

S. 8284

A. 11514

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

June 21, 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 80 of the laws of 2010, relating to making appropriations for the support of government; to amend chapter 46 of the laws of 2010, relating to making appropriations for the support of government; to amend chapter 47 of the laws of 2010, relating to making appropriations for the support of government; and to amend chapter 90 of the laws of 2010, relating to making appropriations for the support of government

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

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

8 S 2. Section 2 of chapter 20 of the laws of 2010, relating to making
9 appropriations for the support of government, as amended by chapter 110
10 of the laws of 2010, is amended to read as follows:

11 S 2. The sum of two billion [ninety-six] THREE HUNDRED FIFTY-EIGHT
12 million [eight] SEVEN hundred [twenty-one] FIFTY-SEVEN thousand dollars
13 [(\$2,096,821,000)] (\$2,358,757,000) or so much thereof as shall be
14 sufficient to accomplish the purpose designated, is hereby appropriated
15 and authorized to be paid as hereinafter provided, to the public offi-

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

LBD12285-02-0

cers and for the purposes specified, which amount shall be available for the state fiscal year beginning April 1, 2010.

ALL STATE DEPARTMENTS AND AGENCIES

For the purpose of making payments for personal service, including liabilities incurred prior to April 1, 2010, on the payrolls scheduled to be paid during the period April 1 through June [20] 28, 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

.....	[2,096,821,000]	2,358,757,000
	=====	

S 2-a. Section 2-a of chapter 80 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-a. 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.

GENERAL STATE CHARGES

GENERAL STATE CHARGES	[77,726,000]	522,926,000

General Fund / State Operations
State Purposes Account - 003

For the state's contribution to the health insurance fund. The state's share of the health insurance program dividends shall

1 be available to pay for the premiums in
2 2010-11.

3 Notwithstanding section 167-a of the civil
4 service law, effective April 1, 2010 upon
5 exclusion from the coverage of the health
6 insurance plan of supplementary medical
7 insurance benefits for which an active or
8 retired employee or a dependent covered by
9 the health insurance plan is or would be
10 eligible under the federal old-age, survi-
11 vors and disability insurance program, an
12 amount equal to the premium charge for
13 such supplementary medical insurance
14 benefits for such active or retired
15 employee and his or her dependents, if
16 any, shall be paid monthly or at other
17 intervals to such active or retired
18 employee from the health insurance fund.
19 Where appropriate, such amount may be
20 deducted from contributions payable by
21 the employee or retired employee; or where
22 appropriate in the case of a retired
23 employee receiving a retirement allowance,
24 such amount may be included with payments
25 of his or her retirement allowance.

26 Notwithstanding section 167-a of the civil
27 service law, effective April 1, 2010, all
28 state employer, employee, retired employee
29 and dependent contributions to the health
30 insurance fund shall be adjusted as neces-
31 sary to cover the cost of reimbursing
32 federal old-age, survivors, and disability
33 insurance program premium charges made
34 pursuant to section 167-a of the civil
35 service law. Furthermore, this cost shall
36 be included in the calculation of premium
37 or subscription charges for health cover-
38 age provided to state employees and
39 retired state employees, provided, howev-
40 er, the state shall remain obligated to
41 pay no less than its share of such
42 increased cost consistent with its share
43 of premium or subscription charges
44 provided for by article 11 of the civil
45 service law. As such, all other employer
46 contributions to the health insurance fund
47 shall be adjusted as necessary to provide
48 for such payments [50,400,000]

495,600,000

49 For the state's contribution to employee
50 benefit fund programs 27,326,000
51 -----

52 S 3. Section 3 of chapter 20 of the laws of 2010, relating to making
53 appropriations for the support of government, as amended by chapter 110
54 of the laws of 2010, is amended to read as follows:

1 S 3. The sum of two hundred [four] TWENTY-SIX million eight hundred
2 [sixty-two] SEVENTY-SIX thousand dollars [(\$204,862,000)]
3 (\$226,876,000), or so much thereof as shall be sufficient to accomplish
4 the purpose designated, is hereby appropriated out of any moneys in the
5 general fund to the credit of the state purposes account not otherwise
6 appropriated for the purpose of paying to the social security contrib-
7 ution fund, the state's share, as employer, of the payroll tax for
8 payrolls scheduled to be paid during the period April 1 through June
9 [20] 28, 2010, including liabilities incurred prior to April 1, 2010 ...
10 [204,862,000] 226,876,000
11 =====

12 S 4. Section 4 of chapter 20 of the laws of 2010, relating to making
13 appropriations for the support of government, as amended by chapter 108
14 of the laws of 2010, is amended to read as follows:

15 S 4. The sum of one hundred [thirty] FIFTY-FIVE thousand dollars
16 [(\$130,000)] (\$155,000), or so much thereof as shall be sufficient to
17 accomplish the purpose designated, is hereby appropriated out of any
18 moneys in the general fund to the credit of the state purposes account
19 not otherwise appropriated for payments to the teachers insurance and
20 annuity association and college retirement equities fund associated with
21 individuals working in the education department, the higher education
22 services corporation, and the state university of New York construction
23 fund. Notwithstanding any other provisions of law to the contrary, the
24 comptroller is hereby authorized and directed to utilize this appropri-
25 ation for the purpose of making scheduled teachers insurance and annuity
26 association and college retirement equities fund payments
27 [130,000] 155,000
28 =====

29 S 5. Section 6 of chapter 46 of the laws of 2010, relating to making
30 appropriations for the support of government, as amended by chapter 110
31 of the laws of 2010, is amended to read as follows:

32 S 6. The several amounts specified in this section, or so much thereof
33 as shall be sufficient to accomplish the purposes designated, are hereby
34 appropriated and authorized to be paid as hereinafter provided, to the
35 respective public officers and for the several purposes specified, which
36 amounts shall be available for the state fiscal year beginning April 1,
37 2010.

