES AND EXPENSES OF VARIOUS COMMU-
14 NITY MENTAL HEALTH EMERGENCY PROGRAMS,
15 INCLUDING COMPREHENSIVE PSYCHIATRIC EMER-
16 GENCY PROGRAMS PURSUANT TO SECTION 41.51
17 OF THE MENTAL HYGIENE LAW 500,000

18 FOR TRANSFER TO THE DEPARTMENT OF HEALTH TO
19 REIMBURSE THE DEPARTMENT FOR THE STATE
20 SHARE OF MEDICAL ASSISTANCE PAYMENTS FOR
21 VARIOUS MENTAL HEALTH SERVICES 1,000,000
22 -----

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

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

40 FOR SERVICES AND EXPENSES OF VARIOUS COMMU-
41 NITY MENTAL HEALTH NON-RESIDENTIAL
42 PROGRAMS, PURSUANT TO ARTICLE 41 OF THE
43 MENTAL HYGIENE LAW 14,500,000

44 FOR SERVICES AND EXPENSES OF VARIOUS COMMU-
45 NITY MENTAL HEALTH RESIDENTIAL PROGRAMS,
46 PURSUANT TO ARTICLE 41 OF THE MENTAL
47 HYGIENE LAW 10,177,000
48 -----

49 CHILDREN AND YOUTH SERVICES PROGRAM

50 General Fund / Aid to Localities
51 Local Assistance Account - 001

1 For services and expenses associated with
2 the restoration of the proposed one
3 percent reduction in the 2008-09 cost of
4 living adjustment. Funds appropriated
5 herein are supported by savings resulting
6 from the increased Federal Medical Assist-
7 ance Percentage (FMAP) provided pursuant
8 to the American recovery and reinvestment
9 act of 2009 874,000
10 FOR SERVICES AND EXPENSES OF VARIOUS COMMU-
11 NITY MENTAL HEALTH NON-RESIDENTIAL
12 PROGRAMS, PURSUANT TO ARTICLE 41 OF THE
13 MENTAL HYGIENE LAW 1,000,000
14 FOR TRANSFER TO THE DEPARTMENT OF HEALTH TO
15 REIMBURSE THE DEPARTMENT FOR THE STATE
16 SHARE OF MEDICAL ASSISTANCE PAYMENTS FOR
17 VARIOUS MENTAL HEALTH SERVICES 500,000
18 -----

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

22 For services and expenses associated with
23 the restoration of the proposed one
24 percent reduction in the 2008-09 cost of
25 living adjustment. Funds appropriated
26 herein are supported by savings resulting
27 from the increased Federal Medical Assist-
28 ance Percentage (FMAP) provided pursuant
29 to the American recovery and reinvestment
30 act of 2009 751,000
31 FOR SERVICES AND EXPENSES OF VARIOUS COMMU-
32 NITY MENTAL HEALTH NON-RESIDENTIAL
33 PROGRAMS, PURSUANT TO ARTICLE 41 OF THE
34 MENTAL HYGIENE LAW 2,900,000
35 FOR SERVICES AND EXPENSES OF VARIOUS COMMU-
36 NITY MENTAL HEALTH EMERGENCY PROGRAMS 900,000
37 -----

38 COMMUNITY MENTAL HEALTH SUPPORT AND WORKFORCE REINVESTMENT PROGRAM

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

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

1 COMMUNITY MENTAL HEALTH RESIDENTIAL
2 PROGRAMS 523,000
3 -----

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

8 DEPARTMENT OF PUBLIC SERVICE

9 STATE OPERATIONS AND AID TO LOCALITIES 2009-10

10 REGULATION OF UTILITIES PROGRAM

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

13 FOR REGULATORY AND OTHER RELATED ACTIVITIES
14 AS FUNDED BY THE AMERICAN RECOVERY AND
15 REINVESTMENT ACT OF 2009. FUNDS APPROPRI-
16 ATED HEREIN SHALL BE SUBJECT TO ALL APPLI-
17 CABLE REPORTING AND ACCOUNTABILITY
18 REQUIREMENTS CONTAINED IN SUCH ACT 1,250,000

19 DEPARTMENT OF TRANSPORTATION

20 CAPITAL PROJECTS 2009-10

21 AMERICAN RECOVERY AND REINVESTMENT ACT (CCP)

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

24 For Transit Capital Assistance funded by
25 Title 12 of the American Recovery and
26 Reinvestment Act of 2009. Funds appropri-
27 ated herein shall be subject to all appli-
28 cable reporting and accountability
29 requirements contained in such act.

30 For the payment of the costs of mass trans-
31 portation capital projects and facilities
32 including replacement of buses meeting
33 federal standards for replacement, related
34 bus equipment and the acquisition, design
35 and construction, including engineering
36 and consulting costs, of mass transit bus
37 garages or other mass transportation
38 projects and facilities, including liabil-
39 ities incurred prior to April 1, 2009
40 (170509FS) 26,300,000

41 FOR PAYMENT BY THE STATE OF THE FEDERAL
42 SHARE OF THE COST OF TRANSPORTATION
43 RELATED PROJECTS FUNDED BY THE AMERICAN
44 RECOVERY AND REINVESTMENT ACT OF 2009.
45 FUNDS APPROPRIATED HEREIN SHALL BE SUBJECT

1 TO ALL APPLICABLE REPORTING AND ACCOUNT-
2 ABILITY REQUIREMENTS CONTAINED IN SUCH
3 ACT.
4 FOR PROJECTS ADMINISTERED BY FEDERAL AGEN-
5 CIES OTHER THAN THE FEDERAL HIGHWAY ADMIN-
6 STRATION OR FEDERAL TRANSIT ADMINIS-
7 TRATION, INCLUDING PAYMENT OF LIABILITIES
8 INCURRED PRIOR TO APRIL 1, 2010, AND
9 INCLUDING BUT NOT LIMITED TO CONSTRUCTION,
10 RECONSTRUCTION, ALTERATION AND REHABILI-
11 TATION, INCLUDING THE COST OF ACQUISITION
12 OF REAL PROPERTY, THE ACQUISITION OF
13 EQUIPMENT AND OTHER RELATED INCIDENTAL
14 EXPENSES THERETO AND FOR THE FEDERAL SHARE
15 OF CONSULTANT SERVICES IN CARRYING OUT
16 FEDERALLY APPROVED STUDIES (170609FS) 5,000,000

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