

IN SENATE

Senate introducer's signature

The senators whose names are circled below wish to join me in the sponsorship
of this proposal

S. -----
Senate

a20 Adams	a22 Golden	a01 LaValle	a21 Parker	a58 Stachowski
a55 Alesi	a33 Gonzalez	a40 Leibell	a30 Perkins	a16 Stavisky
a42 Bonacic	a47 Griffo	a52 Libous	a61 Rath	a35 Stewart-
a46 Breslin	a06 Hannon	a45 Little	a56 Robach	Cousins
a43 Bruno	a36 Hassell-	a15 Maltese	a13 Sabini	a60 Thompson
a25 Connor	Thompson	a05 Marcellino	a41 Saland	a03 Trunzo
a50 DeFrancisco	a10 Huntley	a62 Maziarz	a19 Sampson	a49 Valesky
a32 Diaz	a04 Johnson	a18 Montgomery	a23 Savino	a59 Volker
a17 Dilan	a34 Klein	a38 Morahan	a31 Schneiderman	a53 Winner
a29 Duane	a26 Krueger	a54 Nozzolio	a28 Serrano	a48 Wright
a44 Farley	a27 Kruger	a12 Onorato	a51 Seward	a57 Young
a02 Flanagan	a24 Lanza	a37 Oppenheimer	a09 Skelos	a07
a08 Fuschillo	a39 Larkin	a11 Padavan	a14 Smith	

IN SENATE--Introduced by Sen

--read twice and ordered printed,
and when printed to be committed
to the Committee on

----- A.
Assembly

IN ASSEMBLY

Assembly introducer's signature

The Members of the Assembly whose names are circled below wish to join me in the
multi-sponsorship of this proposal:

IN ASSEMBLY--Introduced by M. of A.

a049 Abbate	a010 Conte	a077 Greene	a059 Maisel	a078 Rivera, J.
a001 Alessi	a032 Cook	a098 Gunther	a030 Markey	a080 Rivera, N.
a021 Alfano	a107 Crouch	a139 Hawley	a027 Mayersohn	a076 Rivera, P.
a004 Arroyo	a063 Cusick	a148 Hayes	a112 McDonald	a056 Robinson
a118 Aubertine	a045 Cymbrowitz	a083 Heastie	a019 McDonough	a067 Rosenthal
a035 Aubry	a138 DelMonte	a020 Hevesi	a104 McEneny	a012 Saladino
a136 Becalles	a116 Destito	a048 Hinkind	a017 McKevitt	a113 Sayward
a099 Ball	a086 Diaz, L.	a018 Hooper	a102 Miller	a029 Scarborough
a124 Barclay	a085 Diaz, R.	a144 Hoyt	a052 Millman	a140 Schiminger
a014 Barra	a016 DiNapoli	a060 Hyer-Spencer	a103 Molinaro	a145 Schroeder
a082 Benedetto	a081 Dinowitz	a062 Ignizio	a132 Morelle	a122 Scozzafava
a079 Benjamin	a114 Duprey	a042 Jacobs	a037 Nolan	a038 Seminero
a073 Bing	a003 Eddington	a095 Jaffee	a128 Oaks	a064 Silver
a055 Boyland	a004 Englebright	a057 Jeffries	a069 O'Donnell	a093 Spano
a008 Boyle	a130 Errigo	a131 John	a137 O'Mara	a121 Stirpe
a089 Bradley	a072 Espaillet	a074 Kavanagh	a051 Ortiz	a011 Sweeney
a044 Brennan	a071 Farrell	a100 Kirwan	a150 Parment	a110 Tedisco
a092 Brodsky	a005 Fields	a129 Kolb	a088 Paulin	a002 Thiele
a046 Brook-Krasny	a123 Finch	a135 Koon	a141 Peoples	a031 Titus
a147 Burling	a007 Fitzpatrick	a034 Lafayette	a039 Peralta	a105 Tonko
a117 Butler	a143 Gabryszak	a025 Lanman	a058 Perry	a054 Towns
a101 Cahill	a090 Galef	a091 Latimer	a023 Pheffer	a115 Townsend
a096 Calhoun	a133 Gentt	a013 Lavine	a068 Powell	a015 Walker
a043 Camara	a036 Gianaris	a050 Lentol	a087 Prettlow	a041 Weinstein
a106 Canestrari	a149 Giglio	a125 Lifton	a146 Quinn	a020 Weisenberg
a026 Carrozza	a066 Glick	a127 Lopez, P.	a097 Rabbitt	a024 Weprin
a119 Christensen	a040 Gordon, D.	a053 Lopez, V.	a009 Raia	a070 Wright
a033 Clark	a108 Gordon, T.	a126 Lupardo	a006 Ramos	a022 Young
a142 Cole	a075 Gottfried	a111 Magee	a134 Reilich	a094 Zebrowski
a047 Colton	a065 Grannis	a120 Magnarelli	a109 Reilly	a061

with M. of A. as co-sponsors

--read once and referred to the
Committee on

BUDGBI
(Deficiency budget; makes appropri-
ations for the support of govern-
ment)

Deficiency budget

AN ACT

to amend chapters 50, 53 and 55
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) Single House Bill (introduced and printed separately in either or both
houses). Uni-Bill (introduced simultaneously in both houses and printed as one
bill. Senate and Assembly introducer sign the same copy of the bill).

