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

S. 8167 A. 11437

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

June 14, 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 90 of the laws of 2010, relating to making appropriations for the support of government; and to amend chapter 108 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 108 of the laws of 2010, is amended to read as follows:

S 2. The sum of two billion [two hundred thirty-six] NINETY-SIX million eight hundred twenty-one thousand dollars [($2,236,821,000)] ($2,096,821,000) 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

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

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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 [17] 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 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 17, 2010] MARCH 31, 2011 .... [2,236,821,000] 2,096,821,000

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

S 3. The sum of two hundred four million eight hundred sixty-two thousand dollars ($204,862,000), 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 [17] 20, 2010, including liabilities incurred prior to April 1, 2010 204,862,000

S 4. Section 6 of chapter 46 of the laws of 2010, relating to making appropriations for the support of government, as amended by chapter 108 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-nine] FIFTY-ONE million dollars [($49,000,000)] ($51,000,000), 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 June [13] 20, 2010 ..... [49,000,000] 51,000,000

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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

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S 5. Section 5 of chapter 20 of the laws of 2010, relating to making appropriations for the support of government, as amended by chapter 108 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 June [13] 20, 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 ..... [195,000,000] 225,000,000

S 5-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.

ALL STATE DEPARTMENTS AND AGENCIES

For the payment of state operations liabilities from federal special revenue funds for state operations pursuant to existing state law and for purposes which the legislature authorized the expenditure of moneys during the 2009-10 fiscal year, including contracts approved prior to, on, and after April 1, 2010 for liabilities incurred in the ordinary course of business during the period July 1, 2010 through 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 200,000,000

S 6. Section 6 of chapter 20 of the laws of 2010, relating to making appropriations for the support of government, as amended by chapter 108 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) .... [110,000,000] 115,000,000

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

The sum of [seventy] SEVENTY-FIVE million dollars [($70,000,000)] ($75,000,000), 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 June [13] 20, 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 ..... [70,000,000] 75,000,000
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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 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 June [13] 20, 2010 for contracts approved during the period April 1 through June [13] 20, 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 7. Section 7 of chapter 20 of the laws of 2010, relating to making appropriations for the support of government, as amended by chapter 108 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 thirty million dollars ($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 thirty million dollars ($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 June [13] 20, 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 30,000,000
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The sum of two hundred million dollars ($200,000,000), 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 two hundred million dollars ($200,000,000) shall be available for the payment of ALL FACETS OF capital projects liabilities incurred ON AND after April 1, 2010 for contracts ORIGINALLY 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 200,000,000
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S 8. Section 9 of chapter 47 of the laws of 2010, relating to making appropriations for the support of government, as amended by chapter 108 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] 135,000,000

Federal Capital Projects Fund - 291
Federal Aid Highways Purpose

The sum of [eighty] ONE HUNDRED FIFTEEN million dollars [($80,000,000)] ($115,000,000), 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 June [13] 20, 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 not be available for the payment of liabilities funded by the American Recovery and Reinvestment Act of 2009 ..... [80,000,000] 115,000,000

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 June [13] 20, 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 June [13] 20, 2010, for projects that do not contain any state funding shares UNLESS SUCH STATE SHARES ARE FUNDED BY THE CONSOLIDATED LOCAL STREET AND HIGHWAY IMPROVEMENT PROGRAM AND/OR THE MUNICIPAL STREETS AND HIGHWAY PROGRAM, 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 June [13] 20, 2010 10,000,000

S 8-a. Section 9-b of chapter 90 of the laws of 2010, relating to making appropriations for the support of government, as amended by chapter 108 of the laws of 2010, 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 June [13] 20, 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 June [13] 20, 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. The several amounts specified in this section, or so much thereof as shall be sufficient to accomplish the several 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 FUND PROGRAM 136,571,500

Special Revenue Funds - Other / Aid to Localities
Mass Transportation Operating Assistance Fund - 313
Metropolitan Mass Transportation Operating Assistance Account

Notwithstanding any inconsistent provision of law, the following appropriations are for payment of mass transportation operat-

ing assistance provided that payments from this appropriation shall be made pursuant to a financial plan approved by the director of the budget.

To the metropolitan transportation authority for the operating expenses of the New York city transit authority, the Manhattan and Bronx surface transit operating authority, and the Staten Island rapid transit operating authority 50,000,000

To the metropolitan transportation authority for the operating expenses of the Long Island rail road company and the Metro-North commuter railroad company which includes the New York state portion of Harlem, Hudson, Port Jervis, Pascack, and the New Haven commuter railroad services regardless of whether the services are provided directly or pursuant to joint service agreements 50,000,000

To Rockland county for a trans-Hudson bus service to be provided pursuant to a contract between Rockland county and Metro-North commuter railroad 322,500

To the city of New York for the operating expenses of the Staten Island ferry notwithstanding any other provisions of law 2,797,500

To the county of Westchester for the operating expenses thereof incurred for public transportation services, provided within the county directly or under contract 4,927,500

To the county of Nassau or its sub-grantees for the operating expenses thereof incurred for public transportation services 5,529,500

To the county of Suffolk for operating expenses thereof incurred for public transportation services, provided within the county directly or under contract 2,368,000

To the city of New York for the operating expenses thereof incurred for public transportation services, provided within the city directly or under contract; provided however, that $2,000,000 of this appropriation shall be for expenses incurred for the Staten Island express bus service 7,556,000

To all other public transportation systems serving primarily within the metropolitan commuter transportation district, as defined in section 1262 of the public authorities law, eligible to receive operating assistance under the provisions of section 18-b of the transportation law for the operating expenses thereof in accord-

ance with a service and usage formula to be established by the commissioner of transportation with the approval of the director of the budget 2,794,000

Program account subtotal 126,295,000

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 payment of mass transportation operating assistance provided that payments from this appropriation shall be made pursuant to a financial plan approved by the director of the budget.

To the Capital District transportation authority for the operating expenses thereof 1,511,000

To the Central New York regional transportation authority for the operating expenses thereof 1,457,500

To the Rochester-Genesee regional transportation authority for the operating expenses thereof 1,652,500

To the Niagara Frontier transportation authority for the operating expenses thereof 2,964,000

To all other public transportation bus systems serving primarily 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 2,691,500

Program account subtotal 10,276,500

S 9-a. The several amounts specified in this section, or so much thereof as shall be sufficient to accomplish the several 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 amounts shall be available for the state fiscal year beginning April 1, 2010.

DEPARTMENT OF TRANSPORTATION

MASS TRANSPORTATION AND RAIL FREIGHT (CCP)

Special Revenue Funds - Other
Dedicated Mass Transportation Trust Fund - 073

Non-MTA Capital Purpose

For the payment of operating expenses for public transportation systems eligible to receive operating assistance under the provisions of section 18-b of the transportation law in accordance with the schedule below (17020929) 3,685,000

SCHEDULE

To the Capital District transportation authority for the operating expenses thereof	760,000
To the Central New York regional transportation authority for the operating expenses thereof	668,000
To the Rochester-Genesee regional transportation authority for the operating expenses thereof	732,500
To the Niagara Frontier Regional Transportation Authority for the operating expenses thereof	946,500
To all other public transportation bus systems serving primarily areas outside of the metropolitan transportation commuter 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	578,000
Total of schedule	3,685,000

S 10. The several amounts specified in this section, or so much thereof as shall be sufficient to accomplish the several 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 10,840,000

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

For services and expenses related to the Indian health program. The moneys hereby appropriated shall be available for reimbursement to pharmacies participating in such program prior to, on or after April 1, for liabilities heretofore accrued or hereafter to accrue 840,000

Program account subtotal 840,000

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

Program account subtotal 10,000,000

OFFICE OF LONG TERM CARE 750,000

General Fund / Aid to Localities
Local Assistance Account - 001

For services and expenses related to traumatic brain injury including but not limited to services rendered to individuals enrolled in the federally approved home and community based services (HCBS) waiver and including personal and nonpersonal services spending originally authorized by appropriations and reappropriations enacted prior to 1996. All or part of this appropriation may be transferred to state operations appropriations. 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 750,000

Program account subtotal 750,000

S 11. 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 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 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.

EDUCATION DEPARTMENT

CULTURAL EDUCATION PROGRAM 1,800,000

Special Revenue Funds - Federal / State Operations
Federal Operating Grants Fund - 290

The sum of one hundred thousand dollars ($100,000), or so much thereof as shall be sufficient to accomplish the purpose designated, is hereby appropriated to the state education department out of any moneys in the special revenue funds - federal to the credit of the federal operating grants fund not otherwise appropriated. The comptroller is hereby authorized and directed to utilize this appropriation for the purpose of the administration of federal grants for the broadband technology opportunities program (BTOP) as funded by the American recovery and reinvestment act of 2009. Funds appropriated herein shall be subject to all applicable reporting and accountability requirements contained in such act.

NONPERSONAL SERVICE

Equipment 100,000

Amount available for nonpersonal service 100,000

Special Revenue Funds - Federal / Aid to Localities
Federal Operating Grants Fund - 290

The sum of one million seven hundred thousand dollars ($1,700,000), or so much thereof as shall be sufficient to accomplish the purpose designated, is hereby appropriated to the state education department out of any moneys in the special revenue funds - federal to the credit of the federal operating grants fund not otherwise appropriated. The comptroller is hereby authorized and directed to utilize this appropriation for the purpose of the administration of federal grants for the broadband technology opportunities program (BTOP) as funded by the American recovery and reinvestment act of 2009. Funds appropriated herein shall be subject to all applicable reporting and accountability requirements contained in such act 1,700,000
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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 purposes specified, which amount shall be available for the state fiscal year beginning April 1, 2010.

DIVISION OF VETERANS' AFFAIRS

BLIND, VETERAN ANNUITY ASSISTANCE PROGRAM 500,000

General Fund / Aid to Localities
Local Assistance Account - 001

For payment of annuities to blind veterans and eligible surviving spouses. Up to $15,000 of this appropriation may be transferred to state operations for postage costs associated with this program 500,000

S 14. Section 14 of chapter 108 of the laws of 2010, relating to making appropriations for the support of government, is amended to read as follows:

S 14. 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 MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

COMMUNITY SERVICES PROGRAM 34,200,000

General Fund / Aid to Localities
Local Assistance Account - 001

For services and expenses related to the provision of individual support services 2,000,000
For services and expenses related to the provision of family support AND OTHER services to the developmentally disabled 5,200,000
Program account subtotal 7,200,000

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

For services and expenses related to the provision of [residential] services to the developmentally disabled 2,000,000
Program account subtotal 2,000,000

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

For services and expenses related to mental retardation and developmental disabilities services associated with the New York state options for people through services (NYS-OPTS) initiative, in accordance with a programmatic and fiscal plan to be approved by the director of the budget.
Notwithstanding any provision of law to the contrary, the director of the budget is authorized to make suballocations from this appropriation to the department of health medical assistance program.
Notwithstanding any other provision of law, the money hereby appropriated may be transferred to state operations and/or any appropriation of the office of mental retardation and developmental disabilities, with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.
Notwithstanding any provision of law to the contrary, the moneys hereby appropriated, or so much thereof as may be necessary, are to be available for the purposes herein specified for obligations heretofore accrued or hereafter to accrue 25,000,000

Program account subtotal 25,000,000

S 15. 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 FAMILY ASSISTANCE
OFFICE OF CHILDREN AND FAMILY SERVICES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

FAMILY AND CHILDREN'S SERVICES PROGRAM 968,754,900

General Fund / Aid to Localities
Local Assistance Account - 001

Notwithstanding paragraph (a) of subdivision 1 of section 153-k of the social services law and any other provision of law to the contrary, for state fiscal year 2010-2011, the amount appropriated herein shall be made available to reimburse 95.4 percent of 65 percent of eligible social services district expenditures that are claimed by March 31, 2011 for child welfare services which shall include and be limited to preventive services provided pursuant to section 409-a of the social services law other than community optional preventive services, child protective services, independent living services, after-care services as defined in regulations of the department of family assistance, and adoption administration and services, other than adoption subsidies provided pursuant to title 9 of article 6 of the social services law and regulations of the department of family assistance incurred on or after October 1, 2009 and before October 1, 2010 and that are otherwise reimbursable by the state on or after April 1, 2010, after first deducting therefrom any federal funds properly received or to be received on account thereof upon certification by the social services district that it will not be using these funds to supplant other state and local funds and that the district will not submit claims for reimbursement under this appropriation for the same type and level of services that the county previously

provided and claimed under any contract in existence on October 1, 2002 as other than child protective, preventive, independent living, after care or adoption services or adoption administration.

The money hereby appropriated is to be available for payment of state aid heretofore accrued or hereafter to accrue to municipalities. Subject to the approval of the director of the budget, the money hereby appropriated shall be available to the office net of disallowances, refunds, reimbursements, and credits; provided, however, that notwithstanding any other provision of law, for a district to receive reimbursement for such services, the amount of funds that the district expends on such services from its flexible fund for family services allocation and any flexible fund for family services funds transferred at the district's request to the title XX social services block grant must, to the extent that families are eligible therefore, be equal to or greater than the district's portion of the $342,322,341 statewide child welfare threshold amount, which shall be established pursuant to a formula developed by the office of temporary and disability assistance and the office of children and family services and approved by the director of the budget.

Notwithstanding any other provision of law, selected social services districts may authorize the office of temporary and disability assistance to intercept a portion of the funds on behalf of the office of children and family services otherwise due to the districts under this appropriation and/or under any other general fund - aid to localities appropriation available to such districts to suballocate to the office of mental health and subsequently for suballocation from the office of mental health to the department of health to use for the 38.9 percent of the non-federal share of the medical assistance payments for home and community based waiver services provided in accordance with subdivision 9 of section 366 of the social services law as authorized by such selected social services districts which choose to use preventive services funds to support such costs.

Notwithstanding any other provision of law, social services districts may authorize

the office of temporary and disability assistance to intercept a portion of the funds on behalf of the office of children and family services otherwise due to the districts under this appropriation and/or under any other general fund - aid to localities appropriation available to such districts to transfer to any miscellaneous special revenue fund available to the office of children and family services to use for the local share of the federal funds available for education and training vouchers provided in accordance with section 477 of title IV-E of the social security act as authorized by such social services districts which choose to use funds to support such costs.

Notwithstanding any inconsistent provision of law, the amount herein appropriated may be transferred to any other appropriation within the office of children and family services and/or the office of temporary and disability assistance and/or suballocated to the office of temporary and disability assistance for the purpose of paying local social services districts' costs of the above program and may be increased or decreased by interchange with any other appropriation or with any other item or items within the amounts appropriated within the office of children and family services general fund - local assistance account with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

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

and prompt payment of providers under section 367-b of the social services law pursuant to an estimate provided by the commissioner of health of each local social services district's share of payments made pursuant to section 367-b of the social services law.

Notwithstanding the provisions of any other law to the contrary, the office of children and family services may, on behalf of local social services districts, make payments for adoption subsidies by direct deposit or debit card. Local social services districts shall reimburse the office for the costs of administering such direct deposit or debit card payments.

Notwithstanding any inconsistent provision of the social services law or the state finance law, the office of children and family services shall, on a quarterly basis, request that the office of temporary and disability assistance reimburse the office of children and family services in an amount equal to 38 percent of the non-federal share of the costs of administering such direct deposit or debit card payments to capture the local share of such costs.

Notwithstanding any other provision of law, the office of children and family services shall reissue per diem rates, required pursuant to section 529 of the executive law, for calendar years 2002 through 2009 to remove any adjustments to the costs included in determining such rates to reflect any changes in federal funding made available to the office or to local social services districts for such costs and, provided further, the office shall not include any such adjustments in per diem rates established hereafter.

All reimbursement made by local social services districts for care, maintenance and supervision under this section shall be paid directly to the state through the office of children and family services for deposit into a miscellaneous special revenue fund known as the youth facility per diem account.

Notwithstanding any other provision of law, if a social services district fails to provide reimbursement to the office of children and family services pursuant to section 529 of the executive law within 60 days of receiving a bill for services under such section, or by the date certain

set by such office for providing reimbursement, whichever is later, the offices of the department of family assistance are authorized to exercise the state's set-off rights by withholding any amounts due and owing to such district under this appropriation, up to such amounts due and owing to the state under section 529 of the executive law and transferring such funds to the special revenue other youth facilities per diem account.

Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, upon request of the director of the budget, on or before March 31, 2011, up to $69,000,000 from the miscellaneous special revenue fund (339), youth facility per diem account (YF), to the general fund 669,517,000

Notwithstanding any other provision of law, the amount appropriated herein shall be available to reimburse for 98 percent of 65 percent of eligible social services district expenditures that are claimed by March 31, 2011 for those community preventive services provided from October 1, 2009 through September 30, 2010 at a cost that does not exceed the cost that was in effect on October 1, 2008 and that a social services district can demonstrate had been approved by the office of children and family services on or before October 1, 2008; provided, however, that should insufficient funds be available to provide state reimbursement for 98 percent of 65 percent of such costs, reimbursement shall be made proportionally to each district based on the percentage of their total eligible claims to the amount appropriated; and, provided further, however, that if the amount appropriated exceeds the amount of funds necessary to reimburse 98 percent of 65 percent of the eligible social services district expenditures, the office may, to the extent funds are available, provide reimbursement for 98 percent of 65 percent of eligible social services district expenditures for new community preventive services programs approved by the office and only up to the amounts approved by the office. A local social services district seeking federal and/or state reimbursement for community preventive services provided on or after October

1, 2009 must submit claims that separately identify the costs of such services in a form and manner and at such times as are required by the department of family assistance and must submit to the office of children and family services information regarding the outcomes of such services in a form and manner and at such times as required by the office 24,249,500

For state aid to reimburse 100 percent of social services district expenditures related to the improvement of staff to client ratios in the local district child protective workforce including, but not limited to new hiring to increase the number of caseworkers and to increase the number of supervisory staff in the local district child protective workforce. Each social services district receiving these funds shall certify that the district will not be using these funds to supplant other state and local funds and that the district will not submit claims for reimbursement under this appropriation for the same type and level of funding so certified; provided, however, that a district may use these funds for expenditures to continue or expand activities that were funded with last year's appropriation that was enacted for this purpose 1,514,400

Notwithstanding any inconsistent provision of law, subject to an expenditure plan approved by the director of the budget, for eligible services and expenses of improving the quality of child welfare services that may include, but not be limited to, training to mandated reporters regarding the proper identification of and response to signs of child abuse and neglect, public information programs and services that advance a zero tolerance campaign of child abuse and neglect, and demonstration projects to test models for new or targeted expansion of services beyond the level currently funded by local social services districts including continuing to contract with existing providers that are performing satisfactorily 1,796,400

For services and expenses of certain child fatality review teams approved by the office of children and family services for the purposes of investigating and/or reviewing the death of children 829,100

For services and expenses of certain local or regional multidisciplinary child abuse investigation teams approved by the office of children and family services for the purpose of investigating reports of suspected child abuse or maltreatment and for new and established child advocacy centers 5,229,900

Notwithstanding any other provision of law, for services and expenses to initiate and/or continue program modifications and/or to provide services including, but not limited to, demonstrate effective programs such as evidence-based initiatives for alternatives to detention for persons alleged or determined to be in need of supervision or otherwise at risk of placement in the juvenile justice system and for services and expenses related to reducing office of children and family services institutional placements through program modifications and/or services including, but not limited to, mental health and substance abuse programs, demonstrated effective programs such as evidence-based initiatives to divert youth at-risk of placement with the office of children and family services and/or as alternatives to residential placements with such office. Notwithstanding any other provision of law to the contrary, the office may authorize one or more demonstration projects to co-locate respite beds for youth alleged or at risk of juvenile delinquency in a runaway and homeless youth program 2,215,000

Of the amount appropriated herein, $21,245,350 shall be available as follows:

For services and expenses related to locally operated youth development and delinquency prevention programs. No expenditure shall be made from this appropriation until a plan has been approved by the director of the budget and a certificate of approval allocating these funds has been issued by the director of the budget.

