

S. 7846

A. 11102

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

May 17, 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; to amend chapter 47 of the laws of 2010, relating to making appropriations for the support of government; and to amend chapter 75 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:

1 Section 1. Legislative intent. The legislature hereby finds and
2 declares that the enactment of these appropriations provides sufficient
3 authority to the comptroller for the purpose of making payments for the
4 purposes described herein until such time as appropriation bills submitted
5 by the governor pursuant to article VII of the state constitution
6 for the support of government for the state fiscal year beginning April
7 1, 2010 are enacted.

8 S 2. Section 2 of chapter 20 of the laws of 2010, relating to making
9 appropriations for the support of government, as amended by chapter 75
10 of the laws of 2010, is amended to read as follows:

11 S 2. The sum of one billion [three] SIX hundred [ninety-nine]
12 FIFTY-THREE million [seven] SIX hundred [ninety-one] THIRTY-SIX thousand
13 dollars [(\$1,399,791,000)] (\$1,653,636,000), or so much thereof as shall
14 be sufficient to accomplish the purpose designated, is hereby appropriated
15 and authorized to be paid as hereinafter provided, to the public
16 officers and for the purposes specified, which amount shall be available
17 for the state fiscal year beginning April 1, 2010.

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

LBD12231-03-0

ALL STATE DEPARTMENTS AND AGENCIES

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 [20] 26, 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

1 education law, shall be reduced by one-
2 fifth during the week commencing May 17,
3 2010 and ending on May 23, 2010 as
4 provided herein. Appointing authorities
5 shall ensure that every employee and every
6 officer is scheduled for such work week
7 reduction, except those employees who
8 serve in a position that has been desig-
9 nated as managerial or confidential pursu-
10 ant to article 14 of the civil service
11 law, those employees whose position is one
12 hundred percent funded by the federal
13 government, or those employees designated
14 by the appointing authority as within a
15 title and position that is responsible for
16 providing direct care or is engaged in
17 functions necessary for the preservation
18 of health or safety. Notwithstanding any
19 other provision of law, including section
20 200 of the state finance law, the wages
21 and salaries paid to employees whose work
22 week was reduced shall be reduced by the
23 same percentage reduction that was made to
24 the employee's work schedule during the
25 relevant payroll period, and in no event
26 shall an officer or employee whose work
27 week is reduced be permitted to offset any
28 reduction in payment through the utiliza-
29 tion of any accrued leave credits.
30 Notwithstanding section 6221 of the educa-
31 tion law or any other law, rule or regu-
32 lation to the contrary, aid payable to New
33 York city for pre-financing the net oper-
34 ating costs of the senior colleges of the
35 city university for the period July 1,
36 2009 through June 30, 2010 shall be
37 reduced by an amount equal to the savings
38 in wages and salaries attributable to the
39 reduction in work week during the week
40 commencing May 17, 2010. New York city is
41 authorized and directed to withhold
42 payment to the city university in an
43 amount equal to the savings attributable
44 to the wages and salaries of those employ-
45 ees whose work week was reduced. The
46 reduction in work week provided herein
47 shall not apply to employees who are
48 subject to an agreement negotiated pursu-
49 ant to article 14 of the civil service law
50 after the effective date of this act that
51 provides for comparable personal service
52 savings] [1,399,791,000] 1,653,636,000
53 =====

54 S 2-a. The amount specified in this section, or so much thereof as
55 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.

GENERAL STATE CHARGES

GENERAL STATE CHARGES 48,400,000

General Fund / State Operations
State Purposes Account - 003

For the state's contribution to the health insurance fund. The state's share of the health insurance program dividends shall be available to pay for the premiums in 2010-11 48,400,000

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 75 of the laws of 2010, is amended to read as follows:

S 3. The sum of one hundred [twenty-eight] FIFTY million [seven hundred seventeen] SIX HUNDRED SEVENTY-NINE thousand dollars [(\$128,717,000)] (\$150,679,000), 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 [20] 26, 2010, including liabilities incurred prior to April 1, 2010 [128,717,000] 150,679,000