2) Circle names of co-sponsors and return to introduction clerk with 2 signed
copies of bill and 4 copies of memorandum in support (single house); or 4 signed
copies of bill and 8 copies of memorandum in support (uni-bill).

1 Section 1. Section 1 of chapter 50 of the laws of 2006, enacting the
 2 public protection and general government budget, as amended by section 1
 3 of chapter 108 of the laws of 2006, is amended by repealing the items
 4 hereinbelow set forth in brackets and by adding to such section the
 5 other items underscored in this section.

6 PUBLIC PROTECTION AND GENERAL GOVERNMENT BUDGET

7 STATE BOARD OF ELECTIONS

8 STATE OPERATIONS AND AID TO LOCALITIES 2006-07

9 For payment according to the following schedule:

	APPROPRIATIONS	REAPPROPRIATIONS
11 General Fund - State and Local	9,688,000	0
12 Special Revenue Funds - Federal	12,000,000	220,000,000
13 Special Revenue Funds - Other	[200,000]	7,700,000
14	<u>4,000,000</u>	
15	-----	-----
16 All Funds	[21,888,000]	227,700,000
17	<u>25,688,000</u>	
18	=====	=====

19 AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

20 State Aid to Capital

1 Fund Type	Operations	Localities	Projects	Total
2 -----	-----	-----	-----	-----
3 GF-St/Local	4,688,000	5,000,000	0	9,688,000
4 SR-Federal	0	12,000,000	0	12,000,000
5 SR-Other	[200,000]	0	0	[200,000]
6	<u>4,000,000</u>			<u>4,000,000</u>
7 -----	-----	-----	-----	-----
8 All Funds	[4,888,000]	17,000,000	0	[21,888,000]
9	<u>8,688,000</u>			<u>25,688,000</u>
10 =====	=====	=====	=====	=====

11

SCHEDULE

12 REGULATION OF ELECTIONS PROGRAM	[21,888,000]	<u>25,688,000</u>
13	-----	

14 Special Revenue Funds - Other / State Operations

15 Miscellaneous Special Revenue Fund - 339

16 Voting Machine Examinations Account

17 Maintenance undistributed

18 For services and expenses related to the

19 examination of electronic voting and

20 ballot counting machines [200,000] 4,000,000

21 -----

22 Program account subtotal [200,000] 4,000,000

23 -----

1 Total new appropriations for state operations and aid to
 2 localities..... [21,888,000] 25,688,000

3 =====

4 DIVISION OF MILITARY AND NAVAL AFFAIRS
 5 STATE OPERATIONS AND AID TO LOCALITIES 2006-07

6 For payment according to the following schedule:

7		APPROPRIATIONS	REAPPROPRIATIONS
8	General Fund - State and Local	[22,769,000]	88,400,000
9		<u>107,769,000</u>	
10	Special Revenue Funds - Federal	[56,988,000]	502,844,000
11		<u>311,988,000</u>	
12	Special Revenue Funds - Other	12,597,000	0
13	Capital Projects Funds	47,500,000	111,700,000
14		-----	-----
15	All Funds	[139,854,000]	702,944,000
16		<u>479,854,000</u>	
17		=====	=====

18 AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

19	State	Aid to	Capital	
20	Operations	Localities	Projects	Total
21	-----			
22	GF-St/Local	22,769,000	[0]	0 [22,769,000]

1			<u>85,000,000</u>		<u>107,769,000</u>
2	SR-Federal	45,688,000	[11,300,000]	0	[56,988,000]
3			<u>266,300,000</u>		<u>311,988,000</u>
4	SR-Other	10,947,000	1,650,000	0	12,597,000
5	Cap Proj	0	0	47,500,000	47,500,000
6		-----	-----	-----	-----
7	All Funds	79,404,000	[12,950,000]	47,500,000	[139,854,000]
8			<u>352,950,000</u>		<u>479,854,000</u>
9		=====	=====	=====	=====

10 SCHEDULE

11 DISASTER ASSISTANCE PROGRAM [4,504,000] 344,504,000
12 -----

13 General Fund / Aid to Localities
14 Local Assistance Account - 001

15 For payment of the state's share of costs
16 resulting from natural or man-made disas-
17 ters, including aid requested by and
18 provided to member states of the emergency
19 management assistance compact, and includ-
20 ing liabilities prior to April 1, 2006.
21 The director of the budget is hereby
22 authorized to transfer such amounts as are
23 necessary to any eligible state department

1 or agency, including transfers to the
 2 general fund - state purposes account or
 3 the capital projects fund, to accomplish
 4 the purpose of this appropriation 85,000,000
 5 _____
 6 Program account subtotal 85,000,000
 7 _____

8 Special Revenue Funds - Federal / State Operations
 9 Federal Operating Grants Fund - 290
 10 Federal Grants for Disaster Assistance Account