Notwithstanding the provisions of section 420 of the executive law which would require expenditure of state aid for youth programs in a total amount greater than $21,245,350, for payment of state aid for programs pursuant to article 19-A of the executive law, for delinquency prevention and youth development. Notwithstanding the provisions of section 420 of the executive law, eligibility for state aid reimburse-

ment for counties which do not participate in the county comprehensive planning process shall be determined as follows: the aggregate amount of state aid for recreation, youth service and similar projects to a county and municipalities within such county shall not exceed $2,750 of which no more than $1,450 may be used for recreation projects, per 1,000 youths residing in the county based on a single count of such youths as shown by the last published federal census for the county certified in the same manner as provided by section 54 of the state finance law. The office shall not reimburse any claims unless they are submitted within 12 months of the project year in which the expenditure was made. Notwithstanding any law to the contrary, the office of children and family services may require that such claims for youth development and delinquency prevention programs be submitted to the office electronically in the manner and format required by the office.

Of the amount appropriated herein $6,998,050 shall be available as follows:

For services and expenses related to programs providing special delinquency prevention or other youth development services. No expenditure shall be made for such programs from this appropriation until a plan has been approved by the director of the budget and a certificate of approval allocating these funds has been issued by the director of the budget. The office shall not reimburse any claims unless they are submitted within 7 months of the project year in which the expenditure was made. Notwithstanding any law to the contrary, the office of children and family services may require that such claims for special delinquency prevention or other youth development services be submitted to the office electronically in the manner and format required by the office.

For direct contracts with private not-for-profit community agencies to provide needed services for the operation of programs to prevent juvenile delinquency and promote youth development, and through an allocation to public agencies where it is documented that private not-for-profit community agencies are not available to provide such services. Moneys shall be made available to community agencies in

counties outside the city of New York based on a statewide allocation formula determined by each county's eligibility for comprehensive planning funds as a proportion of the statewide total provided under paragraph a of subdivision 1 of section 420 of the executive law. Moneys made available to community agencies shall be allocated by local youth bureaus subject to final funding determinations by the commissioner of children and family services and approved by the director of the budget.

For direct contract with private not-for-profit community agencies to provide needed services for the operation of programs to prevent juvenile delinquency and promote youth development, and through an allocation to public agencies where it is documented that private not-for-profit agencies are not available to provide such services.

Notwithstanding any inconsistent provision of law, moneys shall be made available to community agencies in cities with populations greater than 275,000 and to community agencies statewide 28,243,400

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

with the state comptroller, the chairperson of the senate finance committee and the chairperson of the assembly ways and means committee 4,711,600

For services and expenses provided by local probation departments, for the post-placement care of youth leaving a youth residential facility and for services and expenses of the office of children and family services related to community-based programs for youth in the care of the office of children and family services which may include but not be limited to multi-systemic therapy, family functional therapy and/or functional therapeutic foster care, and electronic monitoring. Funds appropriated herein shall be made available subject to the approval of an expenditure plan by the director of the budget 623,400

For services and expenses of kinship care programs. Such funds are available pursuant to a plan prepared by the office of children and family services and approved by the director of the budget to continue or expand existing programs with existing contractors that are satisfactorily performing as determined by the office of children and family services, to award new contracts to continue programs where the existing contractors are not satisfactorily performing as determined by the office of children and family services and/or award new contracts through a competitive process 677,500

For services and expenses related to the home visiting program. Such funds are to be available pursuant to a plan prepared by the office of children and family services and approved by the director of the budget to continue or expand existing programs with existing contractors that are satisfactorily performing as determined by the office of children and family services, to award new contracts to continue programs where the existing contractors are not satisfactorily performing as determined by the office of children and family services and/or to award new contracts through a competitive process 23,288,200

For services and expenses of the William B. Hoyt memorial children and family trust fund, for prevention and support service programs for victims of family violence pursuant to article 10-A of the social

services law. Funds appropriated herein may be transferred to the office of children and family services miscellaneous special revenue fund, children and family trust fund 1,243,700

For services and expenses of the Catholic Family Center in Rochester to establish and operate a statewide kinship information and referral network 220,500

For services and expenses of the advantage after school program. Such funds are to be available pursuant to a plan prepared by the office of children and family services and approved by the director of the budget to extend or expand current contracts with community based organizations, to award new contracts to continue programs where the existing contractors are not satisfactorily performing as determined by the office of children and family services and/or to award new contracts through a competitive process to community based organizations 11,433,300

For services and expenses related to the settlement house program 900,000

Notwithstanding sections 131-u and 459-c of the social services law or any other law to the contrary, for reimbursement of 98 percent of 50 percent of eligible expenditures to local social services districts for the provision and administration of, after first deducting therefrom any federal funds properly received or to be received on account thereof: adult protective services; residential services for victims of domestic violence who are determined to be ineligible for public assistance during the time the victims were residing in residential programs for victims of domestic violence; and nonresidential services for victims of domestic violence.

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

Notwithstanding any inconsistent provision of law, the amount herein appropriated may be transferred to any other appropriation within the office of children and family services and/or the office of temporary and disability assistance and/or suballo-

cated to the office of temporary and disability assistance for the purpose of paying local social services districts' costs of the above program and may be increased or decreased by interchange with any other appropriation or with any other item or items within the amounts appropriated within the office of children and family services general fund - local assistance account with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

Notwithstanding any inconsistent provision of law, in lieu of payments authorized by the social services law, or payments of federal funds otherwise due to the local social services districts for programs provided under the federal social security act or the federal food stamp act, funds herein appropriated, in amounts certified by the state commissioner or the state commissioner of health as due from local social services districts each month as their share of payments made pursuant to section 367-b of the social services law may be set aside by the state comptroller in an interest-bearing account with such interest accruing to the credit of the locality in order to ensure the orderly and prompt payment of providers under section 367-b of the social services law pursuant to an estimate provided by the commissioner of health of each local social services district's share of payments made pursuant to section 367-b of the social services law 42,062,000

Program account subtotal 818,754,900

Special Revenue Funds - Federal / Aid to Localities
Federal Health and Human Services Fund - 265
Social Services Block Grant Account

For services and expenses for supportive social services provided pursuant to title XX of the federal social security act. Notwithstanding any other provision of law, the moneys hereby appropriated shall be apportioned by the office of children and family services to local social services districts, to reimburse local

district expenditures for supportive services and training subject to the approval of the director of the budget; provided, however, that reimbursement to social services districts for eligible expenditures for services incurred during a particular federal fiscal year will be limited to expenditures claimed by March 31 of the following year.

Notwithstanding any other provision of law, of the funds available herein, including any funds transferred from the temporary assistance to needy families block grant to the title XX block grant, $66,000,000 shall be allocated to social services districts, solely for reimbursement of expenditures for the provision and administration of adult protective services, residential services for victims of domestic violence who are determined to be ineligible for public assistance during the time the victims were residing in residential programs for victims of domestic violence, and nonresidential services for victims of domestic violence, pursuant to an allocation plan developed by the office and submitted for approval by the division of the budget no later than 60 days following enactment of this chapter, based on each district's claims for such costs and any other factors as identified in the allocation plan, adjusted by applicable cost allocation methodology and net of any retroactive payments for the 12 month period ending June 30, 2009 that are submitted on or before January 4, 2010; provided, however, that if the office determines that the total amount of a social services district's claims for such services which could be reimbursed from these funds is less than the amount allocated to the district for such claims, the office may, subject to approval by the director of the budget, authorize the district to use these funds for other allowable claims; provided further, however, that if the total amount of a social services district's allowable claims is less than the amount allocated to the district for such claims, the office may reallocate the unused funds to other social services districts with eligible claims that exceed their allocation.

Funds appropriated herein shall be available for aid to municipalities and for payments to the federal government for expenditures

made pursuant to the social services law and the state plan for individual and family grant program under the disaster relief act of 1974.

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

Notwithstanding any inconsistent provision of law, the amount herein appropriated may be transferred to any other appropriation within the office of children and family services and/or the office of temporary and disability assistance and/or suballocated to the office of temporary and disability assistance for the purpose of paying local social services districts' costs of the above program and may be increased or decreased by interchange with any other appropriation or with any other item or items within the amounts appropriated within the office of children and family services general fund - local assistance account with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

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

payments made pursuant to section 367-b of the social services law 150,000,000
Program account subtotal 150,000,000

S 16. 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 FAMILY ASSISTANCE
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

EMPLOYMENT AND ECONOMIC SUPPORT PROGRAM 3,204,634,000

General Fund / Aid to Localities
Local Assistance Account - 001

For state reimbursement of social services district expenditures for public assistance programs, including but not limited to the family assistance, safety net and disability assistance programs established pursuant to chapter 436 of the laws of 1997 enacting comprehensive welfare reform and of its predecessor programs and for related expenditures authorized by social services law including but not necessarily limited to those for emergency assistance for families and for state reimbursement of expenditures of predecessor programs.
Such funds are to be available for payment of aid heretofore accrued or hereafter to accrue to municipalities. Subject to the approval of the director of the budget, such funds shall be available to the office of temporary and disability assistance, net of disallowances, refunds, reimbursements, and credits, including those related to title IV-E of the social security act and to the state share of child support collections for persons in receipt of public assistance; and including, but not limited to, additional federal funds resulting from any changes in federal cost allocation methodologies.
Notwithstanding any inconsistent provision of law, the amount herein appropriated may be increased or decreased by interchange with any other appropriation within the

office of temporary and disability assistance general fund - local assistance account with the approval of the director of the budget, who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

Notwithstanding any inconsistent provision of law, funds appropriated herein shall be used by the office to reimburse 50 percent of the non-federal share of approved expenditures made by social services districts on or after April 1, 1996, after first deducting therefrom any federal funds received or to be received on account thereof, for emergency shelter, transportation, or nutrition payments which the district determines are necessary to establish or maintain independent living arrangements among persons who have been medically diagnosed as having acquired immunodeficiency syndrome (AIDS) or HIV-related illness and who are homeless or are faced with homelessness and for whom no viable and less costly alternative housing is available; provided, however, that funds appropriated herein may only be used for such purposes if the cost of such allowances are not eligible for reimbursement under medical assistance or other programs.

Notwithstanding any inconsistent provision of law to the contrary, funds appropriated herein may be used to reimburse social services districts for 50 percent of the non-federal cost of residential shelters for victims of domestic violence in accordance with section 131-u of the social services law. To the extent that payments for residential services for victims of domestic violence are made from this appropriation, such payment shall only be made in accordance with standards of payment established by the office of children and family services or its predecessor under provisions of chapter 838 of the laws of 1987 and approved by the director of the budget for victims of domestic violence where such services are provided by residential programs for victims of domestic violence operated by not-for-profit corporations or the city of New York.

Notwithstanding section 153-f of the social services law, or any other inconsistent provision of law, after deducting the amount of federal funds properly received or to be received by each social services district on account of expenditures made by such district pursuant to subdivision 3-c of section 131-a of the social services law, funds appropriated herein may be used by the office to reimburse 50 percent of any such local expenditures not fully reimbursed under section 153-f of the social services law prior to April 1, 1992.

Notwithstanding any inconsistent provision of law, except as provided for in chapter 81 of the laws of 1995, funds appropriated herein may not be used to reimburse social services districts for more than 50 percent of the non-federal share of expenditures related to state charges. This prohibition shall apply to all such reimbursement without regard to the date on which expenditures were made or services provided.

Funds appropriated herein, as matched by federal and local funds in accordance with section 153 of the social services law, may be used to provide rent supplements at local option to public assistance households in order to prevent eviction and address homelessness in accordance with social services district plans approved by the office of temporary and disability assistance and the director of the budget, provided, however, that such supplements shall not be part of the standard of need pursuant to section 131-a of the social services law.

Notwithstanding any inconsistent provision of law, the commissioner of the office of temporary and disability assistance, with the approval of the director of the budget, shall be authorized to exercise discretion in federal expenditure reporting without claiming federal reimbursement for certain cases in receipt of family assistance or safety net assistance, in order to meet federal requirements and further the interests of the state.

Notwithstanding section 153 of the social services law, or any other inconsistent provision of law, such appropriation shall be available for reimbursement of eligible claims incurred on or after January 1, 2010 and before January 1, 2011 that are

otherwise reimbursable by the state on or after April 1, 2010 and that are claimed by March 31, 2011. Such reimbursement shall constitute total state reimbursement for activities funded herein in state fiscal year 2010-2011 330,000,000

For the services of a program to provide homelessness prevention and services to prevent eviction of families with children receiving temporary assistance. Funds appropriated herein shall be awarded to community based organizations to provide eviction prevention activities to eligible families, including but not limited to risk assessment, service plan development, advocacy services and legal services referral. Notwithstanding section 153 of the social services law or any other inconsistent provision of law, funds appropriated herein shall be used to reimburse the full non-federal share of any approved expenditures 3,400,000

For services and expenses of a program, pursuant to section 35 of the social services law, providing legal representation of individuals whose federal disability benefits have been denied or may be discontinued. The commissioner shall reduce reimbursement otherwise payable to social services districts to ensure that social services districts shall financially participate in additional legal representation expenditures made pursuant to this provision. Such reduction in local reimbursement shall be allocated among districts by the commissioner based on the cost of, and number of district residents served by, each legal assistance program, or by such alternative cost allocation procedure deemed appropriate by the commissioner after consultation with social services officials 2,380,000

For services to support human immunodeficiency virus specific welfare-to-work programs. Components of each such program shall include, but not be limited to, on-the-job training and employment. Each such program shall guarantee that individuals completing the program obtain full-time employment with health insurance coverage. The office of temporary and disability assistance, in conjunction with the AIDS institute of the department of health, shall select the organizations to operate such programs through a competitive bid process 1,161,000

Program account subtotal 336,941,000

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

For services and expenses under the temporary assistance for needy families block grant, including but not limited to the family assistance program, the emergency assistance to families program, and the safety net program.

Such funds are to be available for payment of aid heretofore accrued or hereafter to accrue to municipalities. Subject to the approval of the director of the budget, such funds shall be available to the department of family assistance net of disallowances, refunds, reimbursements, and credits including, but not limited to, additional federal funds resulting from any changes in federal cost allocation methodologies.

Notwithstanding any inconsistent provision of law, the amount herein appropriated may be increased or decreased by interchange with any other appropriation within the office of temporary and disability assistance federal fund - local assistance account with the approval of the director of the budget, who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

Funds appropriated herein, as matched by state and local funds in accordance with section 153 of the social services law, may be used to provide rent supplements at local option to family assistance households and to cases that include a child in receipt of safety net assistance in order to prevent eviction and address homelessness in accordance with social services district plans approved by the office of temporary and disability assistance and the director of the budget, provided, however, that such supplements shall not be part of the standard of need pursuant to section 131-a of the social services law.

Amounts appropriated herein may, subject to the approval of the director of the budget, be used to reimburse social services

districts for 100 percent of the expenditures for foster care made on and after October 1, 2009 provided to children eligible for emergency assistance for families, other than juvenile justice services and other than tuition costs for foster care children who are eligible for emergency assistance for families and are in the custody of the commissioner of any local social services district with a population in excess of two million persons and, subject to the approval of the director of the budget, the commissioner of the office of children and family services, in consultation with the commissioner of labor and the commissioner of the office of temporary and disability assistance, may exclude foster care and foster care administration costs incurred on behalf of children in foster care placements who are at least 19 years of age.

Notwithstanding section 153 of the social services law, or any other inconsistent provision of the social services law or this chapter, the commissioner of the office of temporary and disability assistance, upon consultation with the commissioner of the office of children and family services and subject to the approval of the director of the budget, may reduce federal financial participation in the cost of eligible public assistance expenses, including but not limited to, the family assistance program, the emergency assistance for families program and their administration paid to social services districts by the amount of federal financial participation received by each district for foster care pursuant to this provision and shall require each district to be responsible for 100 percent of the additional non-federal cost that results from such reduction in federal financial participation in an amount not to exceed the actual amount of federal temporary assistance for needy families funds for foster care provided to children eligible for emergency assistance for families pursuant to this appropriation. The commissioner of the office of temporary and disability assistance may require each social services district to make necessary adjustments in claims for eligible public assistance expenses to effectu-

ate the reduction in federal financial participation required herein.

Notwithstanding section 153 of the social services law, or any other inconsistent provision of the social services law or this chapter, the commissioner of the office of temporary and disability assistance may not reduce federal financial participation in local administrative expenses for a social services district until the reduction in federal financial participation in all other expenditures for such public assistance programs has been reduced by 95 percent of estimated expenditures otherwise eligible for federal financial participation unless otherwise waived by the commissioner.

Notwithstanding section 153 of the social services law, or any other inconsistent provision of law, such appropriation shall be available for reimbursement of eligible claims incurred on or after January 1, 2010 and before January 1, 2011 that are otherwise reimbursable on or after April 1, 2010 and that are claimed by March 31, 2011. Such reimbursement shall constitute total federal reimbursement for activities funded herein in state fiscal year 2010-2011 881,000,000

For services and expenses under the temporary assistance for needy families block grant, including but not limited to the family assistance program, the emergency assistance to families program, and the safety net program.

Notwithstanding any inconsistent provision of law, the amount herein appropriated may be increased or decreased by interchange with any other appropriation within the office of temporary and disability assistance federal fund - local assistance account with the approval of the director of the budget, who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

Notwithstanding section 153 of the social services law, or any other inconsistent provision of law, such appropriation shall be available for reimbursement of eligible claims incurred on or after January 1, 2010 and before January 1, 2011 that are otherwise reimbursable on or after April 1, 2010 and that are claimed by March 31,

2011. Such reimbursement shall constitute total federal reimbursement for activities funded herein in state fiscal year 2010-2011.

Consistent with the purposes and rules established in the American recovery and reinvestment act of 2009, the emergency contingency fund for temporary assistance for needy families state program, funds appropriated herein shall be subject to all applicable reporting and accountability requirements contained in such act 547,000,000

For expenses associated with the operation of the statewide electronic benefit transfer (EBT) system; the common benefit identification card (CBIC); and the automated finger imaging system (AFIS) 4,000,000

Funds appropriated according to the following shall be available for payment of aid heretofore accrued or hereafter to accrue to municipalities. Notwithstanding any inconsistent provision of law, such funds may be increased or decreased by interchange with any other appropriation within the office of temporary and disability assistance or office of children and family services federal fund - local assistance account with the approval of the director of the budget. Consistent with the purposes and rules established in the American recovery and reinvestment act of 2009, such funds shall be subject to all applicable reporting and accountability requirements contained in such act. Such funds shall be provided without state or local participation for services to eligible individuals under the state plan for the temporary assistance for needy families block grant whose incomes do not exceed 200 percent of the federal poverty level or who are otherwise eligible under such plan, provided that such services to eligible persons not in receipt of public assistance shall not constitute "assistance" under applicable federal regulations and no more than 15 percent of the funds made available herein may be used for administration, provided further that the director of the budget does not determine that such use of funds can be expected to have the effect of increasing qualified state expenditures under paragraph 7 of subdivision (a) of section 409 of the federal social security act above the minimum applicable federal maintenance of effort requirement:

For transfer to the credit of the office of children and family services federal health and human services fund - 265 state operations or federal health and human services fund - 265 local assistance, federal day care account for additional reimbursement to social services districts for child care assistance provided pursuant to title 5-C of article 6 of the social services law. The funds shall be apportioned among the social services districts by the office according to an allocation plan developed by the office and submitted to the director of the budget for approval within 60 days of enactment of the budget. The funds allocated to a district under this appropriation in addition to any state block grant funds allocated to the district for child care services and any funds the district requests the office of temporary and disability assistance to transfer from the district's flexible fund for family services allocation to the federal day care account shall constitute the district's entire block grant allocation for a particular federal fiscal year, which shall be available only for child care assistance expenditures made during that federal fiscal year and which are claimed by March 31 of the year immediately following the end of that federal fiscal year. Any claims for child care assistance made by a social services district for expenditures made during a particular federal fiscal year, other than claims made under title XX of the federal social security act, shall be counted against the social services district's block grant allocation for that federal fiscal year.