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 75 of the laws of 2010, is amended to read as follows:

S 4. The sum of [seventy-eight] ONE HUNDRED THREE thousand dollars [(\$78,000)] (\$103,000), 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 [78,000] 103,000

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 75 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 [forty-one] FORTY-THREE million dollars [(\$41,000,000)] (\$43,000,000), 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 [16] 23, 2010 [41,000,000] 43,000,000
=====

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 75 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 liabilities incurred in the ordinary course of business, during the period April 1 through May [16] 23, 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 [105,000,000] 125,000,000
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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 75 of the laws of 2010, is amended to read as follows:

S 6. The several amounts specified in this section, or so much thereof as shall be sufficient to accomplish the [purpose] 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.

AMERICAN RECOVERY AND REINVESTMENT ACT (CCP)
..... [90,000,000] 100,000,000

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

The sum of [fifty] SIXTY million dollars [(\$50,000,000)] (\$60,000,000), 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 [16] 23, 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 [50,000,000] 60,000,000
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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 [16] 23, 2010 for contracts approved during the period April 1 through May [16] 23, 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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2 S 8. Section 7 of chapter 20 of the laws of 2010, relating to making
3 appropriations for the support of government, as amended by chapter 75
4 of the laws of 2010, is amended to read as follows:

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

10 The sum of twenty million dollars (\$20,000,000), or so much thereof as
11 shall be sufficient to accomplish the purpose designated, is hereby
12 appropriated for contracts approved in accordance with section 112 of
13 the state finance law for purposes for which the legislature authorized
14 the expenditures of money during the 2009-2010 fiscal year. An amount up
15 to twenty million dollars (\$20,000,000) shall be available for the
16 payment of capital projects liabilities, including any contractual
17 services liabilities of the engineering services fund, incurred to
18 address emergency health and safety needs as certified by the director
19 of budget during the period from April 1 through May [16] 23, 2010 for
20 contracts approved prior to, on, or after April 1, 2010, provided,
21 however, that nothing contained herein shall be deemed to limit or
22 restrict the power or authority of state departments or agencies to
23 conduct their activities or operations in accordance with existing law,
24 and further provided that nothing contained herein shall be deemed to
25 supersede, nullify, or modify the provisions of section 40 of the state
26 finance law prescribing when appropriations made for the 2009-2010
27 fiscal year shall have ceased to have force and effect 20,000,000
28 =====

29 S 9. Section 9 of chapter 47 of the laws of 2010, relating to making
30 appropriations for the support of government, as amended by chapter 75
31 of the laws of 2010, is amended to read as follows:

32 S 9. The several amounts specified in this section, or so much thereof
33 as shall be sufficient to accomplish the purposes designated, are hereby
34 appropriated and authorized to be paid as hereinafter provided, to the
35 respective public officers and for the several purposes specified, which
36 amounts shall be available for the state fiscal year beginning April 1,
37 2010.

38

DEPARTMENT OF TRANSPORTATION

39 FEDERAL AID HIGHWAYS FEDERAL PURPOSE 60,000,000
40 -----

41 Federal Capital Projects Fund - 291
42 Federal Aid Highways Purpose

43 The sum of forty million dollars (\$40,000,000), or so much thereof as
44 shall be sufficient to accomplish the purpose designated, is hereby
45 appropriated for contracts approved prior to April 1, 2010 for the
46 payment by the state of the federal share of transportation related
47 capital projects liabilities as provided for in the Safe, Accountable,
48 Flexible, Efficient Transportation Equity Act: A Legacy for Users and
49 any successive legislation incurred in the ordinary course of business