11 For the grant period October 1, 2005 to
 12 September 30, 2006:

13 Personal service 1,262,000
 14 Nonpersonal service 355,000
 15 Fringe benefits 589,000
 16 _____
 17 Personal service 91,000
 18 Nonpersonal service 128,000
 19 Fringe benefits 32,000
 20 _____
 21 Program account subtotal 251,000
 22 _____

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

1 Federal Grants for Disaster Assistance Account

2 For payment of the federal government's
3 share of costs resulting from natural or
4 man-made disasters, including liabilities
5 incurred prior to April 1, 2006. The
6 director of the budget is hereby author-
7 ized to transfer such amounts as are
8 necessary to any eligible state department
9 or agency, including transfers to other
10 federal funds and accounts, to accomplish
11 the purpose of this appropriation 255,000,000

12 -----

13 Program account subtotal 255,000,000

14 -----

15 Total new appropriations for state operations and aid to
16 localities [92,354,000] 432,354,000

17 =====

18 § 2. Section 1 of chapter 53 of the laws of 2006, enacting the educa-
19 tion, labor and family assistance budget, as amended by section 2 of
20 chapter 108 of the laws of 2006, is amended by repealing the items here-
21 inbelow set forth in brackets and by adding to such section the other
22 items underscored in this section.

1 EDUCATION, LABOR AND FAMILY ASSISTANCE BUDGET
 2 CITY UNIVERSITY OF NEW YORK
 3 STATE OPERATIONS AND AID TO LOCALITIES 2006-07

4 For payment according to the following schedule:

5		APPROPRIATIONS	REAPPROPRIATIONS
6	General Fund - State and Local	[984,455,419]	0
7		<u>992,537,419</u>	
8	Special Revenue Funds - Other	235,000,000	0
9	Capital Projects Funds	337,080,000	2,032,994,000
10		-----	-----
11	All Funds	[1,556,535,419]	2,032,994,000
12		<u>1,564,617,419</u>	
13		=====	=====

14 AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

15		State	Aid to	Capital	
16	Fund Type	Operations	Localities	Projects	Total
17		-----	-----	-----	-----
18	GF-St/Local	0	[984,455,419]	0	[984,455,419]
19			<u>992,537,419</u>		<u>992,537,419</u>
20	SR-Other	235,000,000	0	0	235,000,000
21	Cap Proj	0	0	337,080,000	337,080,000
22		-----	-----	-----	-----
23	All Funds	235,000,000	[984,455,419]	337,080,000	[1,556,535,419]

1	<u>992,537,419</u>	<u>1,564,617,419</u>
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2	=====	=====
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3	CITY UNIVERSITY--SENIOR COLLEGES [799,078,450]	<u>807,160,450</u>
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4	-----	
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5 CITY UNIVERSITY--SENIOR COLLEGE PROGRAMS

6 For the costs of the state share, as
 7 prescribed herein, as reimbursement to the
 8 city of New York to be paid during the
 9 state fiscal year beginning April 1, 2006
 10 for the operating expenses of the senior
 11 college approved programs and services of
 12 the city university of New York as defined
 13 in section 6230 of the education law.

14 Notwithstanding paragraphs 3 and 4 of subdi-
 15 vision A of section 6221 of the education
 16 law, the amount appropriated herein shall
 17 constitute the maximum state payment for
 18 the 2006-07 state fiscal year beginning
 19 April 1, 2006 to the city of New York, of
 20 which \$428,000,000 is a state liability to
 21 the city for the period beginning April 1,
 22 2006 through June 30, 2006, for reimburse-
 23 ment of costs incurred by the city at any
 24 time during the 2005-06 academic year.

1 Notwithstanding any inconsistent provision
2 of law, upon transfer of bond proceeds for
3 equipment disbursements, from the city
4 university special revenue fund (377),
5 facilities and planning income reimbursable
6 account (NA) to an account of the city
7 of New York, the general fund appropriations
8 herein shall be reduced by amounts
9 equivalent to such transfers but in no
10 event less than \$20,000,000 for the
11 12-month period beginning July 1, 2006;
12 the transfer of such bond proceeds shall
13 immediately and equivalently reduce the
14 general fund amounts appropriated herein;
15 and the portions of such general fund
16 appropriations so affected shall have no
17 further force or effect.

18 The state share of operating expenses, a
19 portion of which is appropriated herein as
20 reimbursement to New York city, shall be
21 an amount equal to the net operating
22 expenses of the senior college approved
23 programs and services which shall equal
24 the total operating expenses of approved
25 programs and services less:

26 (a) all excess tuition and instructional
27 and noninstructional fees attributable

1 to the senior colleges received from the
2 city university construction fund;
3 (b) miscellaneous revenue and fees,
4 including bad debt recoveries and income
5 fund reimbursable cost recoveries;
6 (c) pursuant to section 6221 of the educa-
7 tion law, a representative share of the
8 operating costs of those activities
9 within central administration and univ-
10 ersity-wide programs which, as deter-
11 mined by the state budget director,
12 relate jointly to the senior colleges
13 and community colleges, and New York
14 city support for associate degree
15 programs at the College of Staten Island
16 and Medgar Evers College and notwith-
17 standing any other provision of law,
18 rule or regulation, New York city
19 support for associate degree programs at
20 New York city college of technology and
21 John Jay college, with such support
22 based on the 2003-04 full-time equiv-
23 alent (FTE) associate degree enrollments
24 at these campuses and calculated using
25 the New York city contribution per city
26 university community college FTE in the
27 2003-04 base year, totaling \$32,275,000.