A social services district shall expend its allocation from the block grant in accordance with the applicable provision in federal law and regulations relating to the federal funds included in the state block grant for child care and the regulations of the office of children and family services. Notwithstanding any other provision of law, each district's claims submitted under the state block grant for child care will be processed in a manner that maximizes the availability of federal funds and ensures that the district meets its maintenance of effort requirement in each applicable federal fiscal year. Prior

to transfer of funds appropriated herein, the commissioner of the office of children and family services shall consult with the commissioner of the office of temporary and disability assistance to determine the availability of such funding and to request that the commissioner of the office of temporary and disability assistance take necessary steps to notify the department of health and human services of the transfer of funding 392,967,000

For allocation to local social services districts for the flexible fund for family services. Funds shall, without state or local participation, be allocated to local social services districts in accordance with a methodology to be developed by the office of temporary and disability assistance and the office of children and family services and approved by the director of the budget. Such amounts allocated to local social services districts shall hereinafter be referred to as the flexible fund for family services and shall be used for eligible services to eligible individuals under the State plan for the federal temporary assistance for needy families block grant, except for "assistance", which may only be provided to persons in receipt of public assistance benefits funded by the temporary assistance for needy families block grant with prior approval of the office of temporary and disability assistance.

Notwithstanding any inconsistent provision of law, such amounts shall constitute the full amount of federal temporary assistance for needy families funds to be paid on account of activities funded in whole or in part hereunder. District allocations from the flexible fund for family services may be spent only pursuant to plans of expenditure, developed by each social services district and the local governing body and approved by the office of temporary and disability assistance, the office of children and family services, and the director of the budget. Such allocation shall be available for reimbursement through March 31, 2013; provided, however, that reimbursement for child welfare services other than foster care services shall be available for eligible expenditures incurred on or after October 1, 2009 and before October 1, 2010 that are otherwise reimbursable by the state on or after

April 1, 2010 and that are claimed by March 31, 2011.

Notwithstanding any inconsistent provision of law, the amounts so appropriated for allocation to local social services districts, may be used, without state or local financial participation, by social services districts with a population in excess of two million persons for such district's first eligible expenditures that occurred on or after October 1, 2009, or, subject to the approval of the director of the budget, during any other period beginning on or after January 1, 1997, for tuition costs for foster care children who are eligible for emergency assistance for families in the manner the state was authorized to fund such costs under part A of title IV of the social security act as such part was in effect on September 30, 1995; provided that the funds appropriated herein may not be used to reimburse localities for costs disallowed under title IV-E of the social security act. Such expenditures shall constitute good cause pursuant to section 408 (a) (10) of the social security act. Such funds may also be used, without state or local participation, for care, maintenance, supervision, and tuition for juvenile delinquents and persons in need of supervision who are placed in residential programs operated by authorized agencies and who are eligible for emergency assistance to families in the manner the state was authorized to fund such costs under part A of title IV of the social security act as such part was in effect on September 30, 1995. Such expenditures shall constitute good cause pursuant to section 408 (a) (10) of the social security act. Unless otherwise approved by the commissioner of the office of children and family services with the approval of the director of the budget, these funds may be used only for eligible expenditures made from October 1, 2009 through September 30, 2010. Notwithstanding any inconsistent provision of law, the funds so appropriated may not be used to reimburse localities for costs disallowed under title IV-E of the social security act.

Notwithstanding any inconsistent provision of law, a social services district may request that the office of temporary and disability assistance retain and transfer

a portion of the district's allocation of these funds to the credit of the office of children and family services federal health and human services fund - 265 local assistance, title XX social services block grant for use by the district for eligible title XX services and/or to the credit of the office of children and family services federal health and human services fund - 265 local assistance, federal day care account for use by the district for eligible child care expenditures under the state block grant for child care, within the percentages established by the state in accordance with the federal social security act and related federal regulation. Any funds transferred at a district's request to the title XX social services block grant shall be used by the district for eligible title XX social services provided in accordance with the provisions of the federal social security act and the social services law to children or their families whose income is less than 200 percent of the federal poverty level applicable to the family size involved. Any funds transferred at a district's request to the office of children and family services federal health and human services fund - 265 local assistance, federal day care account shall be made available to the district for use for eligible child care expenditures in accordance with the applicable provisions of federal law and regulations relating to federal funds included in the state block grant for child care and in accordance with applicable state law and regulations of the office of children and family services. Any claims made by a social services district for expenditures made for child care during a particular federal fiscal year, other than claims made under title XX of the federal social security act, shall be counted against the social services district's block grant for child care for that federal fiscal year. Each social services district must certify to the department of family assistance, within 90 days of enactment of the budget but before August 15, 2010, the amount of funds it wishes to have transferred under this provision.

Notwithstanding any other provision of law, the amount of the funds that each district expends on child welfare services from its

flexible fund for family services funds and any flexible fund for family services funds transferred at the district's request to the title XX social services block grant must, to the extent that families are eligible therefore, be equal to or greater than the district's portion of the $342,322,341 statewide child welfare threshold amount, which shall be established pursuant to a formula developed by the office of temporary and disability assistance and the office of children and family services and approved by the director of the budget.

Notwithstanding any other provision of law including the state finance law and any local procurement law, at the request of a social services district and with the approval of the director of the budget, a portion of the funds so appropriated may be retained by the office of temporary and disability assistance for use by such office or for transfer or suballocation to the department of labor, the department of health and/or the office of children and family services to provide centralized administrative services, including but not limited to issuing requests for proposals; entering into, processing and/or amending contracts with existing providers for any services eligible for funding under the flexible fund for family services for which the applicable state agency has a contractual relationship or had a contractual relationship during state fiscal year 2004-05 or thereafter, and providing vendor payments 960,000,000

For the continuation and expansion of a demonstration project to assist individuals and families in moving out of poverty through the pursuit of higher education. Projects shall include intensive, long-term case management and statistically-based outcome assessments. The amount appropriated herein shall be made available for one project at an education and work consortium having developed programs that moved significant numbers of people from welfare to permanent employment, in receipt of financial commitments from a not-for-profit foundation, and having an established working relationship with regional social services agencies, the local business community and other public and/or private institutions of higher education. Such program shall provide

services to recipients of family assistance, safety net assistance and other eligible individuals. The consortium shall consist of three institutions of higher education with one of the institutions being a CUNY institution, one a New York city based institution, and one based in Westchester county 250,000

For services and expenses related to the advantage afterschool program. Such funds are to be available pursuant to a plan prepared by the office of children and family services and approved by the director of the budget to extend or expand current contracts with community based organizations, to award new contracts to continue programs where the existing contractors are not satisfactorily performing as determined by the office of children and family services and/or to award new contracts through a competitive process to community based organizations 11,213,000

For services and expenses, notwithstanding any other provision of law, relating to initiating and/or continuing program modifications and/or providing services including, but not limited to, demonstrated effective programs such as evidence-based initiatives for alternatives to detention for persons alleged or determined to be in need of supervision or otherwise at risk of placement in the juvenile justice system and for services and expenses related to reducing office of children and family services institutional placements through program modifications and/or services including, but not limited to, demonstrated effective programs such as evidence-based initiatives to divert youth at-risk of placement with the office of children and family services and/or as alternatives to residential placements with such office 6,000,000

For services of the BRIDGE program, provided however, that, unless otherwise determined by the director of the budget, the rate of state financial participation shall be the same rates as required in the month immediately preceding December, 1996. Funds shall be made available and/or suballocated to the state university of New York for services and expenditures of the BRIDGE program and may be transferred to the state university of New York for personal and nonpersonal service costs and other expenses incurred in administering

the provision of such services to eligible individuals and families. A portion of the funds may be transferred to the office of temporary and disability assistance state operations for personal and nonpersonal service costs incurred by the office in administering the program. Funds made available herein shall be used for services to eligible individuals and families who, upon determination of eligibility for such program, are receiving public assistance benefits under the state plan for the temporary assistance for needy families block grant or whose public assistance case includes a dependent child under the age of 18 or under the age of 19 if the child is attending secondary school and is in receipt of safety net assistance. To the extent that sufficient numbers of eligible public assistance recipients are not available, funds may be used to serve individuals and families not in receipt of public assistance, but eligible under the state plan for the temporary assistance for needy families block grant 1,000,000

For services, notwithstanding any inconsistent provision of law, and without state or local financial participation, of the career pathways program for not-for-profit, community-based organizations providing coordinated, comprehensive employment services beyond the level currently funded by local social services districts to eligible individuals and families. Such funds are to be made available to establish a career pathways program to link education and occupational training to subsequent employment through a continuum of educational programs and integrated support services to enable temporary assistance for needy families eligible participants, including disconnected young adults, ages sixteen to twenty-four, to advance over time both to higher levels of education and to higher wage jobs in targeted occupational sectors. With funds appropriated herein, the office of temporary and disability assistance in consultation with the department of labor shall establish the career pathways program and provide technical support, as needed, to provide education, training, and job placement for low-income individuals, age sixteen and older. Preference shall be given to eigh-

teen to twenty-four year olds who are unemployed or underemployed, in areas of the state with demonstrated labor market needs and unemployment rates that are greater than the appropriate or comparative rate of employment for the region, and to persons in receipt of family assistance and/or safety net assistance. Of the amounts appropriated, at least sixty percent shall be available for services to eighteen to twenty-four year olds, with remaining funds available to recipients of family assistance and/or safety net assistance, without age restrictions, and sixteen to seventeen year old self-supporting individuals who are heads of household. The office of temporary and disability assistance in consultation with the department of labor shall develop a request for proposals and shall receive, review, and assess applications. In selecting proposals, the office of temporary and disability assistance and the department of labor shall give preference to programs that demonstrate community-based collaborations with education and training providers and employers in the region. Such education and training providers may include, but not be limited to general equivalency diplomas programs, community colleges, junior colleges, business and trade schools, vocational institutions, and institutions with baccalaureate degree-granting programs; programs that provide for a career path or career paths, as supported by identified local employment needs; programs that provide employment services, including but not limited to, post-secondary training designed to meet the needs of employers in the local labor market, or catchment area; programs that include education and training components, such as remedial education, individual training plans, pre-employment training, workplace basic skills, and literacy skills training. Such education and training must include institutions, industry associations, or other credentialing bodies for the purpose of providing participants with certificates, diplomas, or degrees; projects that provide comprehensive student support services, including but not limited to tutoring, mentoring, child care, after school program access, transportation, and case management, as part of the individual

training plan. Preference shall be given to proposals that include not-for-profit collaborations with education, training, or employer stakeholders in the region; programs which leverage additional community resources and provide participant support services; training that result in job placement; and education that links participants with occupational skills training and/or employer-related credentials, credits, diplomas or certificates 5,000,000

For services and expenses of not-for-profit and voluntary agencies providing support services to the caretaker relative of a minor child when such services are provided to eligible individuals and families. Such funds are available pursuant to a plan prepared by the office of children and family services and approved by the director of the budget to continue or expand existing programs with existing contractors that are satisfactorily performing as determined by the office of children and family services, to award new contracts to continue programs where the existing contractors are not satisfactorily performing as determined by the office of children and family services and/or to award new contracts through a competitive process 250,000

Notwithstanding any inconsistent provision of law, the funds appropriated herein shall be available for transfer to the federal health and human services fund - 265, federal day care account to provide additional funding for subsidies and quality activities at the city university of New York, provided that of such amount, $278,000 shall be available to community colleges and $418,000 shall be available to senior colleges. 696,000

Notwithstanding any inconsistent provision of law, the funds appropriated herein, shall be available for transfer to the federal health and human services fund - 265, federal day care account to continue operation of and support existing enrollment in the child care facilitated enrollment pilot programs which expand access to child care subsidies for working families living or employed in the Liberty Zone, the boroughs of Brooklyn, Queens, and Bronx, and in the county of Monroe, with income up to 275 percent of the federal poverty level. Of the amount appropriated herein, $1,207,500 shall be made available

for Monroe county, and $2,898,200 shall be made available for all other projects. Up to $120,750 shall be made available to the current designated administrator in the county of Monroe, or to a successor administrator designated by the current administration to administer such county's program and to implement a plan approved by the office of children and family services; and up to $289,820 shall be made available to the Consortium for Worker Education, Inc., or other designated successor, to administer and to implement a plan approved by the office of children and family services for the programs in the Liberty Zone, and the boroughs of Brooklyn, Queens and Bronx. Each pilot program administrator shall prepare and submit to the office of children and family services, the chairs of the senate committee on children and families and the senate committee on social services, the chair of the assembly committee on children and families, the chair of the assembly committee on social services, the chair of the senate committee on labor, and the chair of the assembly committee on labor, an evaluation of the pilot with recommendations for continuation or dissolution of the program supported by appropriate documentation. Such evaluation shall include available, information regarding the pilot programs or participants in the pilot programs, absent identifying information, including but not limited to: the number of income-eligible children of working parents with income greater than 200 percent but at or less than 275 percent of the federal poverty level; the ages of the children served by the project, the number of families served by the project who are in receipt of family assistance, the factors that parents considered when searching for child care, the factors that barred the families' access to child care assistance prior to their enrollment in the pilot program, the number of families who receive a child care subsidy pursuant to this program who choose to use such subsidy for regulated child care, and the number of families who receive a child care subsidy pursuant to this program who choose to use such subsidy to receive child care services provided by a legally exempt provider. Such report shall be submitted by the applicable

project administrator, on or before October 1, 2010, provided that if such report is not received by October 1, 2010, reimbursement for administrative costs shall be either reduced or withheld, and failure of an administrator to submit a timely report may jeopardize such program's funding in future years. Expenses related to the development of the evaluation of the pilot programs shall be paid from the pilot program's administrative set-aside or non-state funds. The remaining portion of the project's funds shall be allocated by the office of children and family services to the local social services districts where the recipient families reside as determined by the project administrator based on projected needs and cost of providing child care subsidy payments to working families enrolled in the child care subsidy program through the pilot initiative, provided however that the office of children and family services shall not reimburse subsidy payments in excess of the amount the subsidy funding appropriated herein can support and the applicable local social services district shall not be required to approve or pay for subsidies not funded herein. The total number of slots for pilot programs located within the city of New York shall not exceed one thousand during fiscal year 2010-2011. Vacancies in child care slots may be filled at such time as the total enrollment of the New York city pilot program is less than one thousand slots. The pilot program located in the borough of Queens shall receive one new additional slot for each slot which becomes available through attrition once the total number of filled child care slots reaches less than one thousand. Child care subsidies paid on behalf of eligible families shall be reimbursed at the actual cost of care up to the applicable market rate for the district in which the child care is provided, for subsidy payments made from April 1, 2010 through March 31, 2011 for the New York city pilot program and for subsidy payments made from January 1, 2011 through December 31, 2011 for the Monroe county pilot program in accordance with the fee schedule of the local social services district making the subsidy payments. Pilot programs are required to submit monthly reports to the

office of children and family services, the local social services district, and for programs located in the city of New York, the administration for children's services, and the legislature. Each monthly report must provide without benefit of personal identifying information, the pilot program's current enrollment level, amount of the child's subsidy, co-payment levels and other information as needed or required by the office of children and family services. Further, the office of children and family services shall provide technical assistance to the pilot program to assist with project administration and timely coordination of the monthly claiming process. Notwithstanding any other provision of law, any pilot programs maintained herein may be terminated if the administrator for such programs mismanages such programs, by engaging in actions including but not limited to, improper use of funds, providing for child care subsidies in excess of the amount the subsidy funding appropriated herein can support, and failing to submit claims for reimbursement in a timely fashion 4,105,700

Notwithstanding any inconsistent provision of law, the funds appropriated herein shall be available for transfer to the federal health and human services fund - 265, federal day care account to continue operation of the facilitated enrollment pilot program in Capital Region-Oneida (consisting of Rensselaer, Schenectady, Saratoga, Albany and Oneida counties) as provided to the NYS AFL-CIO Workforce Development Institute to act or continue to act as the administrator to implement the program proposed by the union child care coalition of the NYS AFL-CIO and approved by the office of children and family services. The administrative cost, including the cost of the development of the evaluation of the pilot program shall not exceed ten percent of the funds available for this purpose. The remaining portion of the funds shall be allocated by the office of children and family services to the local social services districts where the recipient families reside as determined by the project administrator based on projected need and cost of providing child care subsidies payment to working families enrolled through the pilot initiative, a local social services

district shall not reimburse subsidy payments in excess of the amount the subsidy funding appropriated herein can support. Child care subsidies paid on behalf of eligible families shall be reimbursed at the actual cost of care up to the applicable market rate for the district in which child care is provided and in accordance with the fee schedule of the local social services district making the subsidy payment. Up to $115,930 shall be made available to the NYS AFL-CIO Workforce Development Institute, or other designated administrator, to administer and to implement a plan approved by the office of children and family services for this pilot program in consultation with the advisory council. This administrator shall prepare and submit to the office of children and family services, the chairs of the senate committee on social services, the senate committee on children and families, the senate committee on labor, the chairs of the assembly committee on children and families, and the assembly committee on social services, an evaluation of the pilot with recommendations. Such evaluation shall include available information regarding the pilot programs or participants in the pilot programs, including but not limited to: the number of income-eligible children of working parents with income greater than 200 percent but at or less than 275 percent of the federal poverty level, the ages of the children served by the project, the number of families served by the project who are in receipt of family assistance, the factors that parents considered when searching for child care, the factors that barred the families' access to child care assistance prior to their enrollment in the facilitated enrollment program, the number of families who receive a child care subsidy pursuant to this program who choose to use such subsidy for regulated child care, and the number of families who receive a child care subsidy pursuant to this program who choose to use such subsidy to receive child care services provided by a legally exempt provider. Such report shall be submitted by the applicable project administrator, on or before November 1, 2010, provided that if such report is not received by November 30, 2010, reimburse-

ment for administrative costs shall be either reduced or withheld, and failure of an administrator to submit a timely report may jeopardize such administrator's program from receiving funding in future years. Child care subsidies paid on behalf of eligible families shall be reimbursed at the actual cost of care up to the applicable market rate for the district in which the child care is provided, for subsidy payments made from April 1, 2010 through March 31, 2011 in accordance with the fee schedule of the local social services district making the subsidy payments. The administrator for this pilot project is required to submit bi-monthly reports on the fifteenth day of every other month beginning on May 15, 2010 and bi-monthly thereafter that provide current enrollment and information including, but not limited to, the amount of the approved subsidy level, the level of co-payment by the local social services district required for the participants in the program, the program's adopted budget reflecting all expenses including salaries and other information as needed, to the office of children and family services, the chairs of the senate committee on social services, the senate committee on children and families, the senate committee on labor, the chairs of the assembly committee on children and families and the assembly committee on social services, and the local social services districts. Provided however that if such bi-monthly reports are not received from this Capital Region-Oneida administrator, reimbursement for administrative costs shall be either reduced or withheld and failure of an administrator to submit a timely report may jeopardize such administrator's program from receiving funding in future years. The office of children and family services shall provide technical assistance to the pilot program to assist in timely coordination with the monthly claiming process. Notwithstanding any other provision of law, this pilot program maintained herein may be terminated if the administrator for such program mismanages such program, by engaging in actions including but not limited to, improper use of funds, providing for child care subsidies in excess of the amount the subsidy funding appropriated herein can support,

and failing to submit claims for reimbursement in a timely fashion 1,159,300

Notwithstanding any inconsistent provision of law, the funds appropriated herein shall be available for transfer to the federal health and human services fund - 265, federal day care account to provide additional funding for subsidies and quality activities at the state university of New York, provided that of such amount, $379,000 shall be available to community colleges and $568,000 shall be available to state operated campuses. 947,000

