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

S. 7777 A. 11011

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

May 10, 2010

IN SENATE -- Introduced by COMMITTEE ON RULES -- (at request of the Governor) -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

IN ASSEMBLY -- Introduced by COMMITTEE ON RULES -- (at request of the Governor) -- read once and referred to the Committee on Ways and Means

AN ACT making appropriations for the support of government; to amend chapter 20 of the laws of 2010, relating to making appropriations for the support of government; to amend chapter 46 of the laws of 2010, relating to making appropriations for the support of government; and to amend chapter 47 of the laws of 2010, relating to making appropriations for the support of government

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

Section 1. Legislative intent. The legislature hereby finds and declares that the enactment of these appropriations provides sufficient authority to the comptroller for the purpose of making payments for the purposes described herein until such time as appropriation bills submitted by the governor pursuant to article VII of the state constitution for the support of government for the state fiscal year beginning April 1, 2010 are enacted.

S 2. Section 2 of chapter 20 of the laws of 2010, relating to making appropriations for the support of government, as amended by chapter 68 of the laws of 2010, is amended to read as follows:

S 2. The sum of one billion [two] THREE hundred [thirty-nine] NINETY-NINE million [three] SEVEN hundred [seventy-eight] NINETY-ONE thousand dollars [($1,239,378,000)] ($1,399,791,000), or so much thereof as shall be sufficient to accomplish the purpose designated, is hereby appropriated and authorized to be paid as hereinafter provided, to the public officers and for the purposes specified, which amount shall be available for the state fiscal year beginning April 1, 2010.

ALL STATE DEPARTMENTS AND AGENCIES

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

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For the purpose of making payments for personal service, including liabilities incurred prior to April 1, 2010, on the payrolls scheduled to be paid during the period April 1 through May [12] 20, 2010 to state officers and employees of the executive branch, including the governor, lieutenant governor, comptroller and attorney general; to officers and employees of the judiciary; and to officers and employees of the legislature, including payments to the members of the senate and assembly under sections 5 and 5-a of the legislative law; and payments for services performed by mentally ill or developmentally disabled persons who are employed in state-operated special employment, work-for-pay or sheltered workshop programs; consistent with section 8 of part A of chapter 10 of the laws of 2008, section 3 of chapter 114 of the laws of 2008 and section 4 of chapter 49 of the laws of 2008, and notwithstanding any contrary provision of law, including provisions of article 14 of the civil service law or collective bargaining agreement entered into by the state pursuant thereto, the amounts to be paid to state officers and employees of the executive branch for personal service shall not be based on amounts applicable pursuant to subparagraph (4) of paragraph a of subdivision 1, subparagraph (4) of paragraph c of subdivision 1, or subparagraph (4) of paragraph e of subdivision 1 of section 130 of the civil service law; or subparagraph (4) of paragraph a of subdivision 2, or subparagraph (8) of paragraph a of subdivision 2 of section 215 of the executive law; or subparagraph (4) of paragraph a of subdivision 2 of section 216 of the executive law, insofar as such subparagraphs provide for a general salary increase of four percent. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, INCLUDING ARTICLE 14 OF THE CIVIL SERVICE LAW, COLLECTIVE BARGAINING AGREEMENT OR OTHER ANALOGOUS CONTRACT OR BINDING INTEREST ARBITRATION AWARD, THE WORK WEEK OF OFFICERS AND EMPLOYEES IN THE EXECUTIVE BRANCH, INCLUDING TEMPORARY AND SEASONAL EMPLOYEES AND EMPLOYEES OF THE CITY UNIVERSITY OF NEW YORK AS DEFINED IN SUBDIVISION 2 OF SECTION 6202 OF THE EDUCATION LAW, SHALL BE REDUCED BY ONE-FIFTH DURING THE WEEK COMMENCING MAY