38 THE JUDICIARY

39 For the payment of state operations nonpersonal service liabilities,
40 the sum of [fifty-one] FIFTY-THREE million dollars [(\$51,000,000)]
41 (\$53,000,000), or so much thereof as shall be sufficient to accomplish
42 the purpose designated, is hereby appropriated to the judiciary out of
43 any moneys in the general fund to the credit of the state purposes
44 account not otherwise appropriated. The comptroller is hereby authorized
45 and directed to utilize this appropriation for the purpose of making
46 payments for nonpersonal service liabilities incurred by the judiciary
47 from April 1 through June [20] 27, 2010 [51,000,000] 53,000,000
48 =====

49 The sum of four million dollars (\$4,000,000), or so much thereof as
50 shall be sufficient to accomplish the purpose designated, is hereby
51 appropriated to the judiciary out of any moneys in the special revenue

1 funds - other / aid to localities, court facility incentive aid fund -
2 340 for services and expenses related to court cleaning and minor
3 repairs, interest aid, appellate aid and judicial institute financing
4 payments 4,000,000
5 =====

6 S 6. Section 5 of chapter 20 of the laws of 2010, relating to making
7 appropriations for the support of government, as amended by chapter 110
8 of the laws of 2010, is amended to read as follows:

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

14 ALL STATE DEPARTMENTS AND AGENCIES

15 For the payment of state operations nonper-
16 sonal service liabilities, including the
17 legislature, including contracts approved
18 prior to, on, and after April 1, 2010 for
19 liabilities incurred in the ordinary
20 course of business, during the period
21 April 1 through June [20] 27, 2010, pursu-
22 ant to existing state law and for purposes
23 for which the legislature authorized the
24 expenditure of moneys during the 2009-2010
25 state fiscal year; provided, however, that
26 nothing contained herein shall be deemed
27 to limit or restrict the power or authori-
28 ty of state departments or agencies to
29 conduct their activities or operations in
30 accordance with existing law, and further
31 provided that nothing contained herein
32 shall be deemed to supersede, nullify or
33 modify the provisions of section 40 of the
34 state finance law prescribing when appro-
35 priations made for the 2009-2010 state
36 fiscal year shall have ceased to have
37 force and effect [225,000,000] 245,000,000
38 =====

39 S 7. Section 6 of chapter 20 of the laws of 2010, relating to making
40 appropriations for the support of government, as amended by chapter 110
41 of the laws of 2010, is amended to read as follows:

42 S 6. The several amounts specified in this section, or so much thereof
43 as shall be sufficient to accomplish the purposes designated, are hereby
44 appropriated and authorized to be paid as hereinafter provided, to the
45 respective public officers and for the several purposes specified, which
46 amounts shall be available for the state fiscal year beginning April 1,
47 2010.

48 AMERICAN RECOVERY AND REINVESTMENT ACT (CCP)
49 [115,000,000] 120,000,000
50 -----

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

3 The sum of [seventy-five] EIGHTY million dollars [(\$75,000,000)]
4 (\$80,000,000), or so much thereof as shall be sufficient to accomplish
5 the purpose designated, is hereby appropriated for contracts approved
6 prior to April 1, 2010 for the payment by the state of the federal share
7 of transportation related capital projects liabilities funded by the
8 American Recovery and Reinvestment Act of 2009 incurred in the ordinary
9 course of business from April 1 through June [20] 27, 2010, pursuant to
10 existing state law and for purposes for which the legislature authorized
11 the expenditures of money during the 2009-2010 fiscal year; provided,
12 however, that nothing contained herein shall be deemed to limit or
13 restrict the power or authority of state departments or agencies to
14 conduct their activities or operations in accordance with existing law,
15 and further provided that nothing contained herein shall be deemed to
16 supersede, nullify, or modify the provisions of section 40 of the state
17 finance law prescribing when appropriations made for the 2009-2010
18 fiscal year shall have ceased to have force and effect. Funds appropri-
19 ated herein shall be subject to all applicable reporting and account-
20 ability requirements contained in such act [75,000,000] 80,000,000
21 =====

22 The sum of forty million dollars (\$40,000,000), or so much thereof as
23 shall be sufficient to accomplish the purpose designated, is hereby
24 appropriated for contracts approved for purposes for which the legisla-
25 ture authorized the expenditures of money during the 2009-2010 fiscal
26 year. An amount up to forty million dollars (\$40,000,000) shall be
27 available for the payment by the state of the federal share of transpor-
28 tation related capital projects liabilities, funded by the American
29 Recovery and Reinvestment Act of 2009 incurred in the ordinary course of
30 business during the period from April 1 through June [20] 27, 2010 for
31 contracts approved during the period April 1 through June [20] 27, 2010,
32 provided, however, that nothing contained herein shall be deemed to
33 limit or restrict the power or authority of state departments or agen-
34 cies to conduct their activities or operations in accordance with exist-
35 ing law, and further provided that nothing contained herein shall be
36 deemed to supersede, nullify, or modify the provisions of section 40 of
37 the state finance law prescribing when appropriations made for the
38 2009-2010 fiscal year shall have ceased to have force and effect. Funds
39 appropriated herein shall be subject to all applicable reporting and
40 accountability requirements contained in such act 40,000,000
41 =====

42 S 8. Section 7 of chapter 20 of the laws of 2010, relating to making
43 appropriations for the support of government, as amended by chapter 110
44 of the laws of 2010, is amended to read as follows:

45 S 7. The several amounts specified in this section, or so much thereof
46 as shall be sufficient to accomplish the purposes designated, are hereby
47 appropriated and authorized to be paid as hereinafter provided, to the
48 respective public officers and for the several purposes specified, which
49 amounts shall be available for the state fiscal year beginning April 1,
50 2010.

1 The sum of thirty million dollars (\$30,000,000), or so much thereof as
2 shall be sufficient to accomplish the purpose designated, is hereby
3 appropriated for contracts approved in accordance with section 112 of
4 the state finance law for purposes for which the legislature authorized
5 the expenditures of money during the 2009-2010 fiscal year. An amount up
6 to thirty million dollars (\$30,000,000) shall be available for the
7 payment of capital projects liabilities, including any contractual
8 services liabilities of the engineering services fund, incurred to
9 address emergency health and safety needs as certified by the director
10 of budget during the period from April 1 through June [20] 27, 2010 for
11 contracts approved prior to, on, or after April 1, 2010, provided,
12 however, that nothing contained herein shall be deemed to limit or
13 restrict the power or authority of state departments or agencies to
14 conduct their activities or operations in accordance with existing law,
15 and further provided that nothing contained herein shall be deemed to
16 supersede, nullify, or modify the provisions of section 40 of the state
17 finance law prescribing when appropriations made for the 2009-2010
18 fiscal year shall have ceased to have force and effect 30,000,000
19 =====

20 The sum of [two] THREE hundred million dollars [(\$200,000,000)]
21 (\$300,000,000), or so much thereof as shall be sufficient to accomplish
22 the purpose designated, is hereby appropriated for contracts approved in
23 accordance with section 112 of the state finance law for purposes for
24 which the legislature authorized the expenditures of money during the
25 2009-2010 fiscal year. An amount up to [two] THREE hundred million
26 dollars [(\$200,000,000)] (\$300,000,000) shall be available for the
27 payment of all facets of capital projects liabilities incurred on and
28 after April 1, 2010 for contracts originally approved prior to April 1,
29 2010, provided, however, that nothing contained herein shall be deemed
30 to limit or restrict the power or authority of state departments or
31 agencies to conduct their activities or operations in accordance with
32 existing law, and further provided that nothing contained herein shall
33 be deemed to supersede, nullify, or modify the provisions of section 40
34 of the state finance law prescribing when appropriations made for the
35 2009-2010 fiscal year shall have ceased to have force and effect
36 [200,000,000] 300,000,000
37 =====

38 S 9. Section 9 of chapter 47 of the laws of 2010, relating to making
39 appropriations for the support of government, as amended by chapter 110
40 of the laws of 2010, is amended to read as follows:

41 S 9. The several amounts specified in this section, or so much thereof
42 as shall be sufficient to accomplish the purposes designated, are hereby
43 appropriated and authorized to be paid as hereinafter provided, to the
44 respective public officers and for the several purposes specified, which
45 amounts shall be available for the state fiscal year beginning April 1,
46 2010.