For services of a program, pursuant to section 35 of the social services law but without state or local financial participation, providing legal representation of individuals whose federal disability benefits have been denied or may be discontinued 483,000

For services related to the continuation of displaced homemaker services. Funds made available herein may be used for state agency contractors, or aid to local social services districts, provided, further, that no more than ten percent of such funds may be used for program administration at each individual displaced homemaker center. Each program administrator shall prepare and submit an annual report by December 1, 2010, to the office of temporary and disability assistance, the chairs of the senate committee on social services, and the senate committee on children and families and the assembly chair of the committee on social services, on the summary of activities, including but not limited to the number of eligible recipients, and the outcome for each recipient together with a summary of revenues and expenses including all salaries 1,605,000

For services and expenses of programs providing literacy training, workplace literacy instruction and English-as-a-second-language instruction to eligible individuals and families under the state plan for the federal temporary assistance for needy families block grant, including, but not limited to, programs which offer intergenerational educational models intended to increase workplace preparedness, and English-as-a-second-language programs which appropriately address the specific linguistic and cultural needs of the participants and the language skill

needs of non-English speaking workers that relate to workplace safety. Of the amount appropriated herein, at least $25,000 shall be available for literacy training and English-as-a-second-language instruction to individuals and families, who upon determination of eligibility for such services, are in receipt of public assistance and lack a literacy level equivalent to the ninth month of eighth grade or who have English language proficiency equal to a score of 34 or less on the NYS PLACE test or an equivalent score on a comparable test 125,000

For services of programs, in local social services districts with a population in excess of two million, that meet the emergency needs of homeless individuals and families and those at risk of becoming homeless. Such programs shall have demonstrated experience in providing services to meet the emergency needs of homeless individuals and families and those at risk of becoming homeless, including crisis intervention services, eviction prevention services, mobile emergency feeding services, and summer youth services 125,000

For services related to the green jobs corps program. Such funds are available for continuation of services related to the green jobs corps programs established by local social services districts during state fiscal year 2009-10, or new projects to the extent funds are available, providing comprehensive employment services to eligible individuals and families under the state plan for the federal temporary assistance for needy families block grant, with priority given to public assistance recipients. Such funds are to be made available to establish and maintain a green jobs corps program to provide subsidized employment that links low- or no-income individuals, particularly those facing greater barriers to employment, to incremental job skills training, basic education, GED preparation, job placement, job retention, and career advancement opportunities in entry-level high-growth energy efficiency and environmental conservation industries, including but not limited to weatherization, building construction and retrofitting, environmental remediation, renewable energy, and natural resource preservation. The green jobs corps program shall provide job read-

iness and hard skills training to prepare participants for subsidized employment placement consisting of up to 40 hours per week of paid employment. Such program shall consist of job readiness training as intensive preparation for subsidized employment and advanced training. Local social services districts receiving funds from the green jobs corps program shall contract or develop partnerships with organizations to provide such training, which shall include but not be limited to soft skills training, such as attitudinal training, career development, and introduction to basic computer literacy skills; hard skills training, including but not limited to basic construction (electrical, plumbing and carpentry), environmental remediation, weatherization, building retrofits, renewable energy, and natural resource preservation. Districts will provide program participants with available supportive services to support program participation and completion, which may include but not be limited to child care, transportation, and other necessary services. In conjunction with the subsidized employment, funds must be used to provide adult basic education and GED preparation for program participants, or other education and/or training programs necessary to accomplish the goals of the program. Preference shall be given to districts with opportunities for jobs in the sectors specified above and for counties with unemployment rates that exceed the statewide average. Priority shall be given to providing services to public assistance recipients and services shall target eighteen to twenty-four year olds, formerly incarcerated individuals, and non-custodial parents including those who were formerly incarcerated or who have a criminal history and who can attest to such parental relationship and make that information available to local social services districts child support unit. Districts must comply with the nondisplacement provisions of sections 336-e and 336-f of the social services law when establishing subsidized employment positions funded through the green jobs corps program. 2,000,000

For services related to the health care jobs program. Such funds are available for continuation of services related to the

health care jobs programs established by local social services districts during state fiscal year 2009-10, or new projects to the extent funds are available, providing coordinated, comprehensive employment services beyond the level previously funded by local social services districts to eligible individuals and families under the state plan for the federal temporary assistance for needy families block grant. Such funds are to be made available to local social services districts, with priority to districts with over 1,500 active adults in receipt of public assistance residing in households with dependent children, to train individuals for placement into employment in the health care sector, and to establish temporary subsidized employment opportunities for temporary assistance for needy families eligible adults for up to one year in the health sector including community health outreach positions and other suboccupations within the sector. Low-income employees supported by this program may help provide information and education to assist low-income individuals with obtaining and maintaining eligibility for public health care programs, connecting to primary and preventive care services, reducing reliance on emergency rooms for basic care, wellness education, on such topics including but not limited to weight management, exercise and nutrition, stress management, and with accessing benefits under other work support programs. With funds appropriated herein and allocated to local social services districts, the office of temporary and disability assistance shall provide technical support, as needed, to provide employment opportunities to low-income workers in the health care industry, including adults with limited English proficiency. Each local social services district shall submit a plan for its health care jobs program. Districts must comply with the nondisplacement provisions of sections 336-e and 336-f of the social services law when establishing subsidized employment positions funded through the health care jobs program 2,000,000

For services and expenses related to the provision of non-residential domestic violence. Such funds may be made available to the office of children and family

services. Local social services districts are encouraged to collaborate with not-for-profit providers in the provision of such services 1,449,000

For services related to a Nurse-Family Partnership program for eligible individuals and families. Such funds are to be made available to local social services districts to establish or fund Nurse-Family Partnership programs to provide supportive services to temporary assistance for needy families eligible individuals aimed at: improving pregnancy outcomes by helping first time mothers and pregnant women engage in sound preventive health practices, including education on receiving thorough prenatal care from their healthcare providers, improving diets, and reducing the use of cigarettes, alcohol and illegal substances; improving child health and development by helping parents provide responsible and competent care; and improving the economic self-sufficiency of the family by helping parents develop a vision for their own future, plan future pregnancies, continue their education and find work, as appropriate. Provided that no funds expended under this provision may be used to provide actual medical care 2,000,000

For preventive services to eligible individuals and families under the state plan for the federal temporary assistance for needy families block grant whose incomes do not exceed 200 percent of the federal poverty level, including but not limited to: intensive case management and related services for families with children at risk of foster care placement due to the presence of alcohol and/or substance abuse in the household; family preservation services, centers and programs; foster care diversion demonstrations; and not-for-profit provider collaborations with family treatment courts. Such funds are available pursuant to a plan prepared by the office of children and family services and approved by the director of the budget to continue or expand existing programs with existing contractors that are satisfactorily performing as determined by the office of children and family services, to award new contracts to continue programs where the existing contractors are not satisfactorily performing as determined by the office of children and family

services, and/or award new contracts through a competitive process. Provided that, of the funds appropriated herein, at least $1,045,000 shall be available for programs providing post adoption services 6,000,000

For enhanced services to refugees, asylees and other immigrant populations eligible for refugee services to assist such individuals and families to attain economic self-sufficiency and reduce or eliminate reliance on public assistance benefits as a primary means of support. Such services shall include, but not be limited to, case management, English-as-a-second-language, job training and placement assistance, post-employment services necessary to ensure job retention, and services necessary to assist the individual and family members to establish and maintain a permanent residence in the state. Funds appropriated herein shall, to the extent permitted by federal law and regulations, be awarded at the discretion of the commissioner of the office of temporary and disability assistance to voluntary refugee resettlement agencies and/or local representatives of such agencies currently under contract with the office of temporary and disability assistance to provide services to refugee populations and individual awards shall be made proportionately based on the number of refugees each organization resettled in the previous five year period based on the most recent five year data published by the federal department of health and human services office of refugee resettlement or its contractor. Of the amount appropriated herein, up to $415,000 shall be made available to organizations providing services to refugees settling in local social services districts with a population in excess of two million and all remaining funding shall be awarded to organizations providing such services to refugees settling in other geographic locations 500,000

For the services of the Rochester-Genesee Regional Transportation Authority for the provision of transportation services to eligible individuals and families, for the purpose of transportation to and from employment or other allowable work activities 403,000

For those services and expenses provided to eligible individuals and families by

existing settlement houses; provided, however, that the funds may be made available without regard to the limitations on the amount of grants provided to, and the requirements for fundraising by such programs as set forth in article 10-B of the social services law 1,000,000

For allocation to local social services districts, notwithstanding any inconsistent provision of law, and without state or local financial participation, for costs of operating the summer youth programs providing full wage subsidy paid summer employment and associated supportive services to eligible individuals under the state plan for the temporary assistance for needy families block grant. Notwithstanding any other inconsistent law to the contrary, the commissioner of any local department of social services may assign all or a portion of moneys appropriated herein on behalf of such local department of social services to the workforce investment board designated by such commissioner and upon receipt of such monies, any such workforce investment board shall be obligated to utilize such funds consistent with the purposes of this appropriation. Funds appropriated herein shall be allocated to local social services districts in accordance with a methodology that shall be based on allocations for the prior state fiscal year and on a district's relative share of persons aged fourteen to twenty living in households whose incomes do not exceed 200 percent of the federal poverty level. At the request of local social services districts, funds not used for costs of the summer youth program may be transferred to the credit of the district's allocation of the flexible fund for family services; provided, however, that a minimum of $14,200,000 will be used for the summer youth program 15,500,000

For services related to the homelessness intervention program for eligible individuals and families. These funds shall be available to not-for-profit organizations designed to provide services to prevent homelessness or to secure permanent housing, including but not limited to landlord/tenant conflict resolution, legal services, outreach and referral for other eligible services and benefits to stabi-

lize households, and relocation assistance 1,006,000

For services related to a supportive housing program for families and for young adults age eighteen to twenty-five, who are eligible for benefits under the state plan for the federal temporary assistance for needy families block grant. Such supportive housing program shall be designed to enhance the employability, self-sufficiency, and/or family stability of residents, and prevent out-of-wedlock pregnancies among young adult residents. Eligible families shall include: homeless families; families at risk of exceeding, and those that have exceeded, their TANF assistance time limit; families with multiple barriers to employment and housing stability; families at risk for foster care placement; and those that are reunited after placements. Eligible young adults shall include: young adults aging out of the foster care system; runaway and homeless youth; and youth subject to criminal charges who are at risk for incarceration. Provided that, of the $2,500,000 up to $500,000 shall be available to continue existing services or to expand services provided to eligible young adults 2,500,000

For services, related to transitional jobs programs administered by local social services districts with employment opportunities established in public or private organizations including community based agencies. Eligible local social services districts must establish a plan to provide coordinated, comprehensive employment services beyond the level currently funded by the local social services district to eligible individuals and families under the state plan for the federal temporary assistance for needy families block grant. Such funds are to be made available to establish a transitional jobs program to provide a subsidized employment placement for up to 12 months for up to 40 hours per week of paid employment, with the requirement that all program participants receive at least 105 hours of paid education and training activities linked directly to local employment opportunities in sectors with substantial opportunities for continued unsubsidized employment, including but not limited to child care, health care, social and human services, clerical administrative assistance, transportation and

construction/outdoor maintenance, to enable temporary assistance for needy families eligible participants, including disconnected young adults, ages eighteen to twenty-four, to obtain the job skills and education to advance into unsubsidized work at the end of the transitional employment period. Public or private organizations receiving funds appropriated herein shall report to the office of temporary and disability assistance on the average hourly wage paid to individuals participating in the program herein described. With funds appropriated herein, the office of temporary and disability assistance shall provide technical support, as needed, to enable local social services districts to develop transitional jobs programs that provide education, training, and job placement for low or no income individuals. Preference shall be given to persons in receipt of public assistance, formerly incarcerated individuals, and non-custodial parents including those who were formerly incarcerated or who have a criminal history and who can attest to such parental relationship and make that information available to local social services district child support units. The office of temporary and disability assistance shall establish allocations to local social services districts with priority to areas of the state with unemployment rates that exceed the statewide average. Each participating district must submit a plan for its transitional jobs program that outlines the employment opportunities and education and training that will be provided to prepare individuals for unsubsidized employment. Districts will be encouraged to leverage services available through community-based education and training providers and target training to the needs of employers in the region. Such education and training providers may include, but not be limited to general equivalency diploma programs, adult basic education, English-as-a-second-language programs, community colleges, junior colleges, business and trade schools, vocational institutions, and institutions with baccalaureate degree-granting programs, programs that provide employment services, including but not limited to programs that include education and training components, such as remedial

education, individual training plans, pre-employment training, workplace basic skills, and literacy skills training. In those instances where program participants do not have a high school diploma or equivalent, preference shall be given to providing adult basic education services that will enable the participant to obtain an equivalency diploma. Additionally, training that provides employment related credentials, credits or certificates to support future employment opportunities is preferred. As part of the individual training plan, projects are encouraged to provide comprehensive student support services, including but not limited to tutoring, mentoring, child care, after school program access, transportation, financial development services, referrals for public benefits, and case management. Districts must comply with the nondisplacement provisions of sections 336-e and 336-f of the social services law when establishing subsidized employment positions funded through the transitional jobs program 5,000,000

For services related to the wheels for work program, including, but not limited to activities which procure, repair, finance, and/or insure vehicles needed for transportation to and from employment or allowable work activities 409,000

Program fund subtotal 2,857,693,000

Special Revenue Funds - Other / Aid to Localities
Miscellaneous Special Revenue Fund - 339
Electronic Benefit Transfer and Common Benefit Identification Card Account

For the operation of an automated finger imaging system; the operation of an electronic benefit transfer system; and the production of common benefit identification cards. Notwithstanding section 153 of the social services law or any other inconsistent provision of law, the department shall reduce reimbursement otherwise payable to social services districts to recover 50 percent of the non-federal share of costs incurred by the department for these purposes 10,000,000

Program account subtotal 10,000,000

SPECIALIZED SERVICES PROGRAM 25,050,700

General Fund / Aid to Localities
Local Assistance Account - 001

For 50 percent reimbursement of expenditures made by a social services district or a not-for-profit corporation for supportive service subsidies for single room occupancy housing for homeless individuals, pursuant to title 2 of article 2-A of the social services law. Subject to a plan approved by the director of the budget, up to $250,000 of the funds appropriated herein, may be used by the office of temporary and disability assistance through contract, for technical assistance to organizations operating or supervising the operation of a single room occupancy program 17,664,300

For 75 percent reimbursement of the approved costs for homeless intervention program activities pursuant to title 4 of article 2-A of the social services law. Notwithstanding any other inconsistent provision of law, social services districts or contractors, as a condition of receiving such funds herein appropriated, shall provide 25 percent cash or in-kind share. Funding provided for herein shall not supplant existing federal, state or local funding 2,669,400

For services related to programs which assist non-citizens in their attainment of citizenship status. No funds shall be expended from this appropriation until a plan is submitted by the commissioner and approved by the director of the budget. Such funds are to be available for payment of aid heretofore accrued or hereafter to accrue to municipalities. Subject to the approval of the director of the budget, such funds shall be available to the office of temporary and disability assistance net of disallowances, refunds, reimbursements, and credits 1,668,600

For enhanced services to refugees, asylees, entrants, certified victims of human trafficking and their family members, precertified victims of human trafficking and their family members and other immigrant populations eligible for refugee services to assist such individuals and families to attain economic self-sufficiency and reduce or eliminate reliance on public

assistance benefits as a primary means of support.
Such services shall include, but not be limited to, case management, English-as-a-second-language, job training and placement assistance, post-employment services necessary to ensure job retention, and services necessary to assist the individual and family members to establish and maintain a permanent residence in New York state. Funds appropriated herein shall, at the discretion of the commissioner of the office of temporary and disability assistance, be awarded to voluntary refugee resettlement agencies and/or local representatives of such agencies currently under contract with the office of temporary and disability assistance to provide services to refugee populations and individual awards shall be made proportionately based on each organization's number of refugees resettled and asylees, entrants, certified and pre-certified victims of human trafficking and their family members, and other immigrant populations eligible for refugee services served in the previous five year period based on the most recent five year data published by the federal department of health and human services office of refugee resettlement or its grantee 1,668,600
For services related to the human trafficking program as established pursuant to chapter 74 of the laws of 2007 397,000
For operational support to projects which have received capital grant awards through the homeless housing assistance program and house homeless singles and families living with HIV/AIDS 982,800

S 17. 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 MENTAL HYGIENE
OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES
STATE OPERATIONS AND AID TO LOCALITIES 2010-11

COMMUNITY TREATMENT SERVICES PROGRAM 390,960,000

General Fund / Aid to Localities

Local Assistance Account - 001

For payment, net of disallowances, of state financial assistance in accordance with the mental hygiene law related to treatment services.

Notwithstanding any other provisions of law, no payment shall be made from this appropriation until the recipient agency has demonstrated that it has applied for and received, or received formal notification of refusal of, all forms of third-party reimbursement, including federal aid and patient fees. The moneys hereby appropriated are available to reimburse or advance to localities and voluntary nonprofit agencies for expenditures heretofore accrued or hereafter to accrue during local fiscal periods commencing January 1, 2010 or July 1, 2010 and for advances for the period beginning January 1, 2011.

The commissioner, pursuant to such contract and/or funding authorization letter, may pay from this appropriation all or a portion of the expenses incurred by such voluntary agencies arising out of loans obtained from the proceeds of bonds and notes issued by the dormitory authority of the state of New York or another authorized entity approved by the division of the budget. Such expenses may include, but shall not be limited to, amounts relating to principal and interest and any other fees and charges arising from such loans.

Notwithstanding any other provision of law, subject to the approval of the director of the budget, a portion of the money appropriated herein may be made available for obligations and payments heretofore or hereafter accrued by the department of health for community alcoholism, chemical dependence, and substance abuse treatment services, including the state share of medical assistance payments.

Notwithstanding any inconsistent provision of law, a portion of the money appropriated herein may be made available for transfer to the department of health for the state share of disproportionate share payments to voluntary nonprofit general hospitals pursuant to chapter 119 of the laws of 1997, as amended.

Payment limitations set forth in paragraph 2 of subdivision 6 of section 1 of chapter 119 of the laws of 1997 as amended by section 1 of part S2 of chapter 62 of the

laws of 2003 related to costs incurred by general hospitals in providing services to uninsured patients and patients eligible for medical assistance pursuant to title 11 of article 5 of the social services law, for state fiscal year 2010-11, shall be based initially on reported reconciled data from 2008-09, and further reconciled to actual reported data from such payment year.

Notwithstanding any inconsistent provisions of law, moneys from this appropriation may be used for expenses of localities, nonprofit and for-profit agencies that may arise from the assumption of operational responsibilities for programs when operating certificates for such programs cease to be in effect and/or programs are placed into receivership pursuant to section 19.41 of the mental hygiene law.

Notwithstanding any inconsistent provision of law, including section 1 of part C of chapter 57 of the laws of 2006, as amended by section 2 of part I of chapter 58 of the laws of 2008 and part L of chapter 58 of the laws of 2009, for the period commencing on April 1, 2009 and ending March 31, 2011 the commissioner shall not apply any cost of living adjustment for the purpose of establishing rates of payments, contracts or any other form of reimbursement.

Notwithstanding any inconsistent provision of law, moneys from this appropriation shall not be available for unified services after June 30, 2010.