17, 2010 AND ENDING ON MAY 23, 2010 AS PROVIDED HEREIN. APPOINTING AUTHORITIES SHALL ENSURE THAT EVERY EMPLOYEE AND EVERY OFFICER IS SCHEDULED FOR SUCH WORK WEEK REDUCTION, EXCEPT THOSE EMPLOYEES WHO SERVE IN A POSITION THAT HAS BEEN DESIGNATED AS MANAGERIAL OR CONFIDENTIAL PURSUANT TO ARTICLE 14 OF THE CIVIL SERVICE LAW, THOSE EMPLOYEES WHOSE POSITION IS ONE HUNDRED PERCENT FUNDED BY THE FEDERAL GOVERNMENT, OR THOSE EMPLOYEES DESIGNATED BY THE APPOINTING AUTHORITY AS WITHIN A TITLE AND POSITION THAT IS RESPONSIBLE FOR PROVIDING DIRECT CARE OR IS ENGAGED IN FUNCTIONS NECESSARY FOR THE PRESERVATION OF HEALTH OR SAFETY. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, INCLUDING SECTION 200 OF THE STATE FINANCE LAW, THE WAGES AND SALARIES PAID TO EMPLOYEES WHOSE WORK WEEK WAS REDUCED SHALL BE REDUCED BY THE SAME PERCENTAGE REDUCTION THAT WAS MADE TO THE EMPLOYEE'S WORK SCHEDULE DURING THE RELEVANT PAYROLL PERIOD, AND IN NO EVENT SHALL AN OFFICER OR EMPLOYEE WHOSE WORK WEEK IS REDUCED BE PERMITTED TO OFFSET ANY REDUCTION IN PAYMENT THROUGH THE UTILIZATION OF ANY ACCRUED LEAVE CREDITS. NOTWITHSTANDING SECTION 6221 OF THE EDUCATION LAW OR ANY OTHER LAW, RULE OR REGULATION TO THE CONTRARY, AID PAYABLE TO NEW YORK CITY FOR PRE-FINANCING THE NET OPERATING COSTS OF THE SENIOR COLLEGES OF THE CITY UNIVERSITY FOR THE PERIOD JULY 1, 2009 THROUGH JUNE 30, 2010 SHALL BE REDUCED BY AN AMOUNT EQUAL TO THE SAVINGS IN WAGES AND SALARIES ATTRIBUTABLE TO THE REDUCTION IN WORK WEEK DURING THE WEEK COMMENCING MAY 17, 2010. NEW YORK CITY IS AUTHORIZED AND DIRECTED TO WITHHOLD PAYMENT TO THE CITY UNIVERSITY IN AN AMOUNT EQUAL TO THE SAVINGS ATTRIBUTABLE TO THE WAGES AND SALARIES OF THOSE EMPLOYEES WHOSE WORK WEEK WAS REDUCED. THE REDUCTION IN WORK WEEK PROVIDED HEREIN SHALL NOT APPLY TO EMPLOYEES WHO ARE SUBJECT TO AN AGREEMENT NEGOTIATED PURSUANT TO ARTICLE 14 OF THE CIVIL SERVICE LAW AFTER THE EFFECTIVE DATE OF THIS ACT THAT PROVIDES FOR COMPARABLE PERSONAL SERVICE SAVINGS ..... [1,239,378,000] 1,399,791,000

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S 3. Section 3 of chapter 20 of the laws of 2010, relating to making appropriations for the support of government, as amended by chapter 68 of the laws of 2010, is amended to read as follows:

S 3. The sum of one hundred [thirteen] TWENTY-EIGHT million [forty-four] SEVEN HUNDRED SEVENTEEN thousand dollars [($113,044,000)] ($128,717,000), or so much thereof as shall be sufficient to accomplish the purpose designated, is hereby appropriated out of any moneys in the general fund to the credit of the state purposes account not otherwise appropriated for the purpose of paying to the social security contribution fund, the state's share, as employer, of the payroll tax for payrolls scheduled to be paid during the period April 1 through May [12] 20, 2010, including liabilities incurred prior to April 1, 2010 ..... [113,044,000] 128,717,000

S 4. Section 4 of chapter 20 of the laws of 2010, relating to making appropriations for the support of government, as amended by chapter 68 of the laws of 2010, is amended to read as follows:

S 4. The sum of [seventy-seven] SEVENTY-EIGHT thousand dollars [($77,000)] ($78,000), or so much thereof as shall be sufficient to accomplish the purpose designated, is hereby appropriated out of any moneys in the general fund to the credit of the state purposes account not otherwise appropriated for payments to the teachers insurance and annuity association and college retirement equities fund associated with individuals working in the education department, the higher education services corporation, and the state university of New York construction fund. Notwithstanding any other provisions of law to the contrary, the comptroller is hereby authorized and directed to utilize this appropriation for the purpose of making scheduled teachers insurance and annuity association and college retirement equities fund payments ..... [77,000] 78,000