47 DEPARTMENT OF TRANSPORTATION

48 FEDERAL AID HIGHWAYS FEDERAL PURPOSE [135,000,000] 170,000,000
49 -----

50 Federal Capital Projects Fund - 291
51 Federal Aid Highways Purpose

1 The sum of one hundred [fifteen] FIFTY million dollars [(\$115,000,000]
 2 (\$150,000,000), or so much thereof as shall be sufficient to accomplish
 3 the purpose designated, is hereby appropriated for contracts approved
 4 prior to April 1, 2010 for the payment by the state of the federal share
 5 of transportation related capital projects liabilities as provided for
 6 in the Safe, Accountable, Flexible, Efficient Transportation Equity Act:
 7 A Legacy for Users and any successive legislation incurred in the ordi-
 8 nary course of business from April 1 through June [20] 27, 2010, pursu-
 9 ant to existing state law and for purposes for which the legislature
 10 authorized the expenditures of money during the 2009-2010 fiscal year;
 11 provided, however, that nothing contained herein shall be deemed to
 12 limit or restrict the power or authority of state departments or agen-
 13 cies to conduct their activities or operations in accordance with exist-
 14 ing law, and further provided that nothing contained herein shall be
 15 deemed to supersede, nullify, or modify the provisions of section 40 of
 16 the state finance law prescribing when appropriations made for the
 17 2009-2010 fiscal year shall have ceased to have force and effect. Funds
 18 appropriated herein shall not be available for the payment of liabil-
 19 ities funded by the American Recovery and Reinvestment Act of 2009
 20 [115,000,000] 150,000,000
 21 =====

22 The sum of twenty million dollars (\$20,000,000), or so much thereof as
 23 shall be sufficient to accomplish the purpose designated, is hereby
 24 appropriated for contracts approved during the period from April 1
 25 through June [20] 27, 2010 for the payment by the state of the federal
 26 share of transportation related capital projects liabilities as provided
 27 for in the Safe, Accountable, Flexible, Efficient Transportation Equity
 28 Act: A Legacy for Users and any successive legislation incurred in the
 29 ordinary course of business from April 1 through June [20] 27, 2010, for
 30 projects that do not contain any state funding shares unless such state
 31 shares are funded by the consolidated local street and highway improve-
 32 ment program and/or the municipal streets and highway program, or for
 33 projects containing both state funding shares that are eligible to be
 34 funded by bond proceeds to the extent that such bond proceeds are avail-
 35 able and federal shares funded by the American Recovery and Reinvestment
 36 Act of 2009, pursuant to existing state law and for purposes for which
 37 the legislature authorized the expenditures of money during the
 38 2009-2010 fiscal year; provided, however, that nothing contained herein
 39 shall be deemed to limit or restrict the power or authority of state
 40 departments or agencies to conduct their activities or operations in
 41 accordance with existing law, and further provided that nothing
 42 contained herein shall be deemed to supersede, nullify, or modify the
 43 provisions of section 40 of the state finance law prescribing when
 44 appropriations made for the 2009-2010 fiscal year shall have ceased to
 45 have force and effect. Funds appropriated herein shall not be available
 46 for the payment of liabilities funded by the American Recovery and Rein-
 47 vestment Act of 2009 20,000,000
 48 =====

49 NEW YORK STATE AGENCY FUND (CCP) 10,000,000
 50 -----

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

1 The sum of ten million dollars (\$10,000,000), or so much thereof as
2 shall be sufficient to accomplish the purpose designated, is hereby
3 appropriated for contracts approved prior to, on or after April 1, 2010
4 for the payment of transportation related capital projects liabilities
5 incurred by the department of transportation on behalf of entities other
6 than state departments or agencies pursuant to the highway law or trans-
7 portation law incurred in the ordinary course of business from April 1
8 through June [20] 27, 2010 10,000,000
9 =====

10 S 9-a. Section 9-b of chapter 90 of the laws of 2010, relating to
11 making appropriations for the support of government, as amended by chap-
12 ter 110 of the laws of 2010, is amended to read as follows:

13 S 9-b. The amount specified in this section, or so much thereof as
14 shall be sufficient to accomplish the purpose designated, is hereby
15 appropriated and authorized to be paid as hereinafter provided, to the
16 public officers and for the purpose specified, which amount shall be
17 available for the state fiscal year beginning April 1, 2010.

18 DEPARTMENT OF TRANSPORTATION

19 The sum of one million dollars (\$1,000,000), or so much thereof as
20 shall be sufficient to accomplish the purpose designated, is hereby
21 appropriated for contracts approved during the period from April 1, 2010
22 through June [20] 27, 2010, for the payment by the state of the state
23 share of transportation related capital projects liabilities incurred in
24 the ordinary course of business from April 1, 2010 through June [20] 27,
25 2010, including construction inspection, funded by the dedicated highway
26 and bridge trust fund - non-federal aided highway purpose and prepara-
27 tion of plans purpose and/or the rebuild and renew New York transporta-
28 tion bond act of 2005 - highway facilities purpose, only for the shares
29 of projects that are eligible to be funded by bond proceeds, only to the
30 extent that bond proceeds are available, and only for capital projects
31 that contain funding shares from the American Recovery and Reinvestment
32 Act of 2009, pursuant to existing state law and for purposes for which
33 the legislature authorized the expenditures of money during the
34 2009-2010 fiscal year; provided, however, that nothing contained herein
35 shall be deemed to limit or restrict the power or authority of state
36 departments or agencies to conduct their activities or operations in
37 accordance with existing law, and further provided that nothing
38 contained herein shall be deemed to supersede, nullify, or modify the
39 provisions of section 40 of the state finance law prescribing when
40 appropriations made for the 2009-2010 fiscal year shall have ceased to
41 have force and effect 1,000,000
42 =====

43 S 9-b. The several amounts specified in this section, or so much ther-
44 eof as shall be sufficient to accomplish the several purposes desig-
45 nated, are hereby appropriated and authorized to be paid as hereinafter
46 provided, to the respective public officers and for the several purposes
47 specified, which amounts shall be available for the state fiscal year
48 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 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 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

1 transportation services, provided within
2 the city directly or under contract 7,556,000
3 To all other public transportation systems
4 serving primarily within the metropolitan
5 commuter transportation district, as
6 defined in section 1262 of the public
7 authorities law, eligible to receive oper-
8 ating assistance under the provisions of
9 section 18-b of the transportation law for
10 the operating expenses thereof in accord-
11 ance with a service and usage formula to
12 be established by the commissioner of
13 transportation with the approval of the
14 director of the budget 2,794,000
15 -----
16 Program account subtotal 126,295,000
17 -----

18 Special Revenue Funds - Other / Aid to Localities
19 Mass Transportation Operating Assistance Fund - 313
20 Public Transportation Systems Operating Assistance
21 Account

22 Notwithstanding any inconsistent provision
23 of law, the following appropriations are
24 for payment of mass transportation operat-
25 ing assistance provided that payments from
26 this appropriation shall be made pursuant
27 to a financial plan approved by the direc-
28 tor of the budget.