1 Items (a) and (b) of the foregoing shall be
 2 hereafter referred to as the senior
 3 college revenue offset, and item (c) as
 4 the central administration and universi-
 5 ty-wide programs offset.

6 In no event shall the state support for the
 7 operating expenses of the senior college
 8 approved programs and services for the
 9 12-month period beginning July 1, 2006
 10 exceed [\$775,302,000] \$798,762,000

11 [748,513,000] 756,595,000

12 For additional operating assistance for the
 13 city university of New York. Of the
 14 amounts appropriated herein, up to
 15 \$15,007,500 shall be available for master
 16 plan initiatives including hiring full
 17 time faculty and \$187,500 for additional
 18 services and expenses of providing
 19 specialized equipment and services for
 20 students with disabilities 49,470,000

21 For additional services and expenses of the
 22 SEEK program 1,095,450

23 -----

24 Total new appropriations for state operations and aid to
 25 localities [1,219,455,419] 1,227,537,419

26 =====

1

EDUCATION DEPARTMENT

2

STATE OPERATIONS AND AID TO LOCALITIES 2006-07

3

For payment according to the following schedule, net of

4

disallowances, refunds, reimbursements and credits:

5

APPROPRIATIONS REAPPROPRIATIONS

6

General Fund - State and Local.....[16,554,389,700] 753,521,200

7

16,620,019,700

8

Special Revenue Funds - Federal 4,025,555,500 5,918,528,600

9

Special Revenue Funds - Other 7,106,809,400 11,975,000

10

Capital Projects Funds 47,200,000 184,741,200

11

Internal Service Funds 24,244,000 550,000

12

13

All Funds[27,758,198,600] 6,869,316,000

14

27,823,828,600

15

=====

16

AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

17

State Aid to Capital

18

Fund Type Operations Localities Projects Total

19

20

GF-St/Local 44,263,000 [16,510,126,700] 0 [16,554,389,700]

21

16,575,756,700 16,620,019,700

22

SR-Federal 286,495,500 3,739,060,000 0 4,025,555,500

1	SR-Other	164,347,400	6,942,462,000	0	7,106,809,400
2	Cap Proj	0	0	47,200,000	47,200,000
3	Internal Srv	24,244,000	0	0	24,244,000
4		-----			
5	All Funds	519,349,900	[27,191,648,700]	47,200,000	[27,758,198,600]
6			<u>27,257,278,700</u>		<u>27,823,828,600</u>
7		=====			

8 ELEMENTARY, MIDDLE, SECONDARY AND CONTINUING EDUCATION
9 PROGRAM [21,908,186,000] 21,973,816,000
10 -----

11 General Fund / State Operations
12 State Purposes Account - 003

13 Of the amounts appropriated herein, up to
14 \$6,651,000 shall be used for debt service
15 on capital construction projects financed
16 through the state dormitory authority and
17 \$104,449,000 shall be available for allow-
18 ances to schools for the blind and deaf.
19 Notwithstanding any provision of the law
20 to the contrary, funds appropriated herein
21 shall be available for payment of liabil-
22 ities heretofore accrued or hereafter to
23 accrue and, subject to the approval of the
24 director of the budget, such funds shall
25 be available to the department net of

1 disallowances, refunds, reimbursements and
 2 credits [111,100,000] 112,930,000

3 Less federal funding in support of special
 4 education programs or other special needs
 5 programs. Such savings shall be appor-
 6 tioned to the elementary, middle, second-
 7 ary and continuing education program
 8 general fund - local assistance account
 9 appropriations within the various agency
 10 special education programs or other
 11 special needs programs to reduce appropri-
 12 ations based upon an allocation plan
 13 submitted by the commissioner of education
 14 and approved by the director of the budget
 15 [(170,000,000)] (106,200,000)

16 -----
 17 Program account subtotal
 18 [16,209,277,600] 16,274,907,600

19 -----
 20 Total new appropriations for state operations and aid to
 21 localities [27,710,998,600] 27,776,628,600

22 =====

23 STATE UNIVERSITY OF NEW YORK

24 STATE OPERATIONS AND AID TO LOCALITIES 2006-07

1 For payment according to the following schedule:

2		APPROPRIATIONS	REAPPROPRIATIONS
3	General Fund - State and Local	[2,534,828,100]	1,227,500
4		<u>2,545,828,100</u>	
5	Special Revenue Funds - Federal	230,500,000	215,590,000
6	Special Revenue Funds - Other	[3,966,623,000]	20,000,000
7		<u>3,955,623,000</u>	
8	Capital Projects Funds	918,862,000	4,010,715,000
9	Internal Service Funds	12,000,000	0
10		-----	-----
11	All Funds	7,662,813,100	4,247,532,500
12		=====	=====