S 5. Section 6 of chapter 46 of the laws of 2010, relating to making appropriations for the support of government, as amended by chapter 68 of the laws of 2010, is amended to read as follows:

S 6. The amount specified in this section, or so much thereof as shall be sufficient to accomplish the purpose designated, is hereby appropriated and authorized to be paid as hereinafter provided to the respective public officers and for the purpose specified, which amount shall be available for the state fiscal year beginning April 1, 2010.

THE JUDICIARY

For the payment of state operations nonpersonal service liabilities, the sum of [thirty-nine] FORTY-ONE million dollars [($39,000,000)] ($41,000,000), or so much thereof as shall be sufficient to accomplish the purpose designated, is hereby appropriated to the judiciary out of any moneys in the general fund to the credit of the state purposes account not otherwise appropriated. The comptroller is hereby authorized and directed to utilize this appropriation for the purpose of making payments for nonpersonal service liabilities incurred by the judiciary from April 1 through May [9] 16, 2010 ..... [39,000,000] 41,000,000

S 6. Section 5 of chapter 20 of the laws of 2010, relating to making appropriations for the support of government, as amended by chapter 68 of the laws of 2010, is amended to read as follows:

S 5. The amount specified in this section, or so much thereof as shall be sufficient to accomplish the purpose designated, is hereby appropriated and authorized to be paid as hereinafter provided, to the public officers and for the purposes specified, which amount shall be available for the state fiscal year beginning April 1, 2010.

ALL STATE DEPARTMENTS AND AGENCIES

For the payment of state operations nonpersonal service liabilities, including the legislature, including contracts approved prior to, on, and after April 1, 2010 for [project] liabilities incurred in the ordinary course of business, during the period April 1 through May [9] 16, 2010, pursuant to existing state law and for purposes for which the legislature authorized the expenditure of moneys during the 2009-2010 state fiscal year; provided, however, that nothing contained herein shall be deemed to limit or restrict the power or authority of state departments or agencies to conduct their activities or operations in accordance with existing law, and further provided that nothing contained herein shall be deemed to supersede, nullify or modify the provisions of section 40 of the state finance law prescribing when appropriations made for the 2009-2010 state fiscal year shall have ceased to have force and effect		
.....	[85,000,000]	105,000,000

S 7. Section 6 of chapter 20 of the laws of 2010, relating to making appropriations for the support of government, as amended by chapter 68 of the laws of 2010, is amended to read as follows:

S 6. The [amount] SEVERAL AMOUNTS specified in this section, or so much thereof as shall be sufficient to accomplish the purpose designated, [is] ARE hereby appropriated and authorized to be paid as hereinafter provided, to the RESPECTIVE public officers and for the SEVERAL purposes specified, which [amount] AMOUNTS shall be available for the state fiscal year beginning April 1, 2010.

AMERICAN RECOVERY AND REINVESTMENT ACT (CCP) ...	[80,000,000]	90,000,000

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

The sum of [forty] FIFTY million dollars [($40,000,000)] ($50,000,000), or so much thereof as shall be sufficient to accomplish the purpose designated, is hereby appropriated for contracts approved prior to April 1, 2010 for the payment by the state of the federal share of transportation related capital projects liabilities funded by the American Recovery and Reinvestment Act of 2009 incurred in the ordinary