29 To the Capital District transportation
30 authority for the operating expenses ther-
31 eof 1,511,000
32 To the Central New York regional transporta-
33 tion authority for the operating expenses
34 thereof 1,457,500
35 To the Rochester-Genesee regional transpor-
36 tation authority for the operating
37 expenses thereof 1,652,500
38 To the Niagara Frontier transportation
39 authority for the operating expenses ther-
40 eof 2,964,000
41 To all other public transportation bus
42 systems serving primarily areas outside of
43 the metropolitan commuter transportation
44 district eligible to receive operating
45 assistance under the provisions of section
46 18-b of the transportation law for the
47 operating expenses thereof in accordance
48 with the service and usage formula to be
49 established by the commissioner of trans-
50 portation with the approval of the direc-
51 tor of the budget 2,691,500
52 -----
53 Program account subtotal 10,276,500
54 -----

S 9-c. 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 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

1 respective public officers and for the purpose specified, which amount
2 shall be available for the state fiscal year beginning April 1, 2010.

3 DEPARTMENT OF HEALTH

4 CENTER FOR COMMUNITY HEALTH PROGRAM 10,000,000
5 -----

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

9 For various federal food and nutritional
10 services. The moneys hereby appropriated
11 shall be available for contracts approved
12 prior to, on, or after April 1, 2010, and
13 for the payment of financial assistance
14 heretofore accrued or hereafter to accrue ... 10,000,000
15 -----
16 Program account subtotal 10,000,000
17 -----

18 S 11. The several amounts specified in this section, or so much there-
19 of as shall be sufficient to accomplish the purposes designated, is
20 hereby appropriated and authorized to be paid as hereinafter provided,
21 to the public officers and for the several purposes specified, which
22 amount shall be available for the state fiscal year beginning April 1,
23 2010.

24 DEPARTMENT OF HEALTH

25 AIDS INSTITUTE PROGRAM 68,534,850
26 -----

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

30 Notwithstanding any provision of law to the
31 contrary, the appropriations in the
32 following schedule shall not be available
33 for expenditure until enactment of a chap-
34 ter of the laws of 2010 that: increases
35 the rate of tax imposed on each twenty
36 cigarettes or fraction thereof by one
37 dollar and sixty cents, effective July 1,
38 2010; increases the tobacco product tax to
39 75 percent of the wholesale price,
40 increases the tax on snuff products by one
41 dollar and four cents per ounce, creates a
42 new category under the tobacco products
43 tax of little cigars taxed at an equiv-
44 alent rate to cigarettes, effective August
45 1, 2010; and enacts certain provisions
46 regarding the collection and payment of

1 cigarette taxes and the enforcement there-
2 of.

3 For grants to existing community service
4 programs, as deemed appropriate by the
5 department of health, including but not
6 limited to community based organizations
7 and other organizations providing special-
8 ized AIDS-related services targeted to
9 minority and other high-risk populations.

10 To ensure organizational viability, agency
11 administration may be supported subject to
12 review and approval of the commissioner of
13 health. Up to \$125,000 may be transferred
14 to the general fund - state purposes
15 account for the administration of this
16 program. Notwithstanding any provision of
17 law to the contrary, the commissioner of
18 health shall be authorized to continue
19 contracts with community service programs,
20 multi-service agencies and community
21 development initiatives for all such
22 contracts which were executed on or before
23 March 31, 2010, without any additional
24 requirements that such contracts be
25 subject to competitive bidding or a
26 request for proposals process 18,053,000

27 For grants to existing community service
28 programs to meet the increased demands for
29 HIV education, prevention, outreach, legal
30 and supportive services to high-risk
31 groups and to address increased operating
32 costs of these programs. To ensure organ-
33 izational viability, agency administration
34 may be supported subject to review and
35 approval of the commissioner of health.

36 Notwithstanding any provision of law to the
37 contrary, the commissioner of health shall
38 be authorized to continue contracts with
39 community service programs, multiservice
40 agencies and community development initi-
41 atives for all such contracts which were
42 executed on or before March 31, 2010,
43 without any additional requirements that
44 such contracts be subject to competitive
45 bidding or a request for proposals process
46 4,214,850

47 For additional grants to existing community
48 service programs to meet the increased
49 demands for HIV education, prevention,
50 outreach, legal and supportive services to
51 high-risk groups and to address increased
52 operating costs of these programs. To
53 ensure organizational viability, agency
54 administration may be supported subject to
55 review and approval of the commissioner of
56 health. Notwithstanding any provision of

1 law to the contrary, the commissioner of
2 health shall be authorized to continue
3 contracts with community service programs,
4 multi-service agencies and community
5 development initiatives for all such
6 contracts which were executed on or before
7 March 31, 2010, without any additional
8 requirements that such contracts be
9 subject to competitive bidding or a
10 request for proposals process 783,000
11 For services and expenses related to the
12 operation of the Cornell university parent
13 HIV/AIDS education project to provide
14 educational workshops for parents in
15 Nassau county, and to enhance the project
16 in Suffolk county 74,000
17 For services and expenses of the Long Island
18 association for AIDS care to conduct a
19 study to (1) identify the medical and
20 social services gaps for children orphaned
21 by AIDS on Long Island, as well as strate-
22 gies to link families with AIDS with
23 community services in order to plan for
24 future care needs of their children, and
25 (2) develop innovative comprehensive model
26 service programs for such children 49,000
27 For grants to county health departments for
28 HIV-related public health activities in
29 rural underserved counties and counties
30 with the most rapid increases in HIV inci-
31 dence 294,000
32 For services and expenses of the AIDS insti-
33 tute related to training and education
34 activities and continuum of care initi-
35 atives 2,147,000
36 For services and expenses of a pilot
37 surveillance project for investigation of
38 reported AIDS cases by county health
39 departments as authorized by the commis-
40 sioner of health 88,000
41 For grants to community based organizations
42 for the provision of services to parolees
43 and their families. Up to \$730,000 of this
44 appropriation may be transferred to the
45 general fund - state purposes account for
46 administration of this program 1,041,000
47 For HIV counseling and testing services in
48 facilities operated by the New York state
49 department of correctional services. All
50 or part of this appropriation may be
51 transferred to the general fund - state
52 purposes account for administration of
53 this program 854,000
54 For grants for the provision of outreach and
55 case management services to high-risk
56 women and children 1,267,000