1 from April 1 through May [16] 23, 2010, for projects that do not contain
2 any state funding shares, and from April 1 through April [11] 18, for
3 projects containing state funding shares that are eligible to be funded
4 by bond proceeds, and only to the extent that bond proceeds are avail-
5 able, pursuant to existing state law and for purposes for which the
6 legislature authorized the expenditures of money during the 2009-2010
7 fiscal year; provided, however, that nothing contained herein shall be
8 deemed to limit or restrict the power or authority of state departments
9 or agencies to conduct their activities or operations in accordance with
10 existing law, and further provided that nothing contained herein shall
11 be deemed to supersede, nullify, or modify the provisions of section 40
12 of the state finance law prescribing when appropriations made for the
13 2009-2010 fiscal year shall have ceased to have force and effect. Funds
14 appropriated herein shall not be available for the payment of liabil-
15 ities funded by the American Recovery and Reinvestment Act of 2009
16 40,000,000
17 =====

18 The sum of twenty million dollars (\$20,000,000), or so much thereof as
19 shall be sufficient to accomplish the purpose designated, is hereby
20 appropriated for contracts approved during the period from April 1
21 through May [16] 23, 2010 for the payment by the state of the federal
22 share of transportation related capital projects liabilities as provided
23 for in the Safe, Accountable, Flexible, Efficient Transportation Equity
24 Act: A Legacy for Users and any successive legislation incurred in the
25 ordinary course of business from April 1 through May [16] 23, 2010, for
26 projects that do not contain any state funding shares, pursuant to
27 existing state law and for purposes for which the legislature authorized
28 the expenditures of money during the 2009-2010 fiscal year; provided,
29 however, that nothing contained herein shall be deemed to limit or
30 restrict the power or authority of state departments or agencies to
31 conduct their activities or operations in accordance with existing law,
32 and further provided that nothing contained herein shall be deemed to
33 supersede, nullify, or modify the provisions of section 40 of the state
34 finance law prescribing when appropriations made for the 2009-2010
35 fiscal year shall have ceased to have force and effect. Funds appropri-
36 ated herein shall not be available for the payment of liabilities funded
37 by the American Recovery and Reinvestment Act of 2009 20,000,000
38 =====

39 NEW YORK STATE AGENCY FUND (CCP) 5,000,000
40 -----

41 Fiduciary Funds/Capital Projects
42 Highway Costs Improvement Accounts
43 Non-Federal Aided Highway Purpose

44 The sum of five million dollars (\$5,000,000), or so much thereof as
45 shall be sufficient to accomplish the purpose designated, is hereby
46 appropriated for contracts approved prior to April 1, 2010 for the
47 payment of transportation related capital projects liabilities incurred
48 by the department of transportation on behalf of entities other than
49 state departments or agencies pursuant to the highway law or transporta-
50 tion law incurred in the ordinary course of business from April 1
51 through May [16] 23, 2010 5,000,000
52 =====

1 S 9-a. Section 9-a of chapter 75 of the laws of 2010, relating to
 2 making appropriations for the support of government, is amended to read
 3 as follows:

4 S 9-a. The amount specified in this section, or so much thereof as
 5 shall be sufficient to accomplish the purpose designated, is hereby
 6 appropriated and authorized to be paid as hereinafter provided, to the
 7 public officers and for the purpose specified, which amount shall be
 8 available for the state fiscal year beginning April 1, 2010.

9

DEPARTMENT OF TRANSPORTATION

10 The sum of [five] TEN million dollars [(\$5,000,000)] (\$10,000,000), or
 11 so much thereof as shall be sufficient to accomplish the purpose desig-
 12 nated, is hereby appropriated for contracts approved prior to April 1,
 13 2010 for the payment by the state of the state share of transportation
 14 related capital projects liabilities including construction inspection,
 15 funded by the dedicated highway and bridge trust fund - non-federal
 16 aided highway purpose and preparation of plans purpose and/or the New
 17 York rebuild and renew New York transportation bond act of 2005 - high-
 18 way facilities purpose incurred in the ordinary course of business from
 19 April 1 through April [11] 18, 2010 only for the shares of projects that
 20 are eligible to be funded by bond proceeds, and only to the extent that
 21 bond proceeds are available, pursuant to existing state law and for
 22 purposes for which the legislature authorized the expenditures of money
 23 during the 2009-2010 fiscal year; provided, however, that nothing
 24 contained herein shall be deemed to limit or restrict the power or
 25 authority of state departments or agencies to conduct their activities
 26 or operations in accordance with existing law, and further provided that
 27 nothing contained herein shall be deemed to supersede, nullify, or modi-
 28 fy the provisions of section 40 of the state finance law prescribing
 29 when appropriations made for the 2009-2010 fiscal year shall have ceased
 30 to have force and effect [5,000,000] 10,000,000
 31 =====