course of business from April 1 through May [9] 16, 2010, pursuant to existing state law and for purposes for which the legislature authorized the expenditures of money during the 2009-2010 fiscal year; provided, however, that nothing contained herein shall be deemed to limit or restrict the power or authority of state departments or agencies to conduct their activities or operations in accordance with existing law, and further provided that nothing contained herein shall be deemed to supersede, nullify, or modify the provisions of section 40 of the state finance law prescribing when appropriations made for the 2009-2010 fiscal year shall have ceased to have force and effect. Funds appropriated herein shall be subject to all applicable reporting and accountability requirements contained in such act ..... [40,000,000] 50,000,000
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The sum of forty million dollars ($40,000,000), or so much thereof as shall be sufficient to accomplish the purpose designated, is hereby appropriated for contracts approved for purposes for which the legislature authorized the expenditures of money during the 2009-2010 fiscal year. An amount up to forty million dollars ($40,000,000) shall be available for the payment by the state of the federal share of related transportation capital projects liabilities, funded by the American Recovery and Reinvestment Act of 2009 incurred in the ordinary course of business during the period from April 1 through May [9] 16, 2010 for contracts approved during the period April 1 through May [9] 16, 2010, provided, however, that nothing contained herein shall be deemed to limit or restrict the power or authority of state departments or agencies to conduct their activities or operations in accordance with existing law, and further provided that nothing contained herein shall be deemed to supersede, nullify, or modify the provisions of section 40 of the state finance law prescribing when appropriations made for the 2009-2010 fiscal year shall have ceased to have force and effect. Funds appropriated herein shall be subject to all applicable reporting and accountability requirements contained in such act 40,000,000
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S 8. Section 7 of chapter 20 of the laws of 2010, relating to making appropriations for the support of government, as amended by chapter 68 of the laws of 2010, is amended to read as follows:

S 7. The amount specified in this section, or so much thereof as shall be sufficient to accomplish the purpose designated, is hereby appropriated and authorized to be paid as hereinafter provided, to the public officers and for the purposes specified, which amount shall be available for the state fiscal year beginning April 1, 2010.

The sum of twenty million dollars ($20,000,000), or so much thereof as shall be sufficient to accomplish the purpose designated, is hereby appropriated for contracts approved in accordance with section 112 of the state finance law for purposes for which the legislature authorized the expenditures of money during the 2009-2010 fiscal year. An amount up to twenty million dollars ($20,000,000) shall be available for the payment of capital projects liabilities, including any contractual services liabilities of the engineering services fund, incurred to address emergency health and safety needs as certified by the director of budget during the period from April 1 through May [9] 16, 2010 FOR CONTRACTS APPROVED PRIOR TO, ON, OR AFTER APRIL 1, 2010, provided, however, that nothing contained herein shall be deemed to limit or

restrict the power or authority of state departments or agencies to conduct their activities or operations in accordance with existing law, and further provided that nothing contained herein shall be deemed to supersede, nullify, or modify the provisions of section 40 of the state finance law prescribing when appropriations made for the 2009-2010 fiscal year shall have ceased to have force and effect 20,000,000
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S 9. Section 9 of chapter 47 of the laws of 2010, relating to making appropriations for the support of government, as amended by chapter 68 of the laws of 2010, is amended to read as follows:

S 9. The [amount] SEVERAL AMOUNTS specified in this section, or so much thereof as shall be sufficient to accomplish the [purpose] PURPOSES designated, [is] ARE hereby appropriated and authorized to be paid as hereinafter provided, to the RESPECTIVE public officers and for the SEVERAL purposes specified, which [amount] AMOUNTS shall be available for the state fiscal year beginning April 1, 2010.

DEPARTMENT OF TRANSPORTATION

FEDERAL AID HIGHWAYS FEDERAL PURPOSE ..... [40,000,000] 60,000,000

Federal Capital Projects Fund - 291
Federal Aid Highways Purpose

The sum of forty million dollars ($40,000,000), or so much thereof as shall be sufficient to accomplish the purpose designated, is hereby appropriated for contracts approved prior to April 1, 2010 for the payment by the state of the federal share of transportation related capital projects liabilities as provided for in the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users and any successive legislation incurred in the ordinary course of business from April 1 through May [9] 16, 2010, for projects that do not contain any state funding shares, AND FROM APRIL 1 THROUGH APRIL 11, FOR PROJECTS CONTAINING STATE FUNDING SHARES THAT ARE ELIGIBLE TO BE FUNDED BY BOND PROCEEDS, AND ONLY TO THE EXTENT THAT BOND PROCEEDS ARE AVAILABLE, pursuant to existing state law and for purposes for which the legislature authorized the expenditures of money during the 2009-2010 fiscal year; provided, however, that nothing contained herein shall be deemed to limit or restrict the power or authority of state departments or agencies to conduct their activities or operations in accordance with existing law, and further provided that nothing contained herein shall be deemed to supersede, nullify, or modify the provisions of section 40 of the state finance law prescribing when appropriations made for the 2009-2010 fiscal year shall have ceased to have force and effect. Funds appropriated herein shall not be available for the payment of liabilities funded by the American Recovery and Reinvestment Act of 2009 .....
..... 40,000,000
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THE SUM OF TWENTY MILLION DOLLARS ($20,000,000), OR SO MUCH THEREOF AS SHALL BE SUFFICIENT TO ACCOMPLISH THE PURPOSE DESIGNATED, IS HEREBY APPROPRIATED FOR CONTRACTS APPROVED DURING THE PERIOD FROM APRIL 1 THROUGH MAY 16, 2010 FOR THE PAYMENT BY THE STATE OF THE FEDERAL SHARE OF TRANSPORTATION RELATED CAPITAL PROJECTS LIABILITIES AS PROVIDED FOR