1 For services and expenses related to the
2 provision of outreach and education to
3 low-income and minority communities
4 concerning the availability of and access
5 to clinical drug trials 98,000
6 For services and expenses related to the
7 care and service needs of children,
8 adolescents and families with the HIV
9 disease 1,693,000
10 For grants for the provision of comprehen-
11 sive HIV prevention and health care
12 services to high-risk adolescents and
13 young adults. Up to 5 percent of this
14 appropriation may be transferred to the
15 general fund - state purposes account for
16 the administration of this program,
17 provided 2,139,000
18 For grants for housing, supported housing
19 and referral services for homeless persons
20 with HIV/AIDS and their families, includ-
21 ing those with tuberculosis or if
22 warranted those with tuberculosis only, in
23 areas as determined by data collected by
24 the department of health 2,303,000
25 For grants for the provision of HIV
26 prevention and primary care services to
27 high-risk populations in community health
28 centers and substance abuse programs,
29 provided 662,000
30 For grants to community based organizations
31 for HIV prevention and outreach efforts
32 targeted to substance abusers 461,000
33 For services and expenses related to educa-
34 tion and prevention services and for
35 nutritional services including individuals
36 homebound with AIDS or in an adult day
37 care or home care setting 4,306,000
38 For grants to community based organizations
39 to support permanency planning and support
40 services for families affected by HIV. Up
41 to 5 percent of this appropriation may be
42 transferred to the general fund - state
43 purposes account for the administration of
44 this program 921,000
45 For grants to community based organizations
46 and for services and expenses of the AIDS
47 institute related to the provision of HIV
48 education and prevention services. Up to
49 10 percent of this appropriation may be
50 transferred to the general fund - state
51 purposes account for administration of
52 this program 691,000
53 For services and expenses of surveillance
54 projects for investigation of reported
55 AIDS cases, including seroprevalence

1 studies, as authorized by the commissioner
2 of health 323,000
3 For provision of comprehensive HIV outreach
4 and prevention services to adolescents and
5 women 921,000
6 For state aid to municipalities pursuant to
7 article 6 of the public health law or for
8 grants to counties and local health
9 departments for an HIV surveillance and
10 partner notification program 3,777,000
11 For services and expenses of the medical
12 society of the state of New York for a
13 peer educational program for physicians
14 regarding the testing and reporting of
15 individuals who are infected with HIV 98,000
16 For grants for AIDS prevention and education
17 and AIDS related services to existing
18 community based organizations, as deemed
19 appropriate by the department of health
20 and to article 28 of the public health law
21 diagnostic and treatment centers. For the
22 purposes of this program, eligible organ-
23 izations must (1) operate in a neighbor-
24 hood or geographic area with high concen-
25 trations of at risk populations; and (2)
26 provide services and programs that are
27 culturally sensitive to the special social
28 and cultural needs of the at risk popu-
29 lations. To ensure organizational viabil-
30 ity, agency administration may be
31 supported subject to review and approval
32 of the commissioner of health. Notwith-
33 standing any provision of law to the
34 contrary, the commissioner of health shall
35 be authorized to continue contracts with
36 community service programs, multi-service
37 agencies and community development initi-
38 atives for all such contracts which were
39 executed on or before March 31, 2010,
40 without any additional requirements that
41 such contracts be subject to competitive
42 bidding or a request for proposals process
43 10,810,000
44 For additional grants to existing community
45 based organizations and to article 28 of
46 the public health law diagnostic and
47 treatment centers that must operate in a
48 neighborhood or geographic area with high
49 concentrations of at risk populations and
50 provide services and programs that are
51 culturally sensitive to the special social
52 and cultural needs of the at risk popu-
53 lations. Such grants shall be used to meet
54 the increased demands for HIV education,
55 prevention, outreach, and legal programs.

1 To ensure organizational viability, agency
2 administration may be supported subject to
3 review and approval of the commissioner of
4 health. Notwithstanding any provision of
5 law to the contrary, the commissioner of
6 health shall be authorized to continue
7 contracts with community service programs,
8 multi-service agencies and community
9 development initiatives for all such
10 contracts which were executed on or before
11 March 31, 2010, without any additional
12 requirements that such contracts be
13 subject to competitive bidding or a
14 request for proposals process 783,000

15 For grants for the provision of primary
16 health care services in drug treatment
17 programs. Up to \$800,000 of this appropri-
18 ation can be used for services targeted to
19 substance abusers at risk of becoming
20 intravenous drug users. Up to 5 percent of
21 this appropriation may be transferred to
22 the general fund - state purposes account
23 for the administration of this program 2,456,000

24 For services and expenses relating to the
25 provision of HIV counseling and testing by
26 family planning clinics and prenatal care
27 assistance programs to the extent that
28 reimbursement through medical assistance
29 is not available. These funds shall not be
30 used by the department for any costs
31 directly related to the processing of
32 tests 3,180,000

33 For grants for the development of women's
34 HIV clinics to provide comprehensive
35 obstetrical/gynecological services and for
36 grants to health care facilities and
37 community organizations for the provisions
38 of primary care, subspecialty care and
39 supportive services to HIV-infected women
40 and children in underserved, high seropre-
41 valence areas. Up to 5 percent of this
42 appropriation may be transferred to the
43 general fund - state purposes account for
44 the administration of this program,
45 provided 1,192,000

46 For services and expenses related to the
47 special program for HIV services for
48 infants and pregnant women established
49 pursuant to section 71 of chapter 731 of
50 the laws of 1993. Such programs may
51 provide continuing services to high-risk
52 and HIV-positive women and children,
53 provided 1,382,000

54 For services and expenses associated with
55 the HIV clinical education initiative
56 program 1,474,000

Program account subtotal 68,534,850

CENTER FOR COMMUNITY HEALTH PROGRAM 53,455,000

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

Notwithstanding any provision of law to the contrary, the appropriations in the following schedule shall not be available for expenditure until enactment of a chapter of the laws of 2010 that: increases the rate of tax imposed on each twenty cigarettes or fraction thereof by one dollar and sixty cents, effective July 1, 2010; increases the tobacco product tax to 75 percent of the wholesale price, increases the tax on snuff products by one dollar and four cents per ounce, creates a new category under the tobacco products tax of little cigars taxed at an equivalent rate to cigarettes, effective August 1, 2010; and enacts certain provisions regarding the collection and payment of cigarette taxes and the enforcement thereof.