No expenditure shall be made for such program until a certificate of allocation has been approved by the director of the budget and copies thereof filed with the state comptroller and chairs of the senate finance committee and the assembly ways and means committee.

Notwithstanding any provision of law to the contrary, the commissioner of the office of alcoholism and substance abuse services shall be authorized to continue contracts which were executed on or before March 31, 2010 with entities providing services for problem gambling and chemical dependency prevention, treatment and recovery services, without any additional requirements that such contracts be subject to competitive bidding, a request for proposal process or other administrative procedures.

Notwithstanding any other provision of law, the money hereby appropriated may be transferred to state operations and/or any appropriation of the office of alcoholism and substance abuse services, with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

The state comptroller is hereby authorized to receive funds from the office of alcoholism and substance abuse services that were returned from providers in the current fiscal year in respect of a settlement of local assistance funds from prior fiscal years and is authorized to refund such moneys to the credit of the local assistance account of the general fund for the purpose of reimbursing the 2010-11 appropriation.

Funds appropriated herein shall be available in accordance with the following:

For services and expenses related to problem gambling and chemical dependence outpatient services 115,400,000

For the state share of medical assistance payments for outpatient services and the state share of disproportionate share payments 34,000,000

Program account subtotal 149,400,000

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

For services and expenses of prevention, intervention, and treatment programs provided by the SAPT block grants.

Notwithstanding any inconsistent provision of law, including section 1 of part C of chapter 57 of the laws of 2006, as amended by section 2 of part I of chapter 58 of the laws of 2008 and part L of chapter 58 of the laws of 2009, for the period commencing on April 1, 2010 and ending March 31, 2011 the commissioner shall not apply any cost of living adjustment for the purpose of establishing rates of payments, contracts or any other form of reimbursement.

Notwithstanding any inconsistent provision of law, a portion of the funds hereby appropriated may, subject to the approval

of the director of the budget, be transferred to state operations and/or any appropriation of the office of alcoholism and substance abuse services consistent with the terms and conditions of the SAPT block grant award.

Notwithstanding any provision of law to the contrary, the commissioner of the office of alcoholism and substance abuse services shall be authorized to continue contracts which were executed on or before March 31, 2010 with entities providing services for problem gambling and chemical dependency prevention, treatment and recovery services, without any additional requirements that such contracts be subject to competitive bidding, a request for proposal process or other administrative procedures 82,000,000

For services and expenses associated with federal grant awards yet to be allocated by the federal department of health and human services. Notwithstanding any inconsistent provision of law, the director of the budget is hereby authorized to transfer appropriation authority contained herein to state operations and/or any appropriation of the office of alcoholism and substance abuse services 5,000,000

Program fund subtotal 87,000,000

Special Revenue Funds - Federal / State Operations
Federal Operating Grants Fund - 290

For services and expenses related to enforcing the underage drinking laws program grant. Notwithstanding any inconsistent provision of law, a portion of the funds hereby appropriated may, subject to the approval of the director of the budget, be transferred to aid to localities and/or any appropriation of the office of alcoholism and substance abuse services consistent with the terms of the federal award 360,000

Program account subtotal 360,000

Special Revenue Funds - Federal / Aid to Localities
Federal Operating Grants Fund - 290

For services and expenses related to homeless grants. Subject to a plan approved by

the director of the budget, the amount appropriated herein may be made available to other state agencies for services and expenses related to federal homeless grants. The director of the budget is hereby authorized to transfer appropriation authority contained herein to state operations and/or any appropriation of the office of alcoholism and substance abuse services and/or any other federal fund in which federal homeless grants are actually received.

Notwithstanding any inconsistent provision of law, including section 1 of part C of chapter 57 of the laws of 2006, as amended by section 2 of part I of chapter 58 of the laws of 2008 and part L of chapter 58 of the laws of 2009, for the period commencing on April 1, 2010 and ending March 31, 2011 the commissioner shall not apply any cost of living adjustment for the purpose of establishing rates of payments, contracts or any other form of reimbursement 14,000,000

For services and expenses associated with federal grant awards yet to be allocated. Notwithstanding any inconsistent provision of law, the director of the budget is hereby authorized to transfer appropriation authority contained herein to state operations and/or any appropriation of the office of alcoholism and substance abuse services 5,000,000

Program fund subtotal 19,000,000

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

For payment, net of disallowances, of state financial assistance in accordance with the mental hygiene law related to treatment services.

Notwithstanding any other provisions of law, no payment shall be made from this appropriation until the recipient agency has demonstrated that it has applied for and received, or received formal notification of refusal of, all forms of third-party reimbursement, including federal aid and patient fees. The moneys hereby appropriated are available to reimburse or advance to localities and voluntary nonprofit agencies for expenditures heretofore

accrued or hereafter to accrue during local fiscal periods commencing January 1, 2010 or July 1, 2010 and for advances for the period beginning January 1, 2011.

The commissioner, pursuant to such contract and/or funding authorization letter, may pay from this appropriation all or a portion of the expenses incurred by such voluntary agencies arising out of loans obtained from the proceeds of bonds and notes issued by the dormitory authority of the state of New York or another authorized entity approved by the division of the budget. Such expenses may include, but shall not be limited to, amounts relating to principal and interest and any other fees and charges arising from such loans.

Notwithstanding any inconsistent provisions of law, moneys from this appropriation may be used for expenses of localities, nonprofit and for-profit agencies that may arise from the assumption of operational responsibilities for programs when operating certificates for such programs cease to be in effect and/or programs are placed into receivership pursuant to section 19.41 of the mental hygiene law.

Notwithstanding any inconsistent provision of law, including section 1 of part C of chapter 57 of the laws of 2006, as amended by section 2 of part I of chapter 58 of the laws of 2008 and part L of chapter 58 of the laws of 2009, for the period commencing on April 1, 2009 and ending March 31, 2011 the commissioner shall not apply any cost of living adjustment for the purpose of establishing rates of payments, contracts or any other form of reimbursement.

Notwithstanding any inconsistent provision of law, moneys from this appropriation shall not be available for unified services after June 30, 2010.

No expenditure shall be made for such program until a certificate of allocation has been approved by the director of the budget and copies thereof filed with the state comptroller and chairs of the senate finance committee and the assembly ways and means committee.

Notwithstanding any provision of law to the contrary, the commissioner of the office of alcoholism and substance abuse services shall be authorized to continue contracts which were executed on or before March 31, 2010 with entities providing services for

problem gambling and chemical dependency prevention, treatment and recovery services, without any additional requirements that such contracts be subject to competitive bidding, a request for proposal process or other administrative procedures.

Notwithstanding any other provision of law, the money hereby appropriated may be transferred to state operations and/or any appropriation of the office of alcoholism and substance abuse services, with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the mental hygiene program fund account.

The state comptroller is hereby authorized to receive funds from the office of alcoholism and substance abuse services that were returned from providers in the current fiscal year in respect of a settlement of local assistance funds from prior fiscal years and is authorized to refund such moneys to the credit of this fund for the purpose of reimbursing the 2010-11 appropriation.

Funds appropriated herein shall be available in accordance with the following:

For services and expenses related to inpatient rehabilitation services	200,000
For services and expenses related to residential services	89,000,000
For services and expenses related to crisis services	15,000,000
For expenses related to debt service payments for capital projects funded by the proceeds of bonds and notes issued by the dormitory authority of the state of New York	31,000,000
Program account subtotal	135,200,000
EXECUTIVE DIRECTION PROGRAM	58,552,000

Special Revenue Funds - Federal / State Operations
Federal Health and Human Services Fund - 265

For services and expenses associated with administering the substance abuse prevention and treatment (SAPT) block grant.
Notwithstanding any inconsistent provision of law, a portion of the funds hereby appropriated may, subject to the approval of the director of the budget, be transferred to local assistance and/or any appropriation of the office of alcoholism and substance abuse services consistent with the terms and conditions of the SAPT block grant award.
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 March 31, 2011.

Personal service 3,778,000
Nonpersonal service 977,000

Program fund subtotal 4,755,000

Special Revenue Funds - Federal / State Operations
Federal Department of Education Fund - 267

For services and expenses associated with the administration of the federal safe and drug free schools and communities act consistent with the terms and conditions of the federal award.
Notwithstanding any inconsistent provision of law, a portion of the funds hereby appropriated may, subject to the approval of the director of the budget, be transferred to local assistance and/or any appropriation of the office of alcoholism and substance abuse services consistent with the terms of the federal award 147,000

Program fund subtotal 147,000

Special Revenue Funds - Federal / State Operations
Federal Operating Grants Fund - 290
Statewide Data Collection Account

For services and expenses related to the statewide data collection program as mandated in the 1988 federal anti-drug abuse act.

Notwithstanding any inconsistent provision of law, moneys hereby appropriated may, subject to the approval of the director of the budget, be transferred to local assistance and/or any appropriation of the office of alcoholism and substance abuse services 343,000

Program account subtotal 343,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Credentialing Services Account

For services and expenses related to the credentialing of prevention, alcohol and substance abuse, and problem gambling counselors.
Notwithstanding any inconsistent provision of law, moneys hereby appropriated may, subject to the approval of the director of the budget, be transferred to local assistance and/or any appropriation of the office of alcoholism and substance abuse services.
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 March 31, 2011.

PERSONAL SERVICE

Personal service--regular 626,000
Holiday/overtime compensation 8,000

Amount available for personal service 634,000

NONPERSONAL SERVICE

Fringe benefits 303,000
Indirect costs 25,000

Amount available for nonpersonal service 328,000

Program account subtotal 962,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Mental Hygiene Program Fund Account

Notwithstanding any other provision of law, the money hereby appropriated may be transferred to local assistance and/or any appropriation of the office of alcoholism and substance abuse services, and may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of the department of health, the office of medicaid inspector general, the office of mental health, and the office of mental retardation and developmental disabilities with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the mental hygiene program fund account.

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 March 31, 2011.

PERSONAL SERVICE

Personal service--regular	26,000,000
Holiday/overtime compensation	25,000
Amount available for personal service	26,025,000

NONPERSONAL SERVICE

Supplies and materials	1,200,000
Travel	750,000
Contractual services	8,600,000
Equipment	300,000
Indirect costs	1,100,000
Fringe benefits	12,000,000
Amount available for nonpersonal service	23,950,000
Program account subtotal	49,975,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339

Methadone Registry Services Account

For services and expenses related to the operation of methadone services and a patient registry for the prevention of simultaneous enrollment in multiple methadone treatment programs.
Notwithstanding any inconsistent provision of law, moneys hereby appropriated may, subject to the approval of the director of the budget, be transferred to local assistance and/or any appropriation of the office of alcoholism and substance abuse services.

NONPERSONAL SERVICE

Contractual services	300,000
Program account subtotal	300,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Special Projects Account

For services and expenses related to special projects.
Notwithstanding any inconsistent provision of law, moneys hereby appropriated may, subject to the approval of the director of the budget, be transferred to local assistance and/or any appropriation of the office of alcoholism and substance abuse services.
Notwithstanding any other provision of law, up to $2,000,000 of this appropriation shall be made available for services and expenses to support amounts for administration, research associates, equipment, travel, conference expenses, contractual services, grant writers to increase income from non-state sources, and other research initiatives. Funding will be provided through research foundation for mental hygiene, inc. resources, including, but not limited to, indirect costs recoveries, direct grant reimbursement, interest earnings and operating balances.

NONPERSONAL SERVICE

Supplies and materials	15,000
Travel	5,000
Contractual services	2,050,000

Program account subtotal 2,070,000

INSTITUTIONAL SERVICES 71,798,000

Special Revenue Funds - Federal / State Operations
Federal Health and Human Services Fund - 265

For services and expenses associated with administering the substance abuse prevention and treatment (SAPT) block grant.

Notwithstanding any inconsistent provision of law, a portion of the funds hereby appropriated may, subject to the approval of the director of the budget, be transferred to local assistance and/or any appropriation of the office of alcoholism and substance abuse services consistent with the terms and conditions of the SAPT block grant award.

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 March 31, 2011.

Personal service 865,000
Nonpersonal service 335,000

Program fund subtotal 1,200,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Mental Hygiene Program Fund Account

Notwithstanding any other provision of law, the money hereby appropriated may be transferred to local assistance and/or any appropriation of the office of alcoholism and substance abuse services, with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee. The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the mental hygiene program fund account.

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 March 31, 2011.

PERSONAL SERVICE

Personal service--regular	19,000,000
Temporary service	750,000
Holiday/overtime compensation	1,000,000
Amount available for personal service	20,750,000

NONPERSONAL SERVICE

Supplies and materials	5,800,000
Travel	300,000
Contractual services	9,600,000
Equipment	400,000
Indirect costs	900,000
Fringe benefits	10,000,000
Amount available for nonpersonal service	27,000,000
Program account subtotal	47,750,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Mental Hygiene Patient Income Account

Notwithstanding any other provision of law, the money hereby appropriated may be transferred to local assistance and/or any appropriation of the office of alcoholism and substance abuse services, with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee. The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the mental hygiene patient income account.
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 March 31, 2011.

PERSONAL SERVICE

Personal service--regular	15,129,000

NONPERSONAL SERVICE

Indirect costs	614,000
Fringe benefits	7,105,000
Amount available for nonpersonal service	7,719,000
Program account subtotal	22,848,000
PREVENTION AND PROGRAM SUPPORT	86,595,000

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

For services and expenses related to prevention, intervention and treatment programs provided by the substance abuse prevention and treatment (SAPT) block grant.

Notwithstanding any inconsistent provision of law, including section 1 of part C of chapter 57 of the laws of 2006, as amended by section 2 of part I of chapter 58 of the laws of 2008 and part L of chapter 58 of the laws of 2009, for the period commencing on April 1, 2010 and ending March 31, 2011 the commissioner shall not apply any cost of living adjustment for the purpose of establishing rates of payments, contracts or any other form of reimbursement.

Notwithstanding any inconsistent provision of law, a portion of the funds hereby appropriated may, subject to the approval of the director of the budget, be transferred to state operations and/or any appropriation of the office of alcoholism and substance abuse services consistent with the terms and conditions of the SAPT block grant award.

Notwithstanding any provision of law to the contrary, the commissioner of the office of alcoholism and substance abuse services shall be authorized to continue contracts which were executed on or before March 31, 2010 with entities providing services for

problem gambling and chemical dependency prevention, treatment and recovery services, without any additional requirements that such contracts be subject to competitive bidding, a request for proposal process or other administrative procedures 29,000,000

Program fund subtotal 29,000,000

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

For services and expenses related to prevention from the federal safe and drug-free schools and communities act consistent with the terms and conditions of the federal award.
Notwithstanding any inconsistent provision of law, moneys hereby appropriated may, subject to the approval of the director of the budget, be transferred to state operations and/or any appropriation of the office of alcoholism and substance abuse services.
Notwithstanding any provision of law to the contrary, the commissioner of the office of alcoholism and substance abuse services shall be authorized to continue contracts which were executed on or before March 31, 2010 with entities providing services for problem gambling and chemical dependency prevention, treatment and recovery services, without any additional requirements that such contracts be subject to competitive bidding, a request for proposal process or other administrative procedures 4,755,000

Program fund subtotal 4,755,000

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

For payment, net of disallowances, of state financial assistance in accordance with the mental hygiene law related to problem gambling and chemical dependency school and community-based prevention, education, and recovery programs, and program support.
Notwithstanding any other provisions of law, no payment shall be made from this appro-

priation until the recipient agency has demonstrated it has applied for and received, or received formal notification of refusal of, all forms of third-party reimbursement, including federal aid and patient fees. The moneys hereby appropriated are available to reimburse or advance to localities and voluntary nonprofit agencies for expenditures heretofore accrued or hereafter to accrue during local fiscal periods commencing January 1, 2010 or July 1, 2010 and for advances for the period beginning January 1, 2011.

No expenditure shall be made for such program until a certificate of allocation has been approved by the director of the budget and copies thereof filed with the state comptroller and chairs of the senate finance committee and the assembly ways and means committee.

Notwithstanding any other provision of law, the money hereby appropriated may be transferred to state operations and/or any appropriation of the office of alcoholism and substance abuse services, with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee. The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the mental hygiene program fund account.

The state comptroller is hereby authorized to receive funds from the office of alcoholism and substance abuse services that were returned from providers in the current fiscal year in respect of a settlement of local assistance funds from prior fiscal years and is authorized to refund such moneys to the credit of this fund for the purpose of reimbursing the 2010-11 appropriation.

Notwithstanding any inconsistent provision of law, including section 1 of part C of chapter 57 of the laws of 2006, as amended by section 2 of part I of chapter 58 of the laws of 2008 and part L of chapter 58 of the laws of 2009, for the period commencing on April 1, 2009 and ending March 31, 2011 the commissioner shall not apply any cost of living adjustment for the purpose of establishing rates of

payments, contracts or any other form of reimbursement.

Notwithstanding any inconsistent provision of law, moneys from this appropriation shall not be available for unified services after June 30, 2010.

Notwithstanding any provision of law to the contrary, the commissioner of the office of alcoholism and substance abuse services shall be authorized to continue contracts which were executed on or before March 31, 2010 with entities providing services for problem gambling and chemical dependency prevention and treatment services, without any additional requirements that such contracts be subject to competitive bidding, a request for proposal process or other administrative procedures. Of the amounts appropriated herein, at least $15,549,568 shall be made available to the New York City Department of Education for the continuation of such school-operated prevention programs provided by school district employees 45,000,000

Program account subtotal 45,000,000

Special Revenue Funds - Other / Aid to Localities
Chemical Dependence Service Fund - 346

For services and expenses of community chemical dependence treatment and prevention services programs including services and expenses related to staff training, evaluation, and workforce development activities.

Notwithstanding any provision of law, rule or regulation to the contrary, a portion of this appropriation related to enforcement action fine and/or levy moneys may be made available to localities and nonprofit and for-profit agencies for payment of expenses for facilities operating under a receivership pursuant to section 19.41 of the mental hygiene law. Such funds may also be transferred to state operations and/or any appropriation of the office of alcoholism and substance abuse services and appropriations of the department of health, the office of medicaid inspector general, the office of mental health, and the office of mental retardation and developmental disabilities with the approval of the director of the budget who shall file such approval with the depart-

ment 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 7,840,000

Program fund subtotal 7,840,000

S 18. 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 MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

SCHEDULE

ADMINISTRATION AND FINANCE PROGRAM 115,530,000

Special Revenue Funds - Federal / State Operations
Federal Health and Human Services Fund - 265

For administration of the community services block grant.
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 March 31, 2011.

Personal service 814,000
Nonpersonal service 178,000
Fringe benefits 366,000

Amount available 1,358,000

For administration of the federal New York makes work pay grant.
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 March 31, 2011.

Personal service 193,000
Nonpersonal service 20,000
Fringe benefits 87,000

Amount available 300,000

For administration of programs to assist and transition from homelessness(PATH) grants. 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 March 31, 2011.

Personal service 125,000
Fringe benefits 55,000

Amount available 180,000

Program fund subtotal 1,838,000

Special Revenue Funds - Federal / State Operations
Federal Operating Grants Fund - 290

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 March 31, 2011.

Personal service 139,000
Fringe benefits 61,000

Program fund subtotal 200,000

Special Revenue Funds - Other / State Operations
Mental Hygiene Gifts and Donations Fund - 019
Office of Mental Health Gifts and Donations Account

For nonpersonal service expenditures to benefit patients or for other purposes from investment income, private donations and other contributions.

NONPERSONAL SERVICE

Supplies and materials	200,000
Travel	35,000
Contractual services	125,000
Equipment	140,000
Program account subtotal	500,000

Special Revenue Funds - Other / State Operations
Combined Gifts, Grants and Bequests Fund - 020
Office of Mental Health Grants and Bequests Account

For nonpersonal service expenditures to benefit patients from bequests from patients' families.