32 S 10. The several amounts specified in this section, or so much there-
 33 of as shall be sufficient to accomplish the purposes designated, are
 34 hereby appropriated and authorized to be paid as hereinafter provided,
 35 to the respective public officers and for the several purposes speci-
 36 fied, which amounts shall be available for the state fiscal year begin-
 37 ning April 1, 2010.

38

DEPARTMENT OF HEALTH

39 MEDICAL ASSISTANCE PROGRAM 1,849,900,000
 40 -----

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

43 For the medical assistance program, exclu-
 44 sive of expenses incurred by local
 45 districts for administration of the
 46 medical assistance program and for medical
 47 care rates for authorized child care agen-
 48 cies.

1 The money hereby appropriated is to be
2 available for payment of aid heretofore
3 accrued to municipalities, and to provid-
4 ers of medical services pursuant to
5 section 367-b of the social services law,
6 and for payment of state aid to munici-
7 palities and to providers of family care
8 where payment systems through the fiscal
9 intermediaries are not operational, and
10 shall be available to the department net
11 of disallowances, refunds, reimbursements,
12 and credits.

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

18 Notwithstanding any inconsistent provision
19 of law, the moneys hereby appropriated may
20 be increased or decreased by interchange
21 with any appropriation of the department
22 of health medical assistance adminis-
23 tration program and/or medical assistance
24 program, and may be increased or decreased
25 by transfer or suballocation between these
26 appropriated amounts and appropriations of
27 the department of social services or its
28 successor agencies with the approval of
29 the director of the budget, who shall file
30 such approval with the department of audit
31 and control and copies thereof with the
32 chairman of the senate finance committee
33 and the chairman of the assembly ways and
34 means committee.

35 Notwithstanding any inconsistent provision
36 of law, the money hereby appropriated
37 shall not be used for any existing rates,
38 fees, fee schedules, or procedures which
39 may affect the cost of care and services
40 provided by personal care providers, case
41 managers, health maintenance organiza-
42 tions, out of state medical facilities
43 which provide care and services to resi-
44 dents of the state, providers of transpor-
45 tation services, that are altered,
46 amended, adjusted or otherwise changed by
47 a local social services district unless
48 previously approved by the department of
49 health and the director of the budget.

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

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

56 For services and expenses of the medical

1	assistance program including clinic	
2	services	14,000,000
3	For services and expenses of the medical	
4	assistance program including nursing home	
5	services	148,000,000
6	For services and expenses of the medical	
7	assistance program including other long	
8	term care services	111,000,000
9	For services and expenses of the medical	
10	assistance program including managed care	
11	services	124,000,000
12	For services and expenses of the medical	
13	assistance program including pharmacy	
14	services	65,000,000
15	For services and expenses of the medical	
16	assistance program including transporta-	
17	tion services	6,000,000
18	For services and expenses of the medical	
19	assistance program including dental	
20	services	3,000,000
21	For services and expenses of the medical	
22	assistance program including non-institu-	
23	tional and other spending	32,000,000
24		-----
25	Program account subtotal	600,000,000
26		-----

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

30 For services and expenses for the medical
31 assistance program, excluding administra-
32 tive expenses, pursuant to title XIX of
33 the federal social security act or its
34 successor program.
35 The moneys hereby appropriated are to be
36 available for payment of aid heretofore
37 accrued to municipalities, and to provid-
38 ers of medical services pursuant to
39 section 367-b of the social services law,
40 and for payment of state aid to munici-
41 palities and to providers of family care
42 where payment systems through the fiscal
43 intermediaries are not operational, and
44 shall be available to the department net
45 of disallowances, refunds, reimbursements,
46 and credits.