For services and expenses of a statewide public health campaign for tuberculosis control and prevention and for screening and education activities regarding sexually transmitted diseases, provided that any funds allocated under this appropriation shall not supplant existing local funds or state funds allocated to county health departments under article 6 of the public health law. Up to \$300,000 of this appropriation may be transferred to state operations for the administration of this program by the department of health 5,917,000

For services and expenses related to the Indian health program. The moneys hereby appropriated shall be for payment of financial assistance heretofore accrued or hereafter to accrue. Up to 2.5 percent of this appropriation may be transferred to the general fund-state purposes account for the nonpersonal service administration of this program 16,121,000

State aid to municipalities for medical services for the rehabilitation of physically handicapped children, pursuant to article 6 of the public health law 3,685,000

1 For services and expenses for a school
2 health program 3,981,000
3 For services and expenses of the prenatal
4 care assistance program. Up to 100 percent
5 of this appropriation may be suballocated
6 to the medical assistance program general
7 fund - local assistance account to be
8 matched by federal funds 2,432,000
9 For services and expenses of the maternity
10 and early childhood foundation 599,000
11 For services and expenses related to tobacco
12 enforcement, education and related activ-
13 ities, pursuant to chapter 433 of the laws
14 of 1997. Of amounts appropriated herein,
15 up to \$500,000 may be used for educational
16 programs. A portion of this appropriation
17 may be transferred to state operations 2,303,000
18 For services and expenses related to
19 evidenced based cancer services programs.
20 A portion of this appropriation may be
21 transferred to state operations appropri-
22 ations for administration of this program ... 18,417,000
23 -----
24 Program account subtotal 53,455,000
25 -----

26 OFFICE OF LONG TERM CARE 4,311,700
27 -----

28 Special Revenue Fund - Other / Aid to Localities
29 HCRA Resources Fund - 061
30 Health Services Account

31 Notwithstanding any provision of law to the
32 contrary, the appropriations in the
33 following schedule shall not be available
34 for expenditure until enactment of a chap-
35 ter of the laws of 2010 that: increases
36 the rate of tax imposed on each twenty
37 cigarettes or fraction thereof by one
38 dollar and sixty cents, effective July 1,
39 2010; increases the tobacco product tax to
40 75 percent of the wholesale price,
41 increases the tax on snuff products by one
42 dollar and four cents per ounce, creates a
43 new category under the tobacco products
44 tax of little cigars taxed at an equiv-
45 alent rate to cigarettes, effective August
46 1, 2010; and enacts certain provisions
47 regarding the collection and payment of
48 cigarette taxes and the enforcement there-
49 of.

50 For services and expenses of a quality
51 program for adult care facilities, includ-
52 ing enriched housing facilities.

1 Such program shall be targeted at improving
 2 the quality of life for adult care facili-
 3 ty residents. The department subject to
 4 the approval of the director of the divi-
 5 sion of budget, shall develop an allo-
 6 cation methodology taking into account
 7 financial status of the facility as well
 8 as resident needs. Such allocation shall
 9 serve as the basis of distribution to
 10 eligible facilities 4,311,700
 11 -----
 12 Program account subtotal 4,311,700
 13 -----

14 HEALTH CARE REFORM ACT PROGRAM 357,136,000
 15 -----

16 Special Revenue Funds - Other / Aid to Localities
 17 HCRA Resources Fund - 061
 18 HCRA Program Account

19 Notwithstanding any provision of law to the
 20 contrary, the appropriations in the
 21 following schedule shall not be available
 22 for expenditure until enactment of a chap-
 23 ter of the laws of 2010 that: increases
 24 the rate of tax imposed on each twenty
 25 cigarettes or fraction thereof by one
 26 dollar and sixty cents, effective July 1,
 27 2010; increases the tobacco product tax to
 28 75 percent of the wholesale price,
 29 increases the tax on snuff products by one
 30 dollar and four cents per ounce, creates a
 31 new category under the tobacco products
 32 tax of little cigars taxed at an equiv-
 33 alent rate to cigarettes, effective August
 34 1, 2010; and enacts certain provisions
 35 regarding the collection and payment of
 36 cigarette taxes and the enforcement there-
 37 of.

38 For services, expenses, grants and transfers
 39 necessary to implement the health care
 40 reform act program in accordance with
 41 section 2807-j, 2807-k, 2807-l, 2807-m,
 42 2807-p, 2807-s and 2807-v of the public
 43 health law. The moneys hereby appropriated
 44 shall be available for payments heretofore
 45 accrued or hereafter to accrue. Notwith-
 46 standing any inconsistent provision of
 47 law, the moneys hereby appropriated may be
 48 increased or decreased by interchange or
 49 transfer with any appropriation of the
 50 department of health or by transfer or
 51 suballocation to any appropriation of the
 52 department of insurance, the office of
 53 mental health and the state office for the

1 aging subject to the approval of the
2 director of the budget, who shall file
3 such approval with the department of audit
4 and control and copies thereof with the
5 chairman of the senate finance committee
6 and the chairman of the assembly ways and
7 means committee. With the approval of the
8 director of the budget, up to 5 percent of
9 this appropriation may be used for state
10 operations purposes. At the direction of
11 the director of the budget, funds may also
12 be transferred directly to the general
13 fund for the purpose of repaying a draw on
14 the tobacco revenue guarantee fund.

15 For services and expenses of the empire
16 clinical research investigator program
17 (ECRIP) 9,120,000

18 For services and expenses of the New York
19 state area health education center program
20 2,500,000

21 For services and expenses of the ambulatory
22 care training program pursuant to subdivi-
23 sion 5-a of section 2807-m of the public
24 health law 4,300,000

25 For services and expenses of the physician
26 loan repayment program pursuant to subdivi-
27 sion 5-a of section 2807-m of the public
28 health law. All or part of this appropri-
29 ation may be suballocated to the NYS high-
30 er education services corporation 1,700,000

31 For services and expenses of the physician
32 practice support program pursuant to
33 subdivision 5-a of section 2807-m of the
34 public health law 4,300,000

35 For services and expenses related to physi-
36 cian workforce studies pursuant to subdivi-
37 sion 5-a of section 2807-m of the public
38 health law 516,000

39 For services and expenses of the diversity
40 in medicine/post-baccalaureate program
41 pursuant to subdivision 5-a of section
42 2807-m of the public health law 1,700,000

43 For transfer to Roswell park cancer insti-
44 tute corporation 71,600,000

45 For transfer to health research incorporated
46 (HRI) for the AIDS drug assistance program
47 42,300,000

48 For state grants for the health workforce
49 retraining program. Notwithstanding
50 section 2807-g of the public health law,
51 or any other provision of law to the
52 contrary, funds hereby appropriated may be
53 made available to other state agencies and
54 facilities operated by the department of
55 health for services and expenses related
56 to the worker retraining program as