NONPERSONAL SERVICE

Supplies and materials	70,000
Program account subtotal	70,000

Special Revenue Fund - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Cook/Chill Account

For services and expenses related to the operation of the cook/chill production center at the Rockland psychiatric center.

NONPERSONAL SERVICE

Supplies and materials	1,650,000
Contractual services	1,650,000
Program account subtotal	3,300,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Mental Hygiene Program Fund Account

Notwithstanding any other provision of law, the money hereby appropriated may be increased or decreased by interchange, with any appropriation of the office of mental health, and may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of the department of health, the office of medicaid inspector general, the office of mental retardation and developmental disabilities, and the

office of alcoholism and substance abuse services 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 other provision of law to the contrary, any of the amounts appropriated herein may be increased or decreased by interchange or transfer without limit, with any appropriation of the office of mental health or by transfer or suballocation to any department, agency or public authority for expenditures incurred in the operation of such programs 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 other provision of law to the contrary, funds appropriated under this program shall not be used for the payment of tolls at the Robert F. Kennedy bridge, for vehicles driven by persons commuting to and from work who are employed at facilities located on Ward's island operated by the department of mental hygiene.

Notwithstanding any inconsistent provision of law, this appropriation is not available to support the development or production of reports required pursuant to chapter 119 of the laws of 2007 for the period beginning April 1, 2010 and ending March 31, 2011.

Notwithstanding any other provision of law, including sections 29.23 and 33.07 of the mental hygiene law, the director of a mental hygiene facility, as defined by section 1.03 of the mental hygiene law, who is a representative payee for a person pursuant to designation by the social security administration shall be authorized to apply federal benefits, including benefits for which there is a state share, to the cost of the person's care and treatment, provided the director acts in a manner consistent with applicable federal law and regulations.

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 March 31, 2011.

The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the mental hygiene program fund account.

PERSONAL SERVICE

Personal service--regular	43,529,000
Temporary service	939,000
Holiday/overtime compensation	287,000
Amount available for personal service	44,755,000

NONPERSONAL SERVICE

Supplies and materials	3,702,000
Travel	1,861,000
Contractual services	23,023,000
Equipment	3,623,000
Fringe benefits	21,007,000
Indirect costs	235,000
Amount available for nonpersonal service	53,451,000
Program account subtotal	98,206,000

Enterprise Funds / State Operations
Mental Health Sheltered Workshop Account - 351

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 March 31, 2011.

PERSONAL SERVICE

Temporary service	2,042,000

NONPERSONAL SERVICE

Supplies and materials	757,000
Travel	123,000
Contractual services	2,657,000
Equipment	257,000
Amount available for nonpersonal service	3,794,000
Program account subtotal	5,836,000

Enterprise Funds / State Operations
Mental Hygiene Community Stores Account - 353

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 March 31, 2011.

PERSONAL SERVICE

Personal service--regular	608,000

NONPERSONAL SERVICE

Supplies and materials	1,679,000
Equipment	154,000
Fringe benefits	309,000
Indirect costs	20,000
Amount available for nonpersonal service	2,162,000
Program account subtotal	2,770,000

Internal Service Funds / State Operations
Mental Hygiene Revolving Account - 343

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 March 31, 2011.

PERSONAL SERVICE

Personal service--regular	1,136,000

NONPERSONAL SERVICE

Supplies and materials	461,000
Travel	7,000
Contractual services	388,000
Equipment	236,000
Fringe benefits	564,000
Indirect costs	18,000
Amount available for nonpersonal service	1,674,000
Program account subtotal	2,810,000
ADULT SERVICES PROGRAM	2,416,943,000

General Fund / State Operations
State Purposes Account - 003

Notwithstanding any other provision of law to the contrary, funds appropriated under this program shall be used for the payment of tolls at the Robert F. Kennedy bridge, for vehicles driven by persons commuting to and from work who are employed at facilities located on Ward's island operated by the department of mental hygiene.

NONPERSONAL SERVICE

Travel	800,000
Program account subtotal	800,000

General Fund / Aid to Localities
Local Assistance Account - 001

For services and expenses of various adult community mental health services, including transfer to the department of health to reimburse the department for the state share of medical assistance for various community mental health services.
For payment of state financial assistance, net of disallowances, for community mental health programs pursuant to article 41 and other provisions of the mental hygiene law. The moneys hereby appropriated for allocation to local governments and voluntary agencies for services are available to reimburse or advance funds to local governments and voluntary agencies for expenditures made or to be made during local program years commencing January 1,

2010 or July 1, 2010 and for advances for the period beginning January 1, 2011 for local governments and voluntary agencies with program years beginning January 1.

Notwithstanding any other provision of law, and except for transfers to the department of health to reimburse the department for the state share of medical assistance payments and as modified below, this appropriation shall be available for obligations for the period commencing July 1, 2010 and ending June 30, 2011 and shall be available for expenditure from July 1, 2010 through September 15, 2011.

An amount of this appropriation shall be available for the development of a demonstration program approved by the commissioner and director of the budget, and notwithstanding the provisions of any other law to the contrary, for the purpose of testing and evaluating new methods or arrangements for organizing, financing, staffing and providing services for persons with serious mental illness, in one or more of Chautauqua, Erie, Genesee, Monroe, Onondaga, Wyoming and Westchester counties.

Notwithstanding any provision of law to the contrary, the commissioner of the office of mental health shall be authorized to continue contracts which were executed on or before March 31, 2010 with entities providing services to persons with mental illness, without any additional requirements that such contracts be subject to competitive bidding, a request for proposals process or other administrative procedures.

No expenditures shall be made for such program prior to the approval of a methodology for allocation in accordance with a plan approved by the commissioner and the director of the budget with copies to be filed with the chairpersons of the senate finance committee and assembly ways and means committee. Furthermore, no expenditure shall be made until a certificate of allocation has been approved by the director of the budget with copies to be filed with the chairpersons of the senate finance committee and the assembly ways and means committee. The state comptroller is hereby authorized to receive funds from the office of mental health that were returned from providers in the current fiscal year in respect of a settlement of

local assistance funds from prior fiscal years, and is authorized to refund such moneys to the credit of the local assistance account of the general fund for the purpose of reimbursing the 2010-11 appropriation.

Notwithstanding any inconsistent provision of law, including section 1 of part C of chapter 57 of the laws of 2006, as amended by section 2 of part I of chapter 58 of the laws of 2008 and part L of chapter 58 of the laws of 2009, for the period commencing on April 1, 2009 and ending March 31, 2011 the commissioner shall not apply any cost of living adjustment for the purpose of establishing rates of payments, contracts or any other form of reimbursement. Notwithstanding any inconsistent provision of law, funding shall not be available for unified services after June 30, 2010.

Notwithstanding any other provision of law to the contrary, any of the amounts appropriated herein may be increased or decreased by interchange or transfer without limit, with any appropriation of the office of mental health or by transfer or suballocation to any department, agency or public authority for expenditures incurred in the operation of such programs with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee:

For services and expenses of various community mental health non-residential programs, pursuant to article 41 of the mental hygiene law, including but not limited to sections 41.13, 41.18, and 41.47 74,388,000

For services and expenses of various community mental health emergency programs, including comprehensive psychiatric emergency programs pursuant to section 41.51 of the mental hygiene law 6,881,000

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

to voluntary nonprofit general hospitals pursuant to chapter 119 of the laws of 1997 as amended. Payment limitations set forth in paragraph 2 of subdivision 6 of section 1 of chapter 119 of the laws of 1997 as amended by section 1 of part S2 of chapter 62 of the laws of 2003 related to costs incurred by general hospitals in providing services to uninsured patients and patients eligible for medical assistance pursuant to title 11 of article 5 of the social services law, for state fiscal year 2010-11, shall be based initially on reported reconciled data from 2008-09, and further reconciled to actual reported data from such payment year. For the period April 1, 2010 through March 31, 2011, the office of mental health is authorized to recover from community residences and family-based treatment providers licensed by the office of mental health, consistent with contractual obligations of such providers and notwithstanding any other inconsistent provision of law to the contrary, for the January 1, 2003 through December 31, 2004 periods for programs located outside of the city of New York and July 1, 2003 through June 30, 2005 periods for programs located in the city of New York, in an amount equal to 50 percent of the income received by such providers which exceed the fixed amount of annual medicaid revenue limitations, as established by the commissioner of mental health 318,827,000

Program account subtotal 400,096,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Healthcare Emergency Preparedness Program

For services and expenses incurred by psychiatric centers participating in the healthcare emergency preparedness program.

Supplies and materials 200,000
Travel 5,000
Contractual services 45,000
Equipment 50,000

Program account subtotal 300,000

Special Revenue Fund - Other / State Operations

Miscellaneous Special Revenue Fund - 339
Mental Hygiene Patient Income Account

Notwithstanding any other provision of law to the contrary, any of the amounts appropriated herein may be increased or decreased by interchange or transfer without limit, with any appropriation of the office of mental health or by transfer or suballocation to any department, agency or public authority for expenditures incurred in the operation of such programs 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 other provision of law to the contrary, funds appropriated under this program shall not be used for the payment of tolls at the Robert F. Kennedy bridge, for vehicles driven by persons commuting to and from work who are employed at facilities located on Ward's island operated by the department of mental hygiene. Notwithstanding the provisions of subdivision (e) of section 7.17 or section 41.55 of the mental hygiene law, or any other law to the contrary, the office of mental health is authorized in state fiscal year 2010-11 to reduce inpatient capacity in the aggregate by no more than 250 beds through closure of wards not to exceed 175 beds, or through conversion of such beds to transitional placement programs, provided, however, that nothing in this section shall be interpreted as restricting the ability of the office of mental health to reduce inpatient bed capacity beyond 250 beds in state fiscal year 2010-11, but such reductions shall be subject to the provisions of subdivision (e) of section 7.17 and section 41.55 of the mental hygiene law. Determinations concerning the conversion of such wards to transitional placement programs in fiscal year 2010-11 shall be made by the office of mental health based upon the identification of patients who have received inpatient care and who are clinically determined to be appropriate for a less restrictive level of mental health treatment. The office of mental health shall provide notice to the legislature as soon as possible, but no

later than two weeks prior to the anticipated closure or conversion of wards.

Notwithstanding any other provision of law, including sections 29.23 and 33.07 of the mental hygiene law, the director of a mental hygiene facility, as defined by section 1.03 of the mental hygiene law, who is a representative payee for a person pursuant to designation by the social security administration shall be authorized to apply federal benefits, including benefits for which there is a state share, to the cost of the person's care and treatment, provided the director acts in a manner consistent with applicable federal law and regulations.

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 March 31, 2011.

The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the mental hygiene patient income account.

PERSONAL SERVICE

Personal service--regular	678,520,000
Temporary service	4,908,000
Holiday/overtime compensation	49,834,000
Amount available for personal service	733,262,000

NONPERSONAL SERVICE

Supplies and materials	69,636,000
Travel	2,428,000
Contractual services	61,360,000
Equipment	2,637,000
Fringe benefits	349,027,000
Indirect costs	24,624,000
Amount available for nonpersonal service	509,712,000
Program account subtotal	1,242,974,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Mental Hygiene Program Fund Account

Notwithstanding any other provision of law to the contrary, any of the amounts appropriated herein may be increased or decreased by interchange or transfer without limit, with any appropriation of the office of mental health or by transfer or suballocation to any department, agency or public authority for expenditures incurred in the operation of such programs 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 other provision of law to the contrary, funds appropriated under this program shall not be used for the payment of tolls at the Robert F. Kennedy bridge, for vehicles driven by persons commuting to and from work who are employed at facilities located on Ward's island operated by the department of mental hygiene. Notwithstanding the provisions of subdivision (e) of section 7.17 or section 41.55 of the mental hygiene law, or any other law to the contrary, the office of mental health is authorized in state fiscal year 2010-11 to reduce inpatient capacity in the aggregate by no more than 250 beds through closure of wards not to exceed 175 beds, or through conversion of such beds to transitional placement programs, provided, however, that nothing in this section shall be interpreted as restricting the ability of the office of mental health to reduce inpatient bed capacity beyond 250 beds in state fiscal year 2010-11, but such reductions shall be subject to the provisions of subdivision (e) of section 7.17 and section 41.55 of the mental hygiene law. Determinations concerning the conversion of such wards to transitional placement programs in fiscal year 2010-11 shall be made by the office of mental health based upon the identification of patients who have received inpatient care and who are clinically determined to be appropriate for a less restrictive level of mental health treatment. The office of mental health shall provide notice to the legislature as soon as possible, but no later than two weeks prior to the anticipated closure or conversion of wards.

Notwithstanding any other provision of law, including sections 29.23 and 33.07 of the mental hygiene law, the director of a mental hygiene facility, as defined by section 1.03 of the mental hygiene law, who is a representative payee for a person pursuant to designation by the social security administration shall be authorized to apply federal benefits, including benefits for which there is a state share, to the cost of the person's care and treatment, provided the director acts in a manner consistent with applicable federal law and regulations.

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 March 31, 2011.

The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the mental hygiene program fund account.

PERSONAL SERVICE

Personal service--regular	82,879,000
Temporary service	113,000
Holiday/overtime compensation	22,448,000
Amount available for personal service	105,440,000

NONPERSONAL SERVICE

Supplies and materials	23,489,000
Travel	742,000
Contractual services	20,788,000
Equipment	704,000
Fringe benefits	45,614,000
Indirect costs	4,708,000
Amount available for nonpersonal service	96,045,000

MAINTENANCE UNDISTRIBUTED

For transfer to the department of health medical assistance local assistance program for payments for outside hospital care	3,165,000

Program account subtotal 204,650,000

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

The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the mental hygiene program fund account.

For payment of state financial assistance, net of disallowances, for community mental health programs pursuant to article 41 and other provisions of the mental hygiene law. The moneys hereby appropriated for allocation to local governments and voluntary agencies for services are available to reimburse or advance funds to local governments and voluntary agencies for expenditures made or to be made during local program years commencing January 1, 2010 or July 1, 2010 and for advances for the period beginning January 1, 2011 for local governments and voluntary agencies with program years beginning January 1.

Notwithstanding any other provision of law, and except for transfers to the department of health to reimburse the department for the state share of medical assistance payments and as modified below, this appropriation shall be available for obligations for the period commencing July 1, 2010 and ending June 30, 2011 and shall be available for expenditure from July 1, 2010 through September 15, 2011.

An amount of this appropriation shall be available for the development of a demonstration program approved by the commissioner and the director of the budget, and notwithstanding the provisions of any other law to the contrary, for the purpose of testing and evaluating new methods or arrangements for organizing, financing, staffing and providing services for persons with serious mental illness, in one or more of Chautauqua, Erie, Genesee, Monroe, Onondaga, Wyoming and Westchester counties.

Notwithstanding any provision of law to the contrary, the commissioner of the office of mental health shall be authorized to continue contracts which were executed on or before March 31, 2010 with entities

providing services to persons with mental illness, without any additional requirements that such contracts be subject to competitive bidding, a request for proposals process or other administrative procedures.

No expenditures shall be made for such program prior to the approval of a methodology for allocation in accordance with a plan approved by the commissioner and the director of the budget with copies to be filed with the chairpersons of the senate finance committee and assembly ways and means committee. Furthermore, no expenditure shall be made until a certificate of allocation has been approved by the director of the budget with copies to be filed with the chairpersons of the senate finance committee and the assembly ways and means committee. The state comptroller is hereby authorized to receive funds from the office of mental health that were returned from providers in the current fiscal year in respect of a settlement of local assistance funds from prior fiscal years, and is authorized to refund such moneys to the credit of the mental hygiene program fund account for the purpose of reimbursing the 2010-11 appropriation.

Notwithstanding any inconsistent provision of law, including section 1 of part C of chapter 57 of the laws of 2006, as amended by section 2 of part I of chapter 58 of the laws of 2008 and part L of chapter 58 of the laws of 2009, for the period commencing on April 1, 2009 and ending March 31, 2011 the commissioner shall not apply any cost of living adjustment for the purpose of establishing rates of payments, contracts or any other form of reimbursement.

Notwithstanding any other provision of law to the contrary, any of the amounts appropriated herein may be increased or decreased by interchange or transfer without limit, with any appropriation of the office of mental health or by transfer or suballocation to any department, agency or public authority for expenditures incurred in the operation of such programs with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee:

For services and expenses of various community mental health non-residential programs, pursuant to article 41 of the mental hygiene law, including but not limited to sections 41.13, 41.18, and 41.47. Notwithstanding any other provision of law to the contrary, up to $1,500,000 of this appropriation shall be made available to the Research Foundation for Mental Hygiene, Inc. pursuant to a contract with the office of mental health for two mental health managed care demonstration programs. One program shall be located in one or more of Chautauqua, Erie, Genesee, Monroe, Onondaga, Wyoming and Westchester counties, and the other program shall be located in the city of New York. An amount from this appropriation when combined with the appropriation for the miscellaneous special revenue fund - 339 medication reimbursement account shall provide up to $15,000,000 for grants to the counties and city of New York to provide medication, and other services necessary to prescribe and administer medication pursuant to a plan approved by the commissioner of mental health, as authorized under chapter 408 of the laws of 1999 as amended.

Payment limitations set forth in paragraph 2 of subdivision 6 of section 1 of chapter 119 of the laws of 1997 as amended by section 1 of part S2 of chapter 62 of the laws of 2003 related to costs incurred by general hospitals in providing services to uninsured patients and patients eligible for medical assistance pursuant to title 11 of article 5 of the social services law, for state fiscal year 2010-11, shall be based initially on reported reconciled data from 2008-09, and further reconciled to actual reported data from such payment year 220,065,000

For services and expenses associated with the provision of education, assessments, training, and monitoring to residents of adult homes, to implement a remediation plan resulting from a 2009 federal district court decision 1,000,000

For services and expenses of various community mental health residential programs, including but not limited to community residences pursuant to sections 41.44 and 41.38 of the mental hygiene law. Notwithstanding the provisions of section 31.03 of the mental hygiene law and any other inconsistent provision of law, moneys

appropriated for family care shall be available for, but not limited to, the purchase of substitute caretakers up to a maximum of 14 days and payments limited to $686 per year based upon financial need for the personal needs of each client residing in the family care home 347,058,000

Program account subtotal 568,123,000

CHILDREN AND YOUTH SERVICES PROGRAM 472,068,000

General Fund / Aid to Localities
Local Assistance Account - 001

For services and expenses of various children and families community mental health services, including transfer to the department of health to reimburse the department for the state share of medical assistance for various community mental health services.

This appropriation anticipates the transfer of funds from the state education department to the office of mental health of tuition funds advanced in previous years and reimbursed by the child's school district of origin to the state of New York pursuant to chapter 810 of the laws of 1986 and applicable provisions of the education law.

For payment of state financial assistance, net of disallowances, for community mental health programs pursuant to article 41 and other provisions of the mental hygiene law. The moneys hereby appropriated for allocation to local governments and voluntary agencies for services are available to reimburse or advance funds to local governments and voluntary agencies for expenditures made or to be made during local program years commencing January 1, 2010 or July 1, 2010 and for advances for the period beginning January 1, 2011 for local governments and voluntary agencies with program years beginning January 1.

Notwithstanding any other provision of law, and except for transfers to the department of health to reimburse the department for the state share of medical assistance payments and as modified below, this appropriation shall be available for obligations for the period commencing July 1, 2010 and ending June 30, 2011 and shall be

available for expenditure from July 1, 2010 through September 15, 2011.

Notwithstanding any provision of law to the contrary, the commissioner of the office of mental health shall be authorized to continue contracts which were executed on or before March 31, 2010 with entities providing services to persons with mental illness, without any additional requirements that such contracts be subject to competitive bidding, a request for proposals process or other administrative procedures.