IN THE SAFE, ACCOUNTABLE, FLEXIBLE, EFFICIENT TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS AND ANY SUCCESSIVE LEGISLATION INCURRED IN THE ORDINARY COURSE OF BUSINESS FROM APRIL 1 THROUGH MAY 16, 2010, FOR PROJECTS THAT DO NOT CONTAIN ANY STATE FUNDING SHARES, PURSUANT TO EXISTING STATE LAW AND FOR PURPOSES FOR WHICH THE LEGISLATURE AUTHORIZED THE EXPENDITURES OF MONEY DURING THE 2009-2010 FISCAL YEAR; PROVIDED, HOWEVER, THAT NOTHING CONTAINED HEREIN SHALL BE DEEMED TO LIMIT OR RESTRICT THE POWER OR AUTHORITY OF STATE DEPARTMENTS OR AGENCIES TO CONDUCT THEIR ACTIVITIES OR OPERATIONS IN ACCORDANCE WITH EXISTING LAW, AND FURTHER PROVIDED THAT NOTHING CONTAINED HEREIN SHALL BE DEEMED TO SUPERSEDE, NULLIFY, OR MODIFY THE PROVISIONS OF SECTION 40 OF THE STATE FINANCE LAW PRESCRIBING WHEN APPROPRIATIONS MADE FOR THE 2009-2010 FISCAL YEAR SHALL HAVE CEASED TO HAVE FORCE AND EFFECT. FUNDS APPROPRIATED HEREIN SHALL NOT BE AVAILABLE FOR THE PAYMENT OF LIABILITIES FUNDED BY THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 20,000,000
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NEW YORK STATE AGENCY FUND (CCP) 5,000,000

FIDUCIARY FUNDS/CAPITAL PROJECTS
HIGHWAY COSTS IMPROVEMENT ACCOUNTS
NON-FEDERAL AIDED HIGHWAY PURPOSE

THE SUM OF FIVE MILLION DOLLARS ($5,000,000), OR SO MUCH THEREOF AS SHALL BE SUFFICIENT TO ACCOMPLISH THE PURPOSE DESIGNATED, IS HEREBY APPROPRIATED FOR CONTRACTS APPROVED PRIOR TO APRIL 1, 2010 FOR THE PAYMENT OF TRANSPORTATION RELATED CAPITAL PROJECTS LIABILITIES INCURRED BY THE DEPARTMENT OF TRANSPORTATION ON BEHALF OF ENTITIES OTHER THAN STATE DEPARTMENTS OR AGENCIES PURSUANT TO THE HIGHWAY LAW OR TRANSPORTATION LAW INCURRED IN THE ORDINARY COURSE OF BUSINESS FROM APRIL 1 THROUGH MAY 16, 2010 5,000,000
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S 9-a. The amount specified in this section, or so much thereof as shall be sufficient to accomplish the purpose designated, is hereby appropriated and authorized to be paid as hereinafter provided, to the public officers and for the purpose specified, which amount shall be available for the state fiscal year beginning April 1, 2010.