47	For services and expenses of the medical	
48	assistance program including hospital	
49	inpatient services	90,000,000
50	For services and expenses of the medical	
51	assistance program including hospital	
52	outpatient and emergency room services	15,000,000
53	For services and expenses of the medical	

1	assistance program including clinic	
2	services	15,000,000
3	For services and expenses of the medical	
4	assistance program including nursing home	
5	services	163,000,000
6	For services and expenses of the medical	
7	assistance program including other long	
8	term care services	123,000,000
9	For services and expenses of the medical	
10	assistance program including managed care	
11	services	137,000,000
12	For services and expenses of the medical	
13	assistance program including pharmacy	
14	services	72,000,000
15	For services and expenses of the medical	
16	assistance program including transporta-	
17	tion services	6,000,000
18	For services and expenses of the medical	
19	assistance program including dental	
20	services	4,000,000
21	For services and expenses of the medical	
22	assistance program including non-institu-	
23	tional and other spending	35,000,000
24		-----
25	Program account subtotal	660,000,000
26		-----

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

30	For services and expenses of the medical	
31	assistance program including hospital	
32	inpatient, hospital outpatient and emer-	
33	gency room, clinic, nursing home, other	
34	long term care, managed care, pharmacy,	
35	transportation, dental, non-institutional	
36	and other spending, medical services	
37	provided at state facilities operated by	
38	the office of mental health, the office of	
39	mental retardation and developmental disa-	
40	bilities and the office of alcoholism and	
41	substance abuse services and for any other	
42	medical assistance services resulting from	
43	an increase in the federal medical assist-	
44	ance percentage	190,000,000
45		-----
46	Program account subtotal	190,000,000
47		-----

48 Special Revenue Funds - Other / Aid to Localities
49 HCRA Resources Fund - 061
50 Medical Assistance Account

51 For the purpose of making payments, the
52 money hereby appropriated is available for

1 payment of aid heretofore accrued or here-
2 after accrued, to providers of medical
3 care pursuant to section 367-b of the
4 social services law, and for payment of
5 state aid to municipalities and the feder-
6 al government where payment systems
7 through fiscal intermediaries are not
8 operational, to reimburse such providers
9 for costs attributable to the provision of
10 care to patients eligible for medical
11 assistance.
12 For services and expenses related to the
13 medical assistance program 92,100,000
14 For services and expenses of the medical
15 assistance program related to the treat-
16 ment of breast and cervical cancer 2,100,000
17 For services and expenses of the medical
18 assistance program related to disabled
19 persons 23,500,000
20 For services and expenses of the medical
21 assistance program related to physician
22 services 85,200,000
23 For services and expenses of the medical
24 assistance program related to providing
25 distributions for supplemental medical
26 insurance for medicare part B premiums,
27 physician services, outpatient services,
28 medical equipment, supplies and other
29 health services 45,300,000
30 -----
31 Program account subtotal 248,200,000
32 -----

33 Special Revenue Funds - Other / Aid to Localities
34 HCRA Resources Fund - 061
35 Indigent Care Account

36 For the purpose of making payments to
37 providers of medical care pursuant to
38 section 367-b of the social services law,
39 and for payment of state aid to munici-
40 palities where payment systems through
41 fiscal intermediaries are not operational,
42 to reimburse such providers for costs
43 attributable to the provision of care to
44 patients eligible for medical assistance.
45 Payments from this appropriation to gener-
46 al hospitals related to bad debt and char-
47 ity care pursuant to article 28 of the
48 public health law respectively, when
49 combined with federal funds for services
50 and expenses for the medical assistance
51 program pursuant to title XIX of the
52 federal social security act or its succes-
53 sor program, shall equal the amount of the
54 funds received related to bad debt and

1 charity care allowances and surcharges
2 pursuant to article 28 of the public
3 health law and deposited to this account
4 less any such amounts withheld pursuant to
5 subdivision 21 of section 2807-c of the
6 public health law 97,700,000