13 AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

14		State	Aid to	Capital	
15	Fund Type	Operations	Localities	Projects	Total
16		-----	-----	-----	-----
17	GF-St/Local	[2,111,329,600]	423,498,500	0	[2,534,828,100]
18		<u>2,122,329,600</u>			<u>2,545,828,100</u>
19	SR-Federal	230,500,000	0	0	230,500,000
20	SR-Other	[3,966,623,000]	0	0	[3,966,623,000]
21		<u>3,955,623,000</u>			<u>3,955,623,000</u>
22	Cap Proj	0	0	918,862,000	918,862,000
23	Internal Srv	12,000,000	0	0	12,000,000

1	-----				
2	All Funds	6,320,452,600	423,498,500	918,862,000	7,662,813,100
3	=====				

4 SCHEDULE

5 GENERAL FUND/STATE OPERATIONS

6 General Fund/State Operations

7 State Purposes Account -- 003

8 EMPLOYEE FRINGE BENEFITS 898,890,000

9 -----

10 Total gross general fund

11 support 3,160,752,600

12 -----

13 Less an amount to be appropriated from the

14 miscellaneous special revenue fund - state

15 university general revenue offset account

16 [(1,049,423,000)] (1,038,423,000)

17 -----

18 Total general fund - state

19 operations . [2,111,329,600] 2,122,329,600

20 -----

1 § 3. Section 2 of chapter 53 of the laws of 2006, enacting the educa-
 2 tion, labor and family assistance budget, as amended by section 3 of
 3 chapter 108 of the laws of 2006, is amended by repealing the items here-
 4 inbelow set forth in brackets and by adding to such section the other
 5 items underscored in this section.

6 CONTINGENT AND OTHER APPROPRIATIONS

7 CITY UNIVERSITY OF NEW YORK

8 STATE OPERATIONS AND AID TO LOCALITIES 2006-07

9 For payment according to the following schedule:

10	Fiduciary Funds	[1,437,593,600]	<u>1,461,053,600</u>
11		-----	
12	All Funds	[1,437,593,600]	<u>1,461,053,600</u>
13		=====	

14 SCHEDULE

15	Fiduciary Funds		
16	CUNY Senior College Operating Fund - 176		
17	UNIVERSITY OPERATIONS	[483,796,000]	<u>504,156,000</u>
18		-----	

1 For services and expenses for utilities
2 costs, of which up to \$13,900,000 shall be
3 for costs incurred for the academic year
4 beginning July 1, 2005 [63,294,000] 77,194,000

5 For services and expenses of John Jay lease
6 payments. No expenditure shall be made
7 from this appropriation for any other
8 purpose and it may not be reduced by
9 interchange 20,000,000

10 For services and expenses of collective
11 bargaining agreements, New York city comp-
12 troller's consent determinations and other
13 negotiated agreements for senior college
14 employees represented by the New York
15 state nurses association, skilled trade
16 title of maintenance worker, and manage-
17 ment confidential staff paid under the
18 executive compensation plan 6,460,000

19 UNIVERSITY PROGRAMS [91,685,000] 94,785,000
20 -----

21 For payment of tuition reimbursement
22 [5,900,000] 9,000,000
23 -----

24 Total gross senior college operating budg-
25 et [1,437,593,600] 1,461,053,600

1

=====

2 Less: senior college revenue

3 offset (562,617,000)

4 Less: central administration and university

5 wide programs offset (32,275,000)

6

7 Total net operating expenses budget

8 [842,701,600] 866,161,600

9

=====

10 § 4. Section 1 of chapter 55 of the laws of 2006, enacting the trans-
11 portation, economic development and environmental conservation budget,
12 as amended by section 5 of chapter 108 of the laws of 2006, is amended
13 by repealing the items hereinbelow set forth in brackets and by adding
14 to such section the other items underscored in this section.

15

TRANSPORTATION, ECONOMIC DEVELOPMENT

16

AND ENVIRONMENTAL CONSERVATION BUDGET

17

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

18

STATE OPERATIONS AND AID TO LOCALITIES 2006-07

19 For payment according to the following schedule:

1		APPROPRIATIONS	REAPPROPRIATIONS
2	General Fund - State and Local	119,160,230	17,769,075
3	Special Revenue Funds - Federal	80,218,000	355,205,100
4	Special Revenue Funds - Other	[264,477,000]	71,103,000
5		<u>274,477,000</u>	
6	Capital Projects Funds	631,025,000	3,100,692,100
7	Internal Service Funds	60,000	0
8		-----	-----
9	All Funds	[1,094,990,230]	3,544,769,275
10		<u>1,104,990,230</u>	
11		=====	=====

12 AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

13		State	Aid to	Capital	
14	Fund Type	Operations	Localities	Projects	Total
15		-----	-----	-----	-----
16	GF-St/Local	115,620,200	3,540,230	0	119,160,230
17	SR-Federal	80,218,000	0	0	80,218,000
18	SR-Other	[264,477,000]	0	0	[264,477,000]
19		<u>274,477,000</u>			<u>274,477,000</u>
20	Cap Proj	0	0	631,025,000	631,025,000
21	Internal Srv	60,000	0	0	60,000
22		-----	-----	-----	-----
23	All Funds	[460,375,000]	3,540,230	631,025,000	[1,094,990,230]
24		<u>470,375,000</u>			<u>1,104,990,230</u>
25		=====	=====	=====	=====