No expenditures shall be made for such program prior to the approval of a methodology for allocation in accordance with a plan approved by the commissioner and the director of the budget with copies to be filed with the chairpersons of the senate finance committee and assembly ways and means committee. Furthermore, no expenditure shall be made until a certificate of allocation has been approved by the director of the budget with copies to be filed with the chairpersons of the senate finance committee and the assembly ways and means committee. The state comptroller is hereby authorized to receive funds from the office of mental health that were returned from providers in the current fiscal year in respect of a settlement of local assistance funds from prior fiscal years, and is authorized to refund such moneys to the credit of the local assistance account of the general fund for the purpose of reimbursing the 2010-11 appropriation.

Notwithstanding any inconsistent provision of law, including section 1 of part C of chapter 57 of the laws of 2006, as amended by section 2 of part I of chapter 58 of the laws of 2008 and part L of chapter 58 of the laws of 2009, for the period commencing on April 1, 2009 and ending March 31, 2011 the commissioner shall not apply any cost of living adjustment for the purpose of establishing rates of payments, contracts or any other form of reimbursement.

Notwithstanding any other provision of law to the contrary, any of the amounts appropriated herein may be increased or decreased by interchange or transfer without limit, with any appropriation of the office of mental health or by transfer or suballocation to any department, agency or

public authority for expenditures incurred in the operation of such programs with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee:

For services and expenses of various community mental health non-residential programs, pursuant to article 41 of the mental hygiene law, including but not limited to sections 41.13 and 41.18 17,935,000

For services and expenses of various community mental health emergency programs 2,438,000

For transfer to the department of health to reimburse the department for the state share of medical assistance payments for various mental health services. Notwithstanding any inconsistent provision of law, a portion of the money herein appropriated may be made available for transfer to the department of health for the state share of disproportionate share payments to voluntary nonprofit general hospitals pursuant to chapter 119 of the laws of 1997 as amended. Payment limitations set forth in paragraph 2 of subdivision 6 of section 1 of chapter 119 of the laws of 1997 as amended by section 1 of part S2 of chapter 62 of the laws of 2003 related to costs incurred by general hospitals in providing services to uninsured patients and patients eligible for medical assistance pursuant to title 11 of article 5 of the social services law, for state fiscal year 2010-11, shall be based initially on reported reconciled data from 2008-09, and further reconciled to actual reported data from such payment year. Notwithstanding any provision of law to the contrary, the state comptroller is hereby authorized to refund moneys from the department of health to the office of mental health, consisting of medicaid reimbursement for expenses previously incurred by the office of mental health in prior fiscal years to fund services provided by residential treatment facilities for children and youth. Such funds shall be credited to the local assistance account of the general fund for the purpose of reimbursing the 2010-11 appropriation. For the period April 1, 2010 through March 31, 2011, the office of mental health is authorized to recover from community residences and

family-based treatment providers licensed by the office of mental health, consistent with contractual obligations of such providers and notwithstanding any other inconsistent provision of law to the contrary, for the January 1, 2003 through December 31, 2004 periods for programs located outside of the city of New York and July 1, 2003 through June 30, 2005 periods for programs located in the city of New York, in an amount equal to 50 percent of the income received by such providers which exceed the fixed amount of annual medicaid revenue limitations, as established by the commissioner of mental health 137,285,000

Program account subtotal 157,658,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Mental Hygiene Program Fund Account

Notwithstanding any other provision of law to the contrary, any of the amounts appropriated herein may be increased or decreased by interchange or transfer without limit, with any appropriation of the office of mental health or by transfer or suballocation to any department, agency or public authority for expenditures incurred in the operation of such programs 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 other provision of law to the contrary, funds appropriated under this program shall not be used for the payment of tolls at the Robert F. Kennedy bridge, for vehicles driven by persons commuting to and from work who are employed at facilities located on Ward's island operated by the department of mental hygiene. The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the mental hygiene program fund account.

Notwithstanding any other provision of law, including sections 29.23 and 33.07 of the mental hygiene law, the director of a

mental hygiene facility, as defined by section 1.03 of the mental hygiene law, who is a representative payee for a person pursuant to designation by the social security administration shall be authorized to apply federal benefits, including benefits for which there is a state share, to the cost of the person's care and treatment, provided the director acts in a manner consistent with applicable federal law and regulations.

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 March 31, 2011.

PERSONAL SERVICE

Personal service--regular	125,248,000
Temporary service	2,468,000
Holiday/overtime compensation	9,602,000
Amount available for personal service	137,318,000

NONPERSONAL SERVICE

Supplies and materials	13,038,000
Travel	683,000
Contractual services	11,203,000
Equipment	868,000
Fringe benefits	61,240,000
Indirect costs	2,907,000
Amount available for nonpersonal service	89,939,000
Program account subtotal	227,257,000

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

The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the mental hygiene program fund account.

For services and expenses of various children and families community mental health services, including transfer to the department of health to reimburse the

department for the state share of medical assistance for various community mental health services. This appropriation anticipates the transfer of funds from the state education department to the office of mental health of tuition funds advanced in previous years and reimbursed by the child's school district of origin to the state of New York pursuant to chapter 810 of the laws of 1986 and applicable provisions of the education law.

For payment of state financial assistance, net of disallowances, for community mental health programs pursuant to article 41 and other provisions of the mental hygiene law. The moneys hereby appropriated for allocation to local governments and voluntary agencies for services are available to reimburse or advance funds to local governments and voluntary agencies for expenditures made or to be made during local program years commencing January 1, 2010 or July 1, 2010 and for advances for the period beginning January 1, 2011 for local governments and voluntary agencies with program years beginning January 1.

Notwithstanding any other provision of law, and except for transfers to the department of health to reimburse the department for the state share of medical assistance payments and as modified below, this appropriation shall be available for obligations for the period commencing July 1, 2010 and ending June 30, 2011 and shall be available for expenditure from July 1, 2010 through September 15, 2011.

Notwithstanding any provision of law to the contrary, the commissioner of the office of mental health shall be authorized to continue contracts which were executed on or before March 31, 2010 with entities providing services to persons with mental illness, without any additional requirements that such contracts be subject to competitive bidding, a request for proposals process or other administrative procedures.

No expenditures shall be made for such program prior to the approval of a methodology for allocation in accordance with a plan approved by the commissioner and the director of the budget with copies to be filed with the chairpersons of the senate finance committee and assembly ways and means committee. Furthermore, no expenditure shall be made until a certificate of

allocation has been approved by the director of the budget with copies to be filed with the chairpersons of the senate finance committee and the assembly ways and means committee. The state comptroller is hereby authorized to receive funds from the office of mental health that were returned from providers in the current fiscal year in respect of a settlement of local assistance funds from prior fiscal years, and is authorized to refund such moneys to the credit of the mental hygiene program fund account for the purpose of reimbursing the 2010-11 appropriation.

Notwithstanding any inconsistent provision of law, including section 1 of part C of chapter 57 of the laws of 2006, as amended by section 2 of part I of chapter 58 of the laws of 2008 and part L of chapter 58 of the laws of 2009, for the period commencing on April 1, 2009 and ending March 31, 2011 the commissioner shall not apply any cost of living adjustment for the purpose of establishing rates of payments, contracts or any other form of reimbursement.

Notwithstanding any other provision of law to the contrary, any of the amounts appropriated herein may be increased or decreased by interchange or transfer without limit, with any appropriation of the office of mental health or by transfer or suballocation to any department, agency or public authority for expenditures incurred in the operation of such programs with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee:

For services and expenses of various community mental health non-residential programs, pursuant to article 41 of the mental hygiene law, including but not limited to sections 41.13 and 41.18.

Payment limitations set forth in paragraph 2 of subdivision 6 of section 1 of chapter 119 of the laws of 1997 as amended by section 1 of part S2 of chapter 62 of the laws of 2003 related to costs incurred by general hospitals in providing services to uninsured patients and patients eligible for medical assistance pursuant to title 11 of article 5 of the social services law, for state fiscal year 2010-11, shall

be based initially on reported reconciled data from 2008-09, and further reconciled to actual reported data from such payment year 71,372,000
For services and expenses of various community mental health emergency programs 13,684,000
For services and expenses of various community mental health residential programs, including but not limited to community residences pursuant to sections 41.44 and 41.38 of the mental hygiene law 2,097,000
Program account subtotal 87,153,000

COMMUNITY MENTAL HEALTH SUPPORT AND WORKFORCE REINVESTMENT PROGRAM 7,766,000

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

The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the mental hygiene program fund account.
For services and expenses of community mental health support and workforce reinvestment services pursuant to chapter 62 of the laws of 2003, including transfer to the department of health to reimburse the department for the state share of medical assistance for various community mental health services.
Notwithstanding chapter 62 of the laws of 2003 or any provision of law to the contrary, this special revenue appropriation shall represent the full and complete obligation of the state and the office of mental health community mental health support workforce reinvestment program in fiscal year 2010-11.
For payment of state financial assistance, net of disallowances, for community mental health programs pursuant to article 41 and other provisions of the mental hygiene law. The moneys hereby appropriated for allocation to local governments and voluntary agencies for services are available to reimburse or advance funds to local governments and voluntary agencies for expenditures made or to be made during local program years commencing January 1,

2010 or July 1, 2010 and for advances for the period beginning January 1, 2011 for local governments and voluntary agencies with program years beginning January 1.

Notwithstanding any other provision of law, and except for transfers to the department of health to reimburse the department for the state share of medical assistance payments and as modified below, this appropriation shall be available for obligations for the period commencing July 1, 2010 and ending June 30, 2011 and shall be available for expenditure from July 1, 2010 through September 15, 2011.

Notwithstanding any provision of law to the contrary, the commissioner of the office of mental health shall be authorized to continue contracts which were executed on or before March 31, 2010 with entities providing services to persons with mental illness, without any additional requirements that such contracts be subject to competitive bidding, a request for proposals process or other administrative procedures.

No expenditures shall be made for such program prior to the approval of a methodology for allocation in accordance with a plan approved by the commissioner and the director of the budget with copies to be filed with the chairpersons of the senate finance committee and assembly ways and means committee. Furthermore, no expenditure shall be made until a certificate of allocation has been approved by the director of the budget with copies to be filed with the chairpersons of the senate finance committee and the assembly ways and means committee. The state comptroller is hereby authorized to receive funds from the office of mental health that were returned from providers in the current fiscal year in respect of a settlement of local assistance funds from prior fiscal years, and is authorized to refund such moneys to the credit of the mental hygiene program fund account for the purpose of reimbursing the 2010-11 appropriation.

Notwithstanding any inconsistent provision of law, including section 1 of part C of chapter 57 of the laws of 2006, as amended by section 2 of part I of chapter 58 of the laws of 2008 and part L of chapter 58 of the laws of 2009, for the period commencing on April 1, 2009 and ending March 31, 2011 the commissioner shall not

apply any cost of living adjustment for the purpose of establishing rates of payments, contracts or any other form of reimbursement.

Notwithstanding any other provision of law to the contrary, any of the amounts appropriated herein may be increased or decreased by interchange or transfer without limit, with any appropriation of the office of mental health or by transfer or suballocation to any department, agency or public authority for expenditures incurred in the operation of such programs with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee:

For services and expenses of various adult community mental health residential programs 7,766,000

FORENSIC SERVICES PROGRAM 251,915,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Mental Hygiene Program Fund Account

Notwithstanding any other provision of law to the contrary, any of the amounts appropriated herein may be increased or decreased by interchange or transfer without limit, with any appropriation of the office of mental health or by transfer or suballocation to any department, agency or public authority for expenditures incurred in the operation of such programs 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 other provision of law to the contrary, funds appropriated under this program shall not be used for the payment of tolls at the Robert F. Kennedy bridge, for vehicles driven by persons commuting to and from work who are employed at facilities located on Ward's island operated by the department of mental hygiene. The state comptroller is hereby authorized and directed to loan

money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the mental hygiene program fund account.

Notwithstanding any other provision of law, including sections 29.23 and 33.07 of the mental hygiene law, the director of a mental hygiene facility, as defined by section 1.03 of the mental hygiene law, who is a representative payee for a person pursuant to designation by the social security administration shall be authorized to apply federal benefits, including benefits for which there is a state share, to the cost of the person's care and treatment, provided the director acts in a manner consistent with applicable federal law and regulations.

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 March 31, 2011.

PERSONAL SERVICE

Personal service--regular	133,001,000
Temporary service	2,484,000
Holiday/overtime compensation	16,050,000
Amount available for personal service	151,535,000

NONPERSONAL SERVICE

Supplies and materials	13,978,000
Travel	943,000
Contractual services	6,320,000
Equipment	467,000
Fringe benefits	69,227,000
Indirect costs	9,445,000
Amount available for nonpersonal service	100,380,000

RESEARCH IN MENTAL ILLNESS PROGRAM 87,868,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
OMH-Research Recovery Account

For services and expenses to support central administration, research associates,

equipment provided through external grants, travel, conference expenses, including the annual research conference, contractual services, grant writers to increase income from non-state sources, and other research initiatives. Funding will be provided through research foundation for mental hygiene, inc. resources, including, but not limited to, indirect costs recoveries, direct grant reimbursement, interest earnings and operating balances.

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 March 31, 2011.

PERSONAL SERVICE

Personal service--regular	1,915,000

NONPERSONAL SERVICE

Contractual services	4,665,000
Fringe benefits	650,000
Amount available for nonpersonal service	5,315,000
Program account subtotal	7,230,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Mental Hygiene Program Fund Account

Notwithstanding any other provision of law to the contrary, any of the amounts appropriated herein may be increased or decreased by interchange or transfer without limit, with any appropriation of the office of mental health or by transfer or suballocation to any department, agency or public authority for expenditures incurred in the operation of such programs 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 other provision of law to the contrary, funds appropriated under

this program shall not be used for the payment of tolls at the Robert F. Kennedy bridge, for vehicles driven by persons commuting to and from work who are employed at facilities located on Ward's island operated by the department of mental hygiene. The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the mental hygiene program fund account.

Notwithstanding any other provision of law, including sections 29.23 and 33.07 of the mental hygiene law, the director of a mental hygiene facility, as defined by section 1.03 of the mental hygiene law, who is a representative payee for a person pursuant to designation by the social security administration shall be authorized to apply federal benefits, including benefits for which there is a state share, to the cost of the person's care and treatment, provided the director acts in a manner consistent with applicable federal law and regulations.

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 March 31, 2011.

PERSONAL SERVICE

Personal service--regular	46,169,000
Temporary service	86,000
Holiday/overtime compensation	968,000
Amount available for personal service	47,223,000

NONPERSONAL SERVICE

Supplies and materials	4,229,000
Travel	114,000
Contractual services	4,743,000
Equipment	104,000
Fringe benefits	21,154,000
Indirect costs	3,071,000
Amount available for nonpersonal service	33,415,000
Program account subtotal	80,638,000

S 19. 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 MENTAL HYGIENE
OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES
STATE OPERATIONS AND AID TO LOCALITIES 2010-11

CENTRAL COORDINATION AND SUPPORT PROGRAM 121,491,000

Special Revenue Funds - Federal / State Operations
Federal Operating Grants Fund - 290

Notwithstanding any other provision of law, the money hereby appropriated may be transferred to local assistance and/or any appropriation of the office of mental retardation and developmental disabilities, with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

For services and expenses related to the administration of the federal senior companions program 333,000

For services and expenses associated with housing counseling assistance and training programs 418,000

Program fund subtotal 751,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Mental Hygiene Patient Income Account

Notwithstanding any other provision of law, the money hereby appropriated may be transferred to local assistance and/or any appropriation of the office of mental retardation and developmental disabilities, and may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of the department of health, the office of medicaid inspector general, the office of mental health, and the office of alcoholism and substance abuse services with the approval of the director of the budget who shall file such approval with the depart-

ment of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee. The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the mental hygiene patient income account.

Notwithstanding any other provision of law, including sections 29.23 and 33.07 of the mental hygiene law, the director of a mental hygiene facility, as defined by section 1.03 of the mental hygiene law, who is a representative payee for a person pursuant to designation by the social security administration shall be authorized to apply federal benefits, including benefits for which there is a state share, to the cost of the person's care and treatment, provided the director acts in a manner consistent with applicable federal law and regulations.

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 March 31, 2011.

PERSONAL SERVICE

Personal service--regular	61,750,000
Temporary service	572,000
Holiday/overtime compensation	202,000
Amount available for personal service	62,524,000

NONPERSONAL SERVICE

Supplies and materials	651,000
Travel	2,206,000
Contractual services	19,487,000
Equipment	3,809,000
Fringe benefits	28,762,000
Indirect costs	1,951,000
Amount available for nonpersonal service	56,866,000
Program account subtotal	119,390,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339

Mental Hygiene Program Fund Account

For services and expenses of the assets for independence program and other health and human services programs.

NONPERSONAL SERVICE

Contractual services	1,000,000
Program account subtotal	1,000,000

Internal Service Fund / State Operations
Miscellaneous Internal Service Fund - 334
OMRDD Copy Center Account

For services and expenses associated with the office of mental retardation and developmental disabilities copy center.

NONPERSONAL SERVICE

Contractual services	350,000
Program account subtotal	350,000

COMMUNITY SERVICES PROGRAM	3,731,709,000

General Fund / Aid to Localities
Local Assistance Account - 001

For services and expenses of the community services program, net of disallowances, for community mental retardation and developmental disabilities programs pursuant to article 41 of the mental hygiene law, and/or chapter 620 of the laws of 1974, chapter 660 of the laws of 1977, chapter 412 of the laws of 1981, chapter 27 of the laws of 1987, chapter 729 of the laws of 1989, chapter 329 of the laws of 1993 and other provisions of the mental hygiene law. Notwithstanding any inconsistent provision of law, the following appropriation shall be net of refunds, rebates, reimbursements, and credits. Notwithstanding any inconsistent provision of law, the director of the budget is authorized to make suballocations from this appropriation to the department of health medical assistance program. Notwithstanding any other provision of law, advances and reimbursement made pursuant

to subdivision (d) of section 41.15 and section 41.18 of the mental hygiene law shall be allocated pursuant to a plan and in a manner prescribed by the agency head and approved by the director of the budget. No expenditure shall be made until a certificate of allocation has been approved by the director of the budget and copies thereof filed with the state comptroller, and the chairs of the senate finance and assembly ways and means committees. The moneys hereby appropriated are available to reimburse or advance localities and voluntary non-profit agencies for expenditures made during local fiscal periods commencing January 1, 2010, April 1, 2010 or July 1, 2010, and for advances for the 3 month period beginning January 1, 2011.

Notwithstanding the provisions of article 41 of the mental hygiene law or any other inconsistent provision of law, rule or regulation, the commissioner, pursuant to such contract and in the manner provided therein, may pay all or a portion of the expenses incurred by such voluntary agencies arising out of loans which are funded from the proceeds of bonds and notes issued by the dormitory authority of the state of New York.

Notwithstanding any other provision of law, the money hereby appropriated may be transferred to state operations and/or any appropriation of the office of mental retardation and developmental disabilities with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

Notwithstanding any inconsistent provision of law, moneys from this appropriation may be used for state aid of up to 100 percent of the net deficit costs of day training programs and family support services.

Notwithstanding any inconsistent provision of law, including section 1 of part C of chapter 57 of the laws of 2006, as amended by section 2 of part I of chapter 58 of the laws of 2008 and part L of chapter 58 of the laws of 2009, for the period commencing on April 1, 2009 and ending March 31, 2011 the commissioner shall not apply any cost of living adjustment for the purpose of establishing rates of

payments, contracts or any other form of reimbursement.

Notwithstanding any inconsistent provision of law, moneys from this appropriation shall not be available for unified services after June 30, 2010.

