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

S. 8019 A. 11313

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

June 1, 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; to amend chapter 75 of the laws of 2010, relating to making appropriations for the support of government; to amend chapter 80 of the laws of 2010, relating to making appropriations for the support of government; and to amend chapter 90 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 90 of the laws of 2010, is amended to read as follows:

S 2. The sum of [one] TWO billion [eight hundred eighteen] SEVENTY-TWO million [three] ONE hundred [six] FIFTY-ONE thousand dollars [($1,818,306,000)] ($2,072,151,000), or so much thereof as shall be sufficient to accomplish the purpose designated, is hereby appropriated

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

LBD12256-03-0

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 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 June [3] 9, 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 PROVIDED THAT, NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, THE EXPIRATION DATES OF THE EXEMPTION FROM LICENSURE REQUIREMENTS AS SET FORTH IN SECTION 9 OF CHAPTER 420 OF THE LAWS OF 2002 AND SECTION 17-A OF CHAPTER 676 OF THE LAWS OF 2002 ARE HEREBY EXTENDED UNTIL JUNE 9, 2010	[1,818,306,000]	2,072,151,000

S 2-a. Section 2-a of chapter 80 of the laws of 2010, relating to making appropriations for the support of government, is amended to read as follows:

S 2-a. 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 [purpose] SEVERAL PURPOSES specified, which [amount] AMOUNTS shall be available for the state fiscal year beginning April 1, 2010.

GENERAL STATE CHARGES

GENERAL STATE CHARGES	[48,400,000]	75,726,000

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
FOR THE STATE'S CONTRIBUTION TO EMPLOYEE BENEFIT FUND PROGRAMS 27,326,000

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

S 3. The sum of one hundred [sixty-six] EIGHTY-EIGHT million seven hundred [ninety] FIFTY-ONE thousand dollars [($166,790,000)] ($188,751,000), 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 June [3] 9, 2010, including liabilities incurred prior to April 1, 2010 .... [166,790,000] 188,751,000
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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 90 of the laws of 2010, is amended to read as follows:

S 4. The sum of one hundred [four] TWENTY-NINE thousand dollars [($104,000)] ($129,000), 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 .... [104,000] 129,000
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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 90 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 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.

THE JUDICIARY

For the payment of state operations nonpersonal service liabilities, the sum of [forty-five] FORTY-SEVEN million dollars [($45,000,000)] ($47,000,000), 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 31] JUNE 6, 2010 ..... [45,000,000] 47,000,000

The sum of four million dollars ($4,000,000), 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 special revenue funds - other / aid to localities, court facility incentive aid fund - 340 for services and expenses related to court cleaning and minor repairs, interest aid, appellate aid and judicial institute financing payments 4,000,000

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 90 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 31] JUNE 6, 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	
..... [145,000,000]	165,000,000

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 90 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 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) .....
..... [100,000,000] 110,000,000

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

The sum of [sixty] SEVENTY million dollars [($60,000,000)] ($70,000,000), 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 31] JUNE 6, 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 .....
..... [60,000,000] 70,000,000

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 transportation related 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 31] JUNE 6, 2010 for contracts approved during the period April 1 through [May 31] JUNE 6, 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

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

S 7. 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.

ALL STATE DEPARTMENTS AND AGENCIES

The sum of [twenty-five] THIRTY million dollars [($25,000,000)] ($30,000,000), 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-five] THIRTY million dollars [($25,000,000)] ($30,000,000) 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 31] JUNE 6, 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 ..... [25,000,000] 30,000,000

The sum of [fifteen] SEVENTY-FIVE million dollars [($15,000,000)] ($75,000,000), 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 [fifteen] SEVENTY-FIVE million dollars [($15,000,000)] ($75,000,000) shall be available for the payment of capital projects liabilities incurred during the period from April 1 through [April 11] MAY 2, 2010 for contracts approved prior to 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 ..... [15,000,000] 75,000,000

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

S 9. 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 TRANSPORTATION

FEDERAL AID HIGHWAYS FEDERAL PURPOSE 100,000,000

Federal Capital Projects Fund - 291
Federal Aid Highways Purpose

The sum of eighty million dollars ($80,000,000), 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 31] JUNE 6, 2010, for projects that do not contain any state funding shares, and from April 1 through [April 25] MAY 2, 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 80,000,000

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 31] JUNE 6, 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 31] JUNE 6, 2010, for projects that do not contain any state funding shares or for projects containing both state funding shares that are eligible to be funded by bond proceeds to the extent that such bond proceeds are available and federal shares funded by the American Recovery and Reinvestment Act of 2009, 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

NEW YORK STATE AGENCY FUND (CCP) 10,000,000

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

The sum of ten million dollars ($10,000,000), or so much thereof as shall be sufficient to accomplish the purpose designated, is hereby appropriated for contracts approved prior to, on or after 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 31] JUNE 6, 2010 10,000,000

S 9-a. Section 9-a of chapter 75 of the laws of 2010, relating to making appropriations for the support of government, as amended by chapter 90 of the laws of 2010, is amended to read as follows:

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 [fifteen] TWENTY million dollars [($15,000,000)] ($20,000,000), 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 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 25] MAY 2, 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 ..... [15,000,000] 20,000,000
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S 9-b. Section 9-b of chapter 90 of the laws of 2010, relating to making appropriations for the support of government, is amended to read as follows:

S 9-b. 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 one million dollars ($1,000,000), 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, 2010 through [May 31] JUNE 6, 2010, for the payment by the state of the state share of transportation related capital projects liabilities incurred in the ordinary course of business from April 1, 2010 through [May 31] JUNE 6, 2010, 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 rebuild and renew New York transportation bond act of 2005 - highway facilities purpose, only for the shares of projects that are eligible to be funded by bond proceeds, only to the extent that bond proceeds are available, and only for capital projects that contain funding shares from the American Recovery and Reinvestment Act of 2009, 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 1,000,000
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S 9-c. 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 TRANSPORTATION

MASS TRANSPORTATION OPERATING ASSISTANCE PROGRAM 55,471,000

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 39,668,000

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 7,313,000

To the city of New York for the operating expenses of the Staten Island ferry 693,000

To the county of Westchester for the operating expenses thereof incurred for public transportation services, provided within the county directly or under contract 701,000

To the county of Nassau or its sub-grantees for the operating expenses thereof incurred for public transportation services 635,000

To the county of Suffolk for operating expenses thereof incurred for public transportation services, provided within the county directly or under contract 231,000

To the city of New York for the operating expenses thereof incurred for public transportation services, provided within the city directly or under contract 1,692,000

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 507,000

Program account subtotal 51,440,000

Special Revenue Funds - Other / Aid to Localities
Mass Transportation Operating Assistance Fund - 313
Public Transportation Systems 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 Capital District transportation authority for the operating expenses thereof 480,000
To the Central New York regional transportation authority for the operating expenses thereof 795,000
To the Rochester-Genesee regional transportation authority for the operating expenses thereof 931,000
To the Niagara Frontier transportation authority for the operating expenses thereof 1,026,000
To all other public transportation bus systems serving areas 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 the service and usage formula to be established by the commissioner of transportation with the approval of the director of the budget 799,000

Program account subtotal 4,031,000

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

CENTER FOR COMMUNITY HEALTH PROGRAM 10,000,000

Special Revenue Funds - Federal / Aid to Localities
Federal USDA-Food and Nutrition Services Fund - 261
Federal Food and Nutrition Services Account

For various federal food and nutritional services. The moneys hereby appropriated shall be available for contracts approved prior to, on, or after April 1, 2010, and for the payment of financial assistance heretofore accrued or hereafter to accrue ... 10,000,000

MEDICAL ASSISTANCE PROGRAM 2,350,000,000

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

For services and expenses of the medical assistance program including 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 400,000,000

Program account subtotal 1,000,000,000

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
For services and expenses of the medical assistance program including 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 500,000,000

Program account subtotal 1,160,000,000

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

WATER RESOURCES (CCP) 8,300,000

Federal Capital Projects Fund
Water Resources Purpose

For federal grants for the safe drinking water revolving fund funded by the American recovery and reinvestment act of 2009. Funds appropriated herein shall be available for contracts approved prior to, on, or after April 1, 2010, and for the payment of liabilities heretofore accrued or hereafter to accrue. Funds appropriated herein shall be subject to all applicable reporting and accountability requirements contained in such act (12FS0957) 8,300,000

S 11. 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 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

EMPLOYMENT AND TRAINING PROGRAM 5,000,000

Special Revenue Funds - Federal / Aid to Localities
Federal Workforce Investment Act Fund - 486
Federal Emergency Employment Act Account

For the administration and operation of employment and training programs as funded by grants under the workforce investment act, public law 105-220, including grants to other governmental units, community-based organizations, non-profit and for profit organizations, and suballocations to state departments and agencies, and a portion may be transferred to state operation, according to the following:
For services and expenses of adult, youth and dislocated worker employment and training local workforce investment area programs and statewide rapid response activities 5,000,000

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 ENVIRONMENTAL CONSERVATION

Federal Capital Projects Fund
Water Resources Purpose

The sum of five million six thousand dollars ($5,006,000), 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 five million six thousand dollars ($5,006,000) shall be available for the payment by the state of federal capitalization grants for the water pollution control revolving fund, as

funded by the American Recovery and Reinvestment Act of 2009 incurred in the ordinary course of business during the period from April 1 through June 6, 2010 for contracts approved during the period from April 1 through June 6, 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 5,006,000

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S 13. 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 14. 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 15. Section 17 of chapter 80 of the laws of 2010, relating to making appropriations for the support of government, is amended to read as follows:

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, provided, however, that the amendments made by section two of this act shall apply to the payroll periods for which payment is made on May 26, 2010, PROVIDED, FURTHER THAT THE AMENDMENTS MADE BY SECTION TWO OF THIS ACT SHALL ALSO APPLY TO THE GENERAL SALARY INCREASE OF FOUR PERCENT SCHEDULED TO BE IMPLEMENTED IN 2010, FOR PAYROLL PERIODS FOR WHICH PAYMENT WAS MADE PRIOR TO MAY 26, 2010.

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 fourteen of this act, the appropriations made by this act and subject to such section shall be deemed repealed.