1

SCHEDULE

2 AIR AND WATER QUALITY MANAGEMENT PROGRAM ... [128,389,280] 138,389,280

3

4 Special Revenue Funds - Other / State Operations

5 Environmental Protection and Oil Spill Compensation Fund

6 - 303

7 For services and expenses for cleanup and

8 removal of oil and chemical spills pursu-

9 ant to chapter 845 of the laws of 1977,

10 including prior year liabilities

11 [23,000,000] 33,000,000

12

13 Program fund subtotal

14 [23,000,000] 33,000,000

15

16 Total new appropriations for state operations and aid to

17 localities [457,665,230] 467,665,230

18

=====

19

DIVISION OF LOTTERY

20

STATE OPERATIONS AND AID TO LOCALITIES 2006-07

21 For payment according to the following schedule:

1		APPROPRIATIONS	REAPPROPRIATIONS
2	Special Revenue Funds - Other	[133,235,000]	[14,000,000]
3		<u>151,235,000</u>	<u>0</u>
4		-----	-----
5	All Funds	[133,235,000]	[14,000,000]
6		<u>151,235,000</u>	<u>0</u>
7		=====	=====

8 AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

9		State	Aid to	Capital	
10	Fund Type	Operations	Localities	Projects	Total
11		-----	-----	-----	-----
12	SR-Other	[133,235,000]	0	0	[133,235,000]
13		<u>151,235,000</u>			<u>151,235,000</u>
14		-----	-----	-----	-----
15	All Funds	[133,235,000]	0	0	[133,235,000]
16		<u>151,235,000</u>			<u>151,235,000</u>
17		=====	=====	=====	=====

18 SCHEDULE

19	ADMINISTRATION OF THE LOTTERY PROGRAM	[112,035,000]	<u>130,035,000</u>
20		-----	

21 Special Revenue Funds - Other / State Operations

22 State Lottery Fund - 160

1 State Lottery Account

2 For services and expenses of the division of
 3 the lottery including instant ticket
 4 printing, instant ticket vending machines
 5 (ITVMS), and terminal leasing and mainte-
 6 nance, providing that moneys hereby appro-
 7 priated shall be available to the division
 8 net of refunds, rebates, reimbursements
 9 and credits. A portion of this appropri-
 10 ation may be used for suballocation to the
 11 office of the inspector general for
 12 services and expenses, including fringe
 13 benefits 107,035,000

14 To provide protection of the valuable inter-
 15 ests of, and revenues generated for, the
 16 state, the division of the lottery and the
 17 citizens of the state in and to thorough-
 18 bred horse racing conducted at the racing
 19 facilities located at Aqueduct, Belmont
 20 and Saratoga racetracks and video lottery
 21 gaming to be conducted at Aqueduct race-
 22 track, and to promote the continuation of
 23 high quality thoroughbred racing and to
 24 continue to protect and promote the legit-
 25 imate interests of the various components
 26 of the racing industry in the state to the
 27 extent those interests are consistent with

1 the interests of the public, including
2 without limitation the various horse
3 breeders in the state, and in connection
4 with such racing facilities currently
5 operated by the non-profit racing associ-
6 ation, the New York Racing Association
7 Inc., presently a debtor under the
8 provisions of chapter 11 of the federal
9 bankruptcy laws under case number 06-12618
10 (JMP), pending in the Bankruptcy Court for
11 the Southern District of New York; and in
12 accordance with 11 U.S.C. §§ 363 and 364
13 and on the same or similar terms as
14 provided for in that certain Order of the
15 United States Bankruptcy Court for the
16 Southern District approving certain
17 debtor-in-possession financing provided to
18 such non-profit racing association by the
19 State of New York, the language of the
20 terms of any further order and the terms
21 of any associated agreements and documents
22 to be subject to the approval of the State
23 of New York, the amount of twenty-three
24 million dollars (\$23,000,000) is hereby
25 appropriated from the state lottery fund
26 (160) administrative account (04) to
27 finance services and expenses associated
28 with the non-profit racing association's

1 operation of the racetracks, all disburse-
2 ments pursuant to this appropriation shall
3 be subject to the terms, provisions and
4 conditions of an order of the Bankruptcy
5 Court on the same or similar terms as that
6 certain Order of the United States Bank-
7 ruptcy Court for the Southern District of
8 New York approving certain debtor-in-pos-
9 session financing provided to such non-
10 profit racing association by the State of
11 New York, and any associated loan or cred-
12 it agreement or agreements and documenta-
13 tion, the terms of which shall be subject
14 to the approval of the State of New York,
15 provided further that the provisions of
16 such order and associated loan or credit
17 agreements and documentation continue to
18 assure that all disbursements of such
19 appropriation are secured by valid, bind-
20 ing, enforceable and perfected liens and
21 mortgages in favor of the State of New
22 York in all of the non-profit racing asso-
23 ciation's presently, existing or hereafter
24 acquired property and assets owned, leased
25 or otherwise possessed, by the non-profit
26 racing association, of any kind or nature,
27 whether real or personal, tangible or
28 intangible, wherever located, now owned or