DEPARTMENT OF TRANSPORTATION

The sum of five million dollars ($5,000,000), or so much thereof as shall be sufficient to accomplish the purpose designated, is hereby appropriated for contracts approved prior to April 1, 2010 for the payment by the state of the state share of transportation related capital projects liabilities including construction inspection, funded by the dedicated highway and bridge trust fund - non-federal aided highway purpose and preparation of plans purpose and/or the New York rebuild and renew New York transportation bond act of 2005 - highway facilities purpose incurred in the ordinary course of business from April 1 through April 11, 2010 only for the shares of projects that are eligible to be funded by bond proceeds, and only to the extent that bond proceeds are available, pursuant to existing state law and for purposes for which the legislature authorized the expenditures of money during the 2009-2010 fiscal year; provided, however, that nothing contained herein shall be

deemed to limit or restrict the power or authority of state departments or agencies to conduct their activities or operations in accordance with existing law, and further provided that nothing contained herein shall be deemed to supersede, nullify, or modify the provisions of section 40 of the state finance law prescribing when appropriations made for the 2009-2010 fiscal year shall have ceased to have force and effect 5,000,000

S 10. The several amounts specified in this section, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be paid as hereinafter provided, to the respective public officers and for the several purposes specified, which amounts shall be available for the state fiscal year beginning April 1, 2010.

DEPARTMENT OF HEALTH

CHILD HEALTH INSURANCE PROGRAM 40,000,000

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 40,000,000

MEDICAL ASSISTANCE PROGRAM 1,450,000,000

General Fund / Aid to Localities
Local Assistance Account - 001

For the medical assistance program, exclusive of expenses incurred by local districts for administration of the medical assistance program and for medical care rates for authorized child care agencies.
The money hereby appropriated is to be available for payment of aid heretofore accrued to municipalities, and to providers of medical services pursuant to section 367-b of the social services law, and for payment of state aid to municipalities and to providers of family care where payment systems through the fiscal intermediaries are not operational, and shall be available to the department net

of disallowances, refunds, reimbursements, and credits.

Notwithstanding any inconsistent provision of law, moneys hereby appropriated may be used for transfer to the federal revenue maximization contract fund, pursuant to the provisions of the state finance law.

Notwithstanding any inconsistent provision of law, the moneys hereby appropriated may be increased or decreased by interchange with any appropriation of the department of health medical assistance administration program and/or medical assistance program, and may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of the department of social services or its successor agencies 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, the money hereby appropriated shall not be used for any existing rates, fees, fee schedules, or procedures which may affect the cost of care and services provided by personal care providers, case managers, health maintenance organizations, out of state medical facilities which provide care and services to residents of the state, providers of transportation services, that are altered, amended, adjusted or otherwise changed by a local social services district unless previously approved by the department of health and the director of the budget.

For services and expenses of the medical assistance program including hospital inpatient services 82,000,000

For services and expenses of the medical assistance program including hospital outpatient and emergency room services 15,000,000

For services and expenses of the medical assistance program including clinic services 14,000,000

For services and expenses of the medical assistance program including nursing home services 148,000,000

For services and expenses of the medical assistance program including other long term care services 111,000,000

For services and expenses of the medical

assistance program including managed care services 124,000,000
For services and expenses of the medical assistance program including pharmacy services 65,000,000
For services and expenses of the medical assistance program including transportation services 6,000,000
For services and expenses of the medical assistance program including dental services 3,000,000
For services and expenses of the medical assistance program including non-institutional and other spending 32,000,000
Program account subtotal 600,000,000

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

For services and expenses for the medical assistance program, excluding administrative expenses, pursuant to title XIX of the federal social security act or its successor program.
The moneys hereby appropriated are to be available for payment of aid heretofore accrued to municipalities, and to providers of medical services pursuant to section 367-b of the social services law, and for payment of state aid to municipalities and to providers of family care where payment systems through the fiscal intermediaries are not operational, and shall be available to the department net of disallowances, refunds, reimbursements, and credits.

For services and expenses of the medical assistance program including hospital inpatient services 90,000,000
For services and expenses of the medical assistance program including hospital outpatient and emergency room services 15,000,000
For services and expenses of the medical assistance program including clinic services 15,000,000
For services and expenses of the medical assistance program including nursing home services 163,000,000
For services and expenses of the medical assistance program including other long term care services 123,000,000
For services and expenses of the medical

assistance program including managed care services 137,000,000
For services and expenses of the medical assistance program including pharmacy services 72,000,000
For services and expenses of the medical assistance program including transportation services 6,000,000
For services and expenses of the medical assistance program including dental services 4,000,000
For services and expenses of the medical assistance program including non-institutional and other spending 35,000,000
Program account subtotal 660,000,000