1 disbursed pursuant to section 2807-g of
2 the public health law. Provided, however,
3 that the director of the budget must
4 approve the release of any request for
5 proposal or request for application or any
6 other procurement initiatives issued on or
7 after April 1, 2007. Further provided that
8 any contract executed on or after April 1,
9 2007 must receive the prior approval of
10 the director of the budget. A portion of
11 this appropriation may be transferred to
12 state operations appropriations 28,400,000
13 For services and expenses related to the
14 tobacco use prevention and control program
15 including grants to support cancer
16 research. A portion of this appropriation
17 may be transferred to state operations
18 appropriations 57,100,000
19 For transfer to the Roswell park cancer
20 institute to support operating costs asso-
21 ciated with cancer research 6,000,000
22 For state grants for rural health care
23 access development 9,800,000
24 For state grants for rural health network
25 development 6,400,000
26 For services and expenses, including grants,
27 related to emergency assistance distrib-
28 utions as designated by the commissioner
29 of health. Notwithstanding section 112 or
30 163 of the state finance law or any other
31 contrary provision of law, such distrib-
32 utions shall be limited to providers or
33 programs where, as determined by the
34 commissioner of health, emergency assist-
35 ance is vital to protect the life or safe-
36 ty of patients, to ensure the retention of
37 facility caregivers or other staff, or in
38 instances where health facility operations
39 are jeopardized, or where the public
40 health is jeopardized or other emergency
41 situations exist 2,900,000
42 For transfer to the pool administrator for
43 distributions related to school based
44 health clinics 5,600,000
45 For services and expenses related to audit-
46 ing or payment of audit contracts to
47 determine payor and provider compliance
48 requirements. All or a portion of this
49 appropriation may be transferred to state
50 operations appropriations 14,700,000
51 For services and expenses related to audit-
52 ing or payment of audit contracts to
53 determine hospital compliance with para-
54 graph 6 of subdivision (a) of section
55 405.4 of title 10, NYCRR. All or a portion

1 of this appropriation may be transferred
2 to state operations appropriations 2,500,000
3 For transfer to the pool administrator for
4 state grants for poison control centers. A
5 portion of this appropriation may be
6 transferred to state operations appropri-
7 ations 2,500,000
8 For services and expenses related to the
9 pool administration. All or a portion of
10 this appropriation may be transferred to
11 state operations appropriations 4,200,000
12 For additional state grants to improve
13 access to infertility services, treat-
14 ments, and procedures 2,200,000
15 For services and expenses related to school
16 based health centers. The total amount of
17 funds provided herein shall be distributed
18 to school-based health center providers
19 based on the ratio of each provider's
20 total enrollment for all sites to the
21 total enrollment of all providers. This
22 formula shall be applied to the total
23 amount made available herein, provided,
24 however, that notwithstanding any contrary
25 provision of law, the commissioner of
26 health may establish minimum and maximum
27 awards for providers 2,800,000
28 For payments for uncompensated care to
29 eligible voluntary non-profit diagnostic
30 and treatment centers 54,400,000
31 For transfer to the dormitory authority of
32 the state of New York for the health
33 facility restructuring program 19,600,000
34 -----
35 Program account subtotal 357,136,000
36 -----

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

42 DEPARTMENT OF LABOR

43 UNEMPLOYMENT INSURANCE BENEFIT PROGRAM 195,000,000
44 -----
45 Enterprise Funds / State Operations
46 Unemployment Insurance Benefit Fund - 481
47 For payment of unemployment insurance bene-
48 fits pursuant to article 18 of the labor
49 law or as authorized by the Federal
50 government through the disaster unemploy-
51 ment assistance program 195,000,000
52 -----

S 13. 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

ELEMENTARY, MIDDLE, SECONDARY AND CONTINUING EDUCATION
PROGRAM 83,150,000

General Fund / Aid to Localities
Local Assistance Account - 001

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 to the state education department out of any moneys in the general fund to the credit of the local assistance account not otherwise appropriated. The comptroller is hereby authorized and directed to utilize this appropriation for the purpose of making mandated payments to the state fiscal year beginning April 1, 2010 for the 2009-2010 school year for support for excess cost aid payments 1,000,000

Special Revenue Funds - Other / Aid to Localities
State Lottery Fund - 160

The sum of eighty-two million one hundred fifty thousand dollars (\$82,150,000), 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 state lottery fund. The comptroller is hereby authorized and directed to utilize this appropriation for the purposes of making statutorily required June payments to school districts on or before June 30, 2010 pursuant to chapter 88 of the laws of 2000, chapter 375 of the laws of 2000, section 88 of Part C of chapter 57 of the laws of 2004, section 90 of Part C of chapter 57 of the laws of 2004, chapter 626 of the laws of 2004, chapter 421 of the laws of 2005, chapter 465 of the laws of 2005, chapter 749 of the laws of 2005, and chapter 265 of the laws of 2007 82,150,000

S 14. The amount specified in this section, or so much thereof as shall be sufficient to accomplish the purpose designated, is hereby appropriated and authorized to be paid as hereinafter provided, to the respective public officers and for the purpose specified, which amount shall be available for the state fiscal year beginning April 1, 2010.

DEPARTMENT OF FAMILY ASSISTANCE
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

EMPLOYMENT AND ECONOMIC SUPPORT PROGRAM 60,000,000

1 General Fund / Aid to Localities
2 Local Assistance Account - 001

3 For expenditures made pursuant to title 8 of
4 article 5 of the social services law and
5 for expenditures for additional state
6 payments for eligible aged, blind, and
7 disabled persons related to supplemental
8 security income 60,000,000
9 -----

10 S 15. Section 13 of chapter 90 of the laws of 2010, relating to making
11 appropriations for the support of government, is amended to read as
12 follows:

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

18 LOCAL GOVERNMENT ASSISTANCE

19 AID AND INCENTIVES FOR MUNICIPALITIES [11,138,869] 257,041,515
20 -----

21 General Fund / Aid to Localities
22 Local Assistance Account - 001

23 For payment to local governments under the
24 aid and incentives for municipalities
25 program pursuant to section 54 of the
26 state finance law in accordance with the
27 following:

28 For base level grants to municipalities
29 [11,138,869] 257,041,515
30 [Notwithstanding any provision of law to the
31 contrary, moneys paid pursuant to this
32 appropriation shall be due and payable on
33 or before June 25, 2010 within amounts
34 appropriated therefor.]

35 S 16. The amount specified in this section, or so much thereof as
36 shall be sufficient to accomplish the purpose designated, is hereby
37 appropriated and authorized to be paid as hereinafter provided, to the
38 public officers and for the purposes specified, which amount shall be
39 available for the state fiscal year beginning April 1, 2010.