Notwithstanding any inconsistent provision of law, and pursuant to criteria established by the commissioner of the office of mental retardation and developmental disabilities and approved by the director of the budget, expenditures may be made from this appropriation for residential facilities which are pending recertification as intermediate care facilities for the developmentally disabled.

Notwithstanding the provisions of section 41.36 of the mental hygiene law and any other inconsistent provision of law, moneys from this appropriation may be used for payment up to $250 per year per client, at such times and in such manner as determined by the commissioner on the basis of financial need for the personal needs of each client residing in voluntary-operated community residences and voluntary-operated community residential alternatives, including individualized residential alternatives under the home and community based services waiver. The commissioner shall, subject to the approval of the director of the budget, alter existing advance payment schedules for voluntary-operated community residences established pursuant to subdivision (h) of section 41.36 of the mental hygiene law.

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.

Notwithstanding any inconsistent provision of law, moneys from this appropriation may be used for appropriate day program services and residential services including, but not limited to, direct housing subsidies to individuals, start-up expenses for family care providers, environmental modifications, adaptive technologies, appraisals, property options, feasibility studies and preoperational expenses.

Notwithstanding any inconsistent provision of law, moneys from this appropriation may be used for the operation of clinics licensed pursuant to article 16 of the mental hygiene law including, but not limited to, supportive and habilitative services consistent with the home and community based services waiver.

Funds appropriated herein shall be available in accordance with the following:

For the state share of medical assistance services expenses incurred by the department of health for the provision of medical assistance services to the developmentally disabled	1,472,023,000
For services and expenses related to the provision of residential services to the developmentally disabled	19,014,000
For services and expenses related to the provision of family support services to the developmentally disabled	62,023,000
For services and expenses related to the provision of workshop, day training and employment services to the developmentally disabled	46,229,000
For other services and expenses provided to the developmentally disabled including but not limited to hepatitis B, care at home waiver, epilepsy services, Special Olympics New York, Inc. and voluntary fingerprinting	2,533,000
Program account subtotal	1,601,822,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Mental Hygiene Patient Income Account

Notwithstanding any inconsistent provision of law, the state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the mental hygiene patient income account.

Notwithstanding any other provision of law, the money hereby appropriated may be transferred to local assistance and/or any appropriation of the office of mental retardation and developmental disabilities, with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

Notwithstanding any other provision of law, including sections 29.23 and 33.07 of the mental hygiene law, the director of a mental hygiene facility, as defined by section 1.03 of the mental hygiene law, who is a representative payee for a person pursuant to designation by the social security administration shall be authorized to apply federal benefits, including benefits for which there is a state share, to the cost of the person's care and treatment, provided the director acts in a manner consistent with applicable federal law and regulations.

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 March 31, 2011.

PERSONAL SERVICE

Personal service--regular	516,092,000
Temporary service	1,251,000
Holiday/overtime compensation	42,238,000
Amount available for personal service	559,581,000

NONPERSONAL SERVICE

Nonpersonal service, including moneys for the community services program, net of refunds, rebates, reimbursements and credits.

Supplies and materials	42,364,000
Travel	4,464,000
Contractual services	68,072,000
Equipment	21,205,000
Fringe benefits	257,419,000
Indirect costs	17,462,000
Amount available for nonpersonal service	410,986,000

MAINTENANCE UNDISTRIBUTED

For expenses related to the payment of a provider of services assessment for the period April 1, 2010 through March 31, 2011 pursuant to section 43.04 of the mental hygiene law	10,116,000
Program account subtotal	980,683,000

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

Notwithstanding any inconsistent provision of law, moneys for this appropriation may be used for any purpose associated with an aid to localities appropriation provided, however, that these moneys may not be used for payment of the state share of medical assistance programs for which federal reimbursement will be claimed.
Notwithstanding any other provisions of law, the money hereby appropriated may be transferred to state operations and/or any appropriation of the office of mental retardation and developmental disabilities, with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.
Notwithstanding any inconsistent provision of law, the following appropriation amounts shall be net of refunds, rebates, reimbursements, and credits. The state

comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the mental hygiene patient income account.
Notwithstanding any inconsistent provision of law, including section 1 of part C of chapter 57 of the laws of 2006, as amended by section 2 of part I of chapter 58 of the laws of 2008 and part L of chapter 58 of the laws of 2009, for the period commencing on April 1, 2009 and ending March 31, 2011 the commissioner shall not apply any cost of living adjustment for the purpose of establishing rates of payments, contracts or any other form of reimbursement.
Funds appropriated herein shall be available in accordance with the following:
For services and expenses related to the provision of residential services to the developmentally disabled 193,416,000
For services and expenses related to the provision of day program services to the developmentally disabled 112,567,000
For services and expenses related to the provision of family support services to the developmentally disabled 16,916,000
For other services and expenses provided to the developmentally disabled including but not limited to hepatitis B, care at home waiver, epilepsy services, Special Olympics New York, Inc. and voluntary fingerprinting 3,825,000
Program account subtotal 326,724,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Mental Hygiene Program Fund Account

Notwithstanding any inconsistent provision of law, the state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the mental hygiene program fund account.
Notwithstanding any other provision of law, the money hereby appropriated may be transferred to local assistance and/or any appropriation of the office of mental retardation and developmental disabilities, with the approval of the director of the budget who shall file such approval

with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

Notwithstanding any other provision of law, including sections 29.23 and 33.07 of the mental hygiene law, the director of a mental hygiene facility, as defined by section 1.03 of the mental hygiene law, who is a representative payee for a person pursuant to designation by the social security administration shall be authorized to apply federal benefits, including benefits for which there is a state share, to the cost of the person's care and treatment, provided the director acts in a manner consistent with applicable federal law and regulations.

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 March 31, 2011.

PERSONAL SERVICE

Personal service--regular	229,568,000
Temporary service	640,000
Holiday/overtime compensation	19,032,000
Amount available for personal service	249,240,000

NONPERSONAL SERVICE

Nonpersonal service, including moneys for the community services program, net of refunds, rebates, reimbursements and credits.

Supplies and materials	2,654,000
Travel	918,000
Contractual services	9,083,000
Equipment	2,964,000
Fringe benefits	114,823,000
Indirect costs	7,798,000
Amount available for nonpersonal service	138,240,000
Program account subtotal	387,480,000

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

For services and expenses related to mental retardation and developmental disabilities services associated with the New York state options for people through services initiative, in accordance with a programmatic and fiscal plan to be approved by the director of the budget.
Notwithstanding any provision of law to the contrary, the director of the budget is authorized to make suballocations from this appropriation to the department of health medical assistance program.
Notwithstanding any provision of law to the contrary, the moneys hereby appropriated, or so much thereof as may be necessary, are to be available for the purposes herein specified for obligations heretofore accrued or hereafter to accrue 337,000,000

Program account subtotal 337,000,000

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

For services and expenses related to the provision of HCBS waiver day services to individuals residing in intermediate care facilities.
Notwithstanding any other provision of law, the money hereby appropriated may be transferred to state operations and/or any appropriation of the office of mental retardation and developmental disabilities, with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee 98,000,000

Program account subtotal 98,000,000

INSTITUTIONAL SERVICES PROGRAM 742,913,000

Special Revenue Funds - Other / State Operations
Mental Hygiene Gifts and Donations Fund - 019

Office of Mental Retardation and Developmental Disabilities Gifts and Donations Account

For expenditures on behalf of individuals from donated funds. Notwithstanding any other provision of law, the money hereby appropriated may be transferred to local assistance and/or any appropriation of the office of mental retardation and developmental disabilities, with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

NONPERSONAL SERVICE

Supplies and materials	500,000
Program account subtotal	500,000

Special Revenue Funds - Other / State Operations
Combined Nonexpendable Trust Fund - 332
OMRDD Nonexpendable Trust Account

For expenditures on behalf of individuals from donated funds. Notwithstanding any other provision of law, the money hereby appropriated may be transferred to local assistance and/or any appropriation of the office of mental retardation and developmental disabilities, with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

NONPERSONAL SERVICE

Supplies and materials	4,000
Program account subtotal	4,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Mental Hygiene Patient Income Account

Notwithstanding any other provision of law, the money hereby appropriated may be transferred to local assistance and/or any

appropriation of the office of mental retardation and developmental disabilities, and may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of the department of health, the office of medicaid inspector general, the office of mental health, and the office of alcoholism and substance abuse services with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee. The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the mental hygiene patient income account.

Notwithstanding any other provision of law, including sections 29.23 and 33.07 of the mental hygiene law, the director of a mental hygiene facility, as defined by section 1.03 of the mental hygiene law, who is a representative payee for a person pursuant to designation by the social security administration shall be authorized to apply federal benefits, including benefits for which there is a state share, to the cost of the person's care and treatment, provided the director acts in a manner consistent with applicable federal law and regulations.

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 March 31, 2011.

PERSONAL SERVICE

Personal service--regular	229,033,000
Temporary service	426,000
Holiday/overtime compensation	18,444,000
Amount available for personal service	247,903,000

NONPERSONAL SERVICE

Supplies and materials	36,691,000
Travel	1,379,000
Contractual services	34,753,000
Equipment	10,366,000
Fringe benefits	117,048,000
Indirect costs	7,041,000
Amount available for nonpersonal service	207,278,000

MAINTENANCE UNDISTRIBUTED

For expenses related to the payment of a provider of services assessment for the period April 1, 2010 through March 31, 2011 pursuant to section 43.04 of the mental hygiene law	135,130,000
Program account subtotal	590,311,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Mental Hygiene Program Fund Account

Notwithstanding any inconsistent provision of law, the state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the mental hygiene program fund account.

Notwithstanding any other provision of law, the money hereby appropriated may be transferred to local assistance and/or any appropriation of the office of mental retardation and developmental disabilities, with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

Notwithstanding any other provision of law, including sections 29.23 and 33.07 of the mental hygiene law, the director of a mental hygiene facility, as defined by section 1.03 of the mental hygiene law, who is a representative payee for a person pursuant to designation by the social security administration shall be authorized to apply federal benefits, including benefits for which there is a state share,

to the cost of the person's care and treatment, provided the director acts in a manner consistent with applicable federal law and regulations.

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 March 31, 2011.

PERSONAL SERVICE

Personal service--regular	82,933,000
Temporary service	154,000
Holiday/overtime compensation	6,701,000
Amount available for personal service	89,788,000

NONPERSONAL SERVICE

Nonpersonal service, including moneys for the community services program, net of refunds, rebates, reimbursements and credits.

Supplies and materials	7,826,000
Travel	294,000
Contractual services	7,413,000
Equipment	2,211,000
Fringe benefits	38,391,000
Indirect costs	3,507,000
Amount available for nonpersonal service	59,642,000
Program account subtotal	149,430,000

Enterprise Funds / State Operations
Mental Retardation Sheltered Workshop Account - 352
Sheltered Workshop Fund OMRDD Account

For services and expenses including salaries, supplies and materials of sheltered workshops and vocational rehabilitation work activities.

Notwithstanding any other provision of law, the money hereby appropriated may be transferred to local assistance and/or any appropriation of the office of mental retardation and developmental disabilities, with the approval of the director of the budget who shall file such approval with the department of audit and control

and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

NONPERSONAL SERVICE

Supplies and materials	700,000
Travel	10,000
Contractual services	800,000
Equipment	40,000
Program account subtotal	1,550,000

Enterprise Funds / State Operations
Mental Hygiene Community Stores Account - 353
MR Community Stores Fund Account

For services and expenses of community stores located at various developmental centers.

Notwithstanding any other provision of law, the money hereby appropriated may be transferred to local assistance and/or any appropriation of the office of mental retardation and developmental disabilities, with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

Notwithstanding any 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 March 31, 2011.

PERSONAL SERVICE

Personal service--regular	290,000

NONPERSONAL SERVICE

Supplies and materials	722,000
Fringe benefits	94,000
Indirect costs	12,000
Amount available for nonpersonal service	828,000

Program account subtotal 1,118,000

RESEARCH IN MENTAL RETARDATION PROGRAM 26,894,000

Special Revenue Funds - Other / State Operations
Combined Gifts, Grants and Bequests Fund - 020
Research in Mental Retardation Account

Amount available for genetic counseling and research from external grants and contributions.
Notwithstanding any other provision of law, the money hereby appropriated may be transferred to local assistance and/or any appropriation of the office of mental retardation and developmental disabilities, with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

NONPERSONAL SERVICE

Contractual services 150,000

Program account subtotal 150,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Mental Hygiene Patient Income Account

Notwithstanding any other provision of law, the money hereby appropriated may be transferred to local assistance and/or any appropriation of the office of mental retardation and developmental disabilities, and may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of the department of health, the office of medicaid inspector general, the office of mental health, and the office of alcoholism and substance abuse services with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee. The state comptroller is hereby authorized and

directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the mental hygiene patient income account. Notwithstanding any other provision of law, including sections 29.23 and 33.07 of the mental hygiene law, the director of a mental hygiene facility, as defined by section 1.03 of the mental hygiene law, who is a representative payee for a person pursuant to designation by the social security administration shall be authorized to apply federal benefits, including benefits for which there is a state share, to the cost of the person's care and treatment, provided the director acts in a manner consistent with applicable federal law and regulations. 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 March 31, 2011.

PERSONAL SERVICE

Personal service--regular	16,150,000
Holiday/overtime compensation	353,000
Amount available for personal service	16,503,000

NONPERSONAL SERVICE

Supplies and materials	836,000
Travel	7,000
Contractual services	1,129,000
Equipment	157,000
Fringe benefits	7,597,000
Indirect costs	515,000
Amount available for nonpersonal service	10,241,000
Program account subtotal	26,744,000

S 20. 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.

COMMISSION ON QUALITY OF CARE AND ADVOCACY
FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

SCHEDULE

ADMINISTRATION PROGRAM 9,996,000

General Fund / State Operations
State Purposes Account - 003

For services and expenses of the commission pursuant to chapter 58 of the laws of 2005.

PERSONAL SERVICE

Personal service--regular 4,133,000
Holiday/overtime compensation 17,000
Amount available for personal service 4,150,000

NONPERSONAL SERVICE

Supplies and materials 44,000
Travel 196,000
Contractual services 932,000
Equipment 144,000
Amount available for nonpersonal service 1,316,000
Program account subtotal 5,466,000

Special Revenue Funds - Federal / State Operations
Federal Health and Human Services Fund - 265

For services and expenses associated with federal grant awards yet to be allocated. Notwithstanding any inconsistent provision of law, the director of the budget is hereby authorized to transfer appropriation authority contained herein to any other federal fund or program within the commission on quality of care and advocacy for persons with disabilities 300,000
Program fund subtotal 300,000

Special Revenue Funds - Other / State Operations
Combined Gifts, Grants and Bequests Fund - 020
Disability and Technical Assistance Account

For services and expenses related to disability consultant services pursuant to chapter 58 of the laws of 2005.

PERSONAL SERVICE

Personal service--regular	57,000
Holiday/overtime compensation	1,000
Amount available for personal service	58,000

NONPERSONAL SERVICE

Supplies and materials	3,000
Travel	9,000
Contractual services	56,000
Equipment	1,000
Fringe benefits	28,000
Indirect costs	2,000
Amount available for nonpersonal service	99,000
Program account subtotal	157,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Conference Fee Account

For services and expenses of the commission pursuant to chapter 58 of the laws of 2005.

NONPERSONAL SERVICE

Supplies and materials	15,000
Travel	20,000
Contractual services	36,000
Program account subtotal	71,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Federal Salary Sharing Account

PERSONAL SERVICE

Personal service--regular	2,381,000
Holiday/overtime compensation	14,000
Amount available for personal service	2,395,000

NONPERSONAL SERVICE

Supplies and materials	2,000
Travel	146,000
Contractual services	164,000
Equipment	15,000
Fringe benefits	1,160,000
Indirect costs	75,000
Amount available for nonpersonal service	1,562,000
Program account subtotal	3,957,000

Enterprise Funds / State Operations
Miscellaneous Enterprise Fund - 331
Publications Account

NONPERSONAL SERVICE

Supplies and materials	5,000
Contractual services	15,000
Program account subtotal	20,000

Enterprise Funds / State Operations
Miscellaneous Enterprise Fund - 331
TRAID Services Account

For services and expenses related to TRAID project activities including the provision of educational, outreach, training and support services pursuant to chapter 58 of the laws of 2005.

NONPERSONAL SERVICE

Supplies and materials	5,000
Travel	10,000
Contractual services	10,000
Program account subtotal	25,000

ADULT HOMES PROGRAM 170,000

General Fund / Aid to Localities
Local Assistance Account - 001

For services and expenses related to the adult homes advocacy program 170,000

Program account subtotal 170,000

CLIENT ASSISTANCE PROGRAM 721,000

Special Revenue Funds - Federal / State Operations
Federal Department of Education Fund - 267

Personal service 82,000
Nonpersonal service 598,000
Fringe benefits 39,000
Indirect costs 2,000

PROTECTION AND ADVOCACY FOR ASSISTIVE TECHNOLOGY PROGRAM 252,000

Special Revenue Funds - Federal / State Operations
Federal Department of Education Fund - 267

For services and expenses related to assisting individuals with obtaining assistive technology services and devices consistent with federal grant requirements.

Personal service 52,000
Nonpersonal service 174,000
Fringe benefits 25,000
Indirect costs 1,000

PROTECTION AND ADVOCACY FOR BENEFICIARIES OF SOCIAL SECURITY PROGRAM 335,000

Special Revenue Funds - Federal / State Operations
Federal Operating Grants Fund - 290

Personal service 61,000
Nonpersonal service 243,000
Fringe benefits 29,000
Indirect costs 2,000

PROTECTION AND ADVOCACY FOR DEVELOPMENTALLY DISABLED PROGRAM 2,397,000

Special Revenue Funds - Federal / State Operations
Federal Health and Human Services Fund - 265

Personal service 484,000
Nonpersonal service 1,676,000
Fringe benefits 228,000
Indirect costs 9,000

PROTECTION AND ADVOCACY FOR INDIVIDUALS WITH MENTAL ILLNESS PROGRAM 2,036,000

Special Revenue Funds - Federal / State Operations
Federal Health and Human Services Fund - 265

Personal service 577,000
Nonpersonal service 1,176,000
Fringe benefits 272,000
Indirect costs 11,000

PROTECTION AND ADVOCACY FOR PERSONS WITH TRAUMATIC BRAIN INJURY PROGRAM 123,000

Special Revenue Funds - Federal / State Operations
Federal Health and Human Services Fund - 265

Nonpersonal service 123,000

PROTECTION AND ADVOCACY HELP AMERICA VOTE ACT PROGRAM 215,000

Special Revenue Funds - Federal / State Operations
Federal Health and Human Services Fund - 265

Nonpersonal service 215,000

PROTECTION AND ADVOCACY OF INDIVIDUAL RIGHTS PROGRAM 1,154,000

Special Revenue Funds - Federal / State Operations
Federal Department of Education Fund - 267

Personal service 136,000
Nonpersonal service 951,000
Fringe benefits 64,000
Indirect costs 3,000

TECHNOLOGY RELATED ASSISTANCE FOR INDIVIDUALS WITH DISABILITIES 812,000

Special Revenue Funds - Federal / State Operations
Federal Department of Education Fund - 267
1031-OT-Education Account

For services and expenses related to TRAID including for contract for the delivery of direct services to persons utilizing regional technology centers or other enti-

ties funded through the TRAID project pursuant to chapter 58 of the laws of 2005.

Personal service	184,000
Nonpersonal service	537,000
Fringe benefits	87,000
Indirect costs	4,000

S 21. 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 22. 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 23. 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 24. 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 twenty-two of this act, the appropriations made by this act and subject to such section shall be deemed repealed.