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

For services and expenses of the medical assistance program including hospital inpatient, hospital outpatient and emergency room, clinic, nursing home, other long term care, managed care, pharmacy, transportation, dental, non-institutional and other spending, medical services provided at state facilities operated by the office of mental health, the office of mental retardation and developmental disabilities and the office of alcoholism and substance abuse services and for any other medical assistance services resulting from an increase in the federal medical assistance percentage 190,000,000
Program account subtotal 190,000,000

S 11. The amount specified in this section, or so much thereof as shall be sufficient to accomplish the purposes designated, is hereby appropriated and authorized to be paid as hereinafter provided, to the respective public officers and for the several purposes specified, which amount shall be available for the state fiscal year beginning April 1, 2010.

DEPARTMENT OF LABOR

UNEMPLOYMENT INSURANCE BENEFIT PROGRAM 195,000,000

Enterprise Funds / State Operations
Unemployment Insurance Benefit Fund - 481

For payment of unemployment insurance benefits pursuant to article 18 of the labor law or as authorized by the Federal government through the disaster unemployment assistance program 195,000,000

S 12. The amount specified in this section, or so much thereof as shall be sufficient to accomplish the purpose designated, is hereby appropriated and authorized to be paid as hereinafter provided, to the public officers and for the purpose specified, which amount shall be available for the state fiscal year beginning April 1, 2010.

DEPARTMENT OF FAMILY ASSISTANCE
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE

EMPLOYMENT AND ECONOMIC SUPPORT PROGRAM 60,000,000

General Fund / Aid to Localities
Local Assistance Account - 001

For expenditures made pursuant to title 8 of article 5 of the social services law and for expenditures for additional state payments for eligible aged, blind, and disabled persons related to supplemental security income 60,000,000

S 13. The amount specified in this section, or so much thereof as shall be sufficient to accomplish the purpose designated, is hereby appropriated and authorized to be paid as hereinafter provided, to the public officers and for the purpose specified, which amount shall be available for the state fiscal year beginning April 1, 2010.

DEPARTMENT OF MENTAL HYGIENE
OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

COMMUNITY SERVICES PROGRAM 2,000,000

General Fund / Aid to Localities
Local Assistance Account - 001

Notwithstanding the provisions of section 16.23 of the mental hygiene law and any other inconsistent provision of law, with relation to the operation of certified family care homes, including family care homes sponsored by voluntary not-for-profit agencies, moneys from this appropriation may be used for payments to purchase general services including but not limited to respite providers, up to a maximum of 14 days, at rates to be established by the

commissioner and approved by the director of the budget in consideration of factors including, but not limited to, geographic area and number of clients cared for in the home and for payment at the rate of $600 per year on the basis of financial need for the personal needs of each client residing in the family care home.

Notwithstanding the provisions of subdivision 12 of section 8 of the state finance law and any other inconsistent provision of law, moneys from this appropriation may be used for expenses of family care homes including payments to operators of certified family care homes for damages caused by clients to personal and real property in accordance with standards established by the commissioner and approved by the director of the budget.

For services and expenses related to the provision of residential services to the developmentally disabled 2,000,000

S 14. No expenditure may be made from any appropriation in this act, until a certificate of approval has been issued by the director of the budget and a copy of such certificate shall have been filed with the state comptroller, the chairman of the senate finance committee and the chairman of the assembly ways and means committee provided, however, that any expenditures from any appropriation in this act made by the legislature or judiciary shall not require such certificate.

S 15. All expenditures and disbursements made against the appropriations in this act shall, upon final action by the legislature on appropriation bills submitted by the governor pursuant to article VII of the state constitution for the support of government for the state fiscal year beginning April 1, 2010, be transferred by the comptroller as expenditures and disbursements to such appropriations for all state departments, agencies, the legislature and the judiciary, as applicable, in amounts equal to the amounts charged against the appropriations in this act for each such department, agency, the legislature and the judiciary.

S 16. Severability clause. If any clause, sentence, paragraph, subdivision, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

S 17. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2010; provided, however, that upon the transfer of expenditures and disbursements by the

comptroller as provided in section fifteen of this act, the appropriations made by this act and subject to such section shall be deemed repealed.