1 hereafter acquired or arising and all
2 proceeds, products, rents and profits
3 thereof, including, without limitation,
4 all cash, goods, accounts receivable,
5 inventory, cash-in-advance deposits, real
6 property, machinery, equipment, vehicles,
7 trademarks, trade names, licenses, causes
8 of action (except for certain avoidance
9 claims arising under the federal bankrupt-
10 cy laws), rights to payment including tax
11 refund claims, insurance proceeds and tort
12 claims and the proceeds, products, rents
13 and profits of all of the foregoing..... 23,000,000

14 [The amount of five million dollars
15 (\$5,000,000) is hereby appropriated from
16 the state lottery fund (160) adminis-
17 tration account (04) to a non-profit
18 racing association to finance services and
19 expenses associated with the operation of
20 the racetracks commonly known as Aqueduct
21 racetrack, Belmont Park racetrack and
22 Saratoga thoroughbred racetrack, such
23 disbursements shall constitute prepayments
24 of vendor fees and the additional vendor's
25 marketing allowance authorized by chapter
26 61 of the laws of 2005, to facilitate the
27 timely opening of a video lottery terminal
28 facility at Aqueduct racetrack authorized

1 by chapter 383 of the laws of 2001; the
2 division of the lottery shall, prior to
3 making any disbursement to the non-profit
4 racing association, request and receive a
5 written determination from the chair of
6 the non-profit racing association over-
7 sight board established pursuant to
8 section 208-b of the racing, pari-mutuel
9 wagering and breeding law on whether such
10 non-profit racing association has and
11 continues to satisfactorily fulfill all
12 the terms and conditions set forth in a
13 memorandum of understanding dated December
14 30, 2005 and signed by the administrative
15 head of the division of budget, the non-
16 profit racing association oversight board
17 and the non-profit racing association
18 other than the term of such memorandum
19 requiring the transfer of land to the port
20 authority of New York and New Jersey
21 established pursuant to chapter 154 of
22 the laws of 1921 by such racing associ-
23 ation; the disbursement of such shall be
24 in lieu of a like sum to be conveyed by
25 such port authority as and for consider-
26 ation for a transfer of control over land
27 from such racing association to such port
28 authority, provided further that such

1 racing association upon receipt of a
2 disbursement pursuant to this appropri-
3 ation equal to or greater than any sum
4 previously conveyed from such port author-
5 ity in anticipation of a land transfer
6 authorized by the terms of such memorandum
7 agrees to promptly return and refund to
8 such port authority the sum previously
9 conveyed. Notwithstanding any other
10 provision of law to the contrary, the
11 division of the lottery shall be author-
12 ized to advance to the non-profit racing
13 association prepayments of the vendor fees
14 or the additional vendor's marketing
15 allowance, provided that such prepayments
16 shall be repaid with interest (to accrue
17 at a rate of four percent (4%) per annum)
18 to the state lottery fund administration
19 account from vendor fees and the addi-
20 tional vendor's marketing allowance
21 authorized by chapter 61 of the laws of
22 2005, commencing with the first day of
23 operation of such video lottery terminal
24 facility at Aqueduct racetrack, pursuant
25 to a plan approved by the non-profit
26 racing association oversight board and
27 developed by the division of lottery and
28 the non-profit racing association, that

1 shall require, without limitation, any
 2 vendor of such facility to return to the
 3 state lottery fund administration account
 4 a reasonable percentage of the vendors
 5 fees and the additional marketing allow-
 6 ance advanced until such time as the
 7 amount returned to such account equals the
 8 amount of the vendor fee and additional
 9 marketing allowance advanced to a non-pro-
 10 fit racing association, by the division of
 11 the lottery plus accumulated interest on
 12 any amount advanced but not yet repaid ...

13 5,000,000]

14 -----

15 Program account subtotal . [112,035,000] 130,035,000

16 -----

17 Total new appropriations for state operations and aid to
 18 localities [133,235,000] 151,235,000

19 =====

20 STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2006-07

21 [ADMINISTRATION OF THE LOTTERY PROGRAM

- 22 Special Revenue Funds - Other / State Operations
- 23 State Lottery Fund - 160
- 24 State Lottery Account

1 The appropriation made by chapter 55, section 1, of the laws of 2005, as
2 amended by chapter 9, section 1 of the laws of 2006, is amended and
3 reappropriated to read:

4 By chapter 9, section 1 of the laws of 2006:

5 The amount of twenty million dollars (\$20,000,000) is hereby appropri-
6 ated from the state lottery fund (160) administration account (04)
7 to a non-profit racing association to finance services and expenses
8 associated with the operation of the racetracks commonly known as
9 Aqueduct racetrack, Belmont Park racetrack and Saratoga thoroughbred
10 racetrack, such disbursements shall constitute prepayments of vendor
11 fees and the additional vendor's marketing allowance authorized by
12 chapter 61 of the laws of 2005, to facilitate the timely opening of
13 a video lottery terminal facility at Aqueduct racetrack authorized
14 by chapter 383 of the laws of 2001; provided, however, that,
15 consistent with a memorandum of understanding entered into on Decem-
16 ber 30, 2005, by the director of the budget, chair of the non-profit
17 racing association oversight board and president of a non-profit
18 racing association, the division of the lottery shall, prior to
19 making any disbursement to the non-profit racing association,
20 request and receive a written determination from the chair of the
21 non-profit racing association oversight board established pursuant
22 to section 208-b of the racing, pari-mutuel wagering and breeding
23 law on whether such non-profit racing association has and continues
24 to satisfactorily fulfill the following commitments to: (1) by March
25 1, 2006, develop a cash management plan which in the judgment of the
26 non-profit racing association oversight board provides a reasonable
27 expectation that available cash will cover necessary expenses of a
28 non-profit racing association through December 31, 2006; (2) by

1 March 1, 2006, develop a plan of action necessary to reduce, to the
2 extent practicable, operating costs in the calendar year two thou-
3 sand six by an amount deemed appropriate by the non-profit racing
4 association oversight board to be based upon a review of non-profit
5 racing association expenditures; (3) diligently explore sale of its
6 equity interest in "Equibase"; (4) on an expedited basis, make
7 application to the state racing and wagering board to increase
8 retention rates on certain wagers by at least one percent (1%); (5)
9 reevaluate, in consultation with the non-profit racing association
10 oversight board, the rates of each simulcast contract and potential-
11 ly renegotiate such rates of exchange for those contracts; and (6)
12 provide access to the non-profit racing association oversight board
13 or its representative to review cash, accounting records and expend-
14 itures on a real time and continuing basis (including on-site audi-
15 tor reporting directly to such oversight board). Notwithstanding
16 any other provision of law to the contrary, the division of the
17 lottery shall be authorized to advance to the non-profit racing
18 association prepayments of the vendor fees or the additional
19 vendor's marketing allowance, provided that such prepayments shall
20 be repaid with interest (to accrue at a rate of four percent (4%)
21 per annum) to the state lottery fund administration account from
22 vendor fees and the additional vendor's marketing allowance author-
23 ized by chapter 61 of the laws of 2005, commencing with the first
24 day of operation of such video lottery terminal facility at Aqueduct
25 racetrack, pursuant to a plan approved by the non-profit racing
26 association oversight board and developed by the division of lottery
27 and the non-profit racing association, that shall require, without
28 limitation, any vendor of such facility to return to the state

1 lottery fund administration account a reasonable percentage of the
2 vendors fees and the additional marketing allowance advanced until
3 such time as the amount returned to such account equals the amount
4 of the vendor fee and additional marketing allowance advanced to a
5 non-profit racing association, by the division of the lottery plus
6 accumulated interest on any amount advanced but not yet repaid ...
7 20,000,000 (re. \$14,000,000)]

1

TRIBAL STATE COMPACT REVENUE

2

STATE OPERATIONS AND AID TO LOCALITIES 2006-07

3

For payment according to the following schedule:

4

APPROPRIATIONS REAPPROPRIATIONS

5

Special Revenue Funds - Other [18,175,000] 29,368,000

6

19,275,000

7

8

All Funds [18,175,000] 29,368,000

9

19,275,000

10

=====

11

AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

12

State Aid to Capital

13

Fund Type Operations Localities Projects Total

14

15

SR-Other 0 [18,175,000] 0 [18,175,000]

16

19,275,000 19,275,000

17

18

All Funds 0 [18,175,000] 0 [18,175,000]

19

19,275,000 19,275,000

20

=====

1

SCHEDULE

2	TRIBAL STATE COMPACT REVENUE PROGRAM	[18,175,000]	<u>19,275,000</u>
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3

4 Special Revenue Funds - Other / Aid to Localities

5 Miscellaneous Special Revenue Fund - 339

6 Tribal State Compact Revenue Account

7 Notwithstanding any other law to the contra-

8 ry, for services and expenses of grants

9 equal to 25 percent of the negotiated

10 percentage of the net drop from electronic

11 gaming devices the state receives pursuant

12 to the tribal compacts for the purposes

13 specified in subdivision 3 of section 99-h

14 of the state finance law and pursuant to a

15 plan approved by the director of the budg-

16 et and developed by the empire state

17 development corporation in consultation

18 with municipal governments in the county

19 or counties of Cattaraugus, Chautauqua or

20 Allegany that host tribal casinos pursuant

21 to subdivision (a) of section 12 of the

22 executive law. Copies of the approved plan

23 shall be submitted to the chairman of the

24 senate finance committee and the chairman

1 of the assembly ways and means committee.

2 Funds appropriated herein may be suballo-

3 cated to any department, agency or public

4 authority [6,000,000] 7,100,000

5 -----

6 Program account subtotal .. [18,175,000] 19,275,000

7 -----

8 Total new appropriations for state operations and aid to

9 localities [18,175,000] 19,275,000

10 =====

11 § 5. This act shall take effect immediately and shall be deemed to
12 have been in full force and effect on and after April 1, 2006.