7 -----
8 Program account subtotal 97,700,000
9 -----

10 Special Revenue Funds - Other / Aid to Localities
11 Miscellaneous Special Revenue Fund - 339
12 Medical Assistance Account

13 For the purpose of making payments to
14 providers of medical care pursuant to
15 section 367-b of the social services law,
16 and for payment of state aid to munici-
17 palities and the federal government where
18 payment systems through fiscal interme-
19 diaries are not operational, to reimburse
20 such providers for costs attributable to
21 the provision of care to patients eligible
22 for medical assistance.
23 For services and expenses of the medical
24 assistance program including nursing home,
25 personal care, certified home health agen-
26 cy and long term home health care program
27 and hospital services 54,000,000

28 -----
29 Program account subtotal 54,000,000
30 -----

31 S 11. The amount specified in this section, or so much thereof as
32 shall be sufficient to accomplish the purposes designated, is hereby
33 appropriated and authorized to be paid as hereinafter provided, to the
34 respective public officers and for the several purposes specified, which
35 amount shall be available for the state fiscal year beginning April 1,
36 2010.

37 DEPARTMENT OF LABOR

38 UNEMPLOYMENT INSURANCE BENEFIT PROGRAM 195,000,000
39 -----

40 Enterprise Funds / State Operations
41 Unemployment Insurance Benefit Fund - 481

42 For payment of unemployment insurance bene-
43 fits pursuant to article 18 of the labor
44 law or as authorized by the Federal
45 government through the disaster unemploy-
46 ment assistance program 195,000,000
47 -----

1 S 12. The several amounts specified in this section, or so much there-
2 of as shall be sufficient to accomplish the purposes designated, are
3 hereby appropriated and authorized to be paid as hereinafter provided,
4 to the respective public officers and for the several purposes speci-
5 fied, which amount shall be available for the state fiscal year begin-
6 ning April 1, 2010.

7 DEPARTMENT OF MENTAL HYGIENE
8 OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

9 COMMUNITY SERVICES PROGRAM 9,200,000
10 -----

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

13 For services and expenses related to the
14 provision of individual support services 2,000,000
15 For services and expenses related to the
16 provision of family support services to
17 the developmentally disabled 5,200,000
18 -----
19 Program account subtotal 7,200,000
20 -----

21 Special Revenue Funds - Other / Aid to Localities
22 Miscellaneous Special Revenue Fund - 339
23 Mental Hygiene Patient Income Account

24 For services and expenses related to the
25 provision of residential services to the
26 developmentally disabled 2,000,000
27 -----
28 Program account subtotal 2,000,000
29 -----

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

35 DIVISION OF VETERANS' AFFAIRS

36 BLIND VETERAN ANNUITY ASSISTANCE PROGRAM 500,000
37 -----

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

40 For payment of annuities to blind veterans
41 and eligible surviving spouses. Up to
42 \$15,000 of this appropriation may be
43 transferred to state operations for post-
44 age costs associated with this program 500,000
45 -----

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

8 S 15. All expenditures and disbursements made against the appropri-
9 ations in this act shall, upon final action by the legislature on appro-
10 priation bills submitted by the governor pursuant to article VII of the
11 state constitution for the support of government for the state fiscal
12 year beginning April 1, 2010, be transferred by the comptroller as
13 expenditures and disbursements to such appropriations for all state
14 departments, agencies, the legislature and the judiciary, as applicable,
15 in amounts equal to the amounts charged against the appropriations in
16 this act for each such department, agency, the legislature and the judi-
17 ciary.

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

27 S 17. This act shall take effect immediately and shall be deemed to
28 have been in full force and effect on and after April 1, 2010; provided,
29 however, that upon the transfer of expenditures and disbursements by the
30 comptroller as provided in section fifteen of this act, the appropri-
31 ations made by this act and subject to such section shall be deemed
32 repealed, provided, however, that the amendments made by section two of
33 this act shall apply to the payroll periods for which payment is made on
34 May 26, 2010.