40 LOCAL GOVERNMENT ASSISTANCE

41 AID TO MUNICIPALITIES WITH VIDEO LOTTERY GAMING FACILITIES .. 25,801,000
42 -----

43 General Fund / Aid to Localities
44 Local Assistance Account - 001

1 For payment of aid to eligible cities and
 2 eligible municipalities in which a video
 3 lottery gaming facility is located pursu-
 4 ant to section 54-1 of the state finance
 5 law. Within the amount appropriated here-
 6 in, \$19,600,000 shall be available for
 7 payment to the city of Yonkers pursuant to
 8 section 54-1 of the state finance law no
 9 earlier than April 1, 2011 and no later
 10 than June 30, 2011 on audit and warrant of
 11 the state comptroller notwithstanding any
 12 provision of law to the contrary including
 13 any contrary provision of section 40 or
 14 section 54-1 of the state finance law.
 15 Such payment shall constitute complete
 16 liquidation of that state's obligation to
 17 the city under section 54-1 of the state
 18 finance law for the state fiscal year
 19 commencing on April 1, 2011 25,801,000
 20 -----

21 S 17. The several amounts specified in this section, or so much there-
 22 of as shall be sufficient to accomplish the purposes designated, are
 23 hereby appropriated and authorized to be paid as hereinafter provided,
 24 to the public officers and for the several purposes specified, which
 25 amounts shall be available for the state fiscal year beginning April 1,
 26 2010.

27 CITY UNIVERSITY OF NEW YORK

28 CITY UNIVERSITY -- COMMUNITY COLLEGES 43,434,000
 29 -----

30 General Fund / Aid to Localities
 31 Local Assistance Account - 001

32 The sum of forty-three million four hundred thirty-four thousand
 33 dollars (\$43,434,000), or so much thereof as shall be sufficient to
 34 accomplish the purpose designated, is hereby appropriated to the city
 35 university of New York out of any moneys in the general fund to the
 36 credit of the local assistance account not otherwise appropriated. The
 37 comptroller is hereby authorized and directed to utilize this appropri-
 38 ation for the purpose of repaying the city of New York for advances made
 39 for the State share of operating expenses of city university of New York
 40 community colleges 43,434,000
 41 -----

42 CITY UNIVERSITY -- SENIOR COLLEGES 103,216,000
 43 -----

44 General Fund / Aid to Localities
 45 Local Assistance Account - 001

46 The sum of one hundred three million two hundred sixteen thousand
 47 dollars (\$103,216,000), or so much thereof as shall be sufficient to
 48 accomplish the purpose designated, is hereby appropriated to the city

1 university of New York out of any moneys in the general fund to the
2 credit of the local assistance account not otherwise appropriated. The
3 comptroller is hereby authorized and directed to utilize this appropri-
4 ation for the purpose of repaying the city of New York for advances made
5 for the State share of operating expenses of city university of New York
6 senior colleges 103,216,000
7 -----

8 S 18. The several amounts specified in this section, or so much there-
9 of as shall be sufficient to accomplish the purposes designated, are
10 hereby appropriated and authorized to be paid as hereinafter provided,
11 to the public officers and for the several purposes specified, which
12 amount shall be available for the state fiscal year beginning April 1,
13 2010.

14 STATE UNIVERSITY OF NEW YORK

15 COMMUNITY COLLEGE OPERATING ASSISTANCE 114,489,422
16 -----

17 General Fund / Aid to Localities
18 Local Assistance Account - 001

19 Notwithstanding articles 5-a and 15 of
20 section 355 of education law, for state
21 financial assistance, net of disallow-
22 ances, for operating expenses, including
23 funds required to reimburse base aid costs
24 for the 2009-10 and 2010-11 academic
25 years, pursuant to regulations developed
26 jointly with the city university trustees
27 and approved by the director of the budg-
28 et, and subject to the availability of
29 appropriations therefor.

30 Notwithstanding any other law, rule, or
31 regulation to the contrary, full funding
32 for aidable community college enrollment
33 for the college fiscal years 2010-11 and
34 thereafter as provided under this appro-
35 priation is determined by the operating
36 aid formulas defined in rules and regu-
37 lations developed jointly by the boards of
38 trustees of the state and city universi-
39 ties and approved by the director of the
40 budget provided that local sponsors may
41 use funds contained in reserves for excess
42 student revenue for operating support of a
43 community college program even though said
44 expenditures may cause expenses and
45 student revenues to exceed one-third of
46 the college's net operating costs for the
47 college fiscal year 2010-11 provided that
48 such funds do not cause the college's
49 revenues from the local sponsor's contrib-
50 utions in aggregate to be less than the
51 comparable amounts for the previous commu-

1 nity college fiscal year and further
2 provided that pursuant to standards and
3 regulations of the state university trus-
4 tees and the city university trustees for
5 the college fiscal year 2010-11, community
6 colleges may increase tuition and fees
7 above that allowable under current educa-
8 tion law if such standards and regulations
9 require that in order to exceed the
10 tuition limit otherwise set forth in the
11 education law, local sponsor contributions
12 either in the aggregate or for each full-
13 time equivalent student shall be no less
14 than the comparable amounts for the previ-
15 ous community college fiscal year 112,498,671
16 For payment of rental aid 1,190,751
17 -----
18 Total for community colleges 114,489,422
19 -----

20 S 19. No expenditure may be made from any appropriation in this act,
21 until a certificate of approval has been issued by the director of the
22 budget and a copy of such certificate shall have been filed with the
23 state comptroller, the chairman of the senate finance committee and the
24 chairman of the assembly ways and means committee provided, however,
25 that any expenditures from any appropriation in this act made by the
26 legislature or judiciary shall not require such certificate.

27 S 20. All expenditures and disbursements made against the appropri-
28 ations in this act shall, upon final action by the legislature on appro-
29 priation bills submitted by the governor pursuant to article VII of the
30 state constitution for the support of government for the state fiscal
31 year beginning April 1, 2010, be transferred by the comptroller as
32 expenditures and disbursements to such appropriations for all state
33 departments, agencies, the legislature and the judiciary, as applicable,
34 in amounts equal to the amounts charged against the appropriations in
35 this act for each such department, agency, the legislature and the judi-
36 ciary.

37 S 21. Severability clause. If any clause, sentence, paragraph, subdi-
38 vision, section or part of this act shall be adjudged by any court of
39 competent jurisdiction to be invalid, such judgment shall not affect,
40 impair, or invalidate the remainder thereof, but shall be confined in
41 its operation to the clause, sentence, paragraph, subdivision, section
42 or part thereof directly involved in the controversy in which such judg-
43 ment shall have been rendered. It is hereby declared to be the intent of
44 the legislature that this act would have been enacted even if such
45 invalid provisions had not been included herein.

46 S 22. This act shall take effect immediately and shall be deemed to
47 have been in full force and effect on and after April 1, 2010; provided,
48 however, that upon the transfer of expenditures and disbursements by the
49 comptroller as provided in section twenty of this act, the appropri-
50 ations made by this act and subject to such section shall be deemed
51 repealed.