

STATE OF NEW YORK

1500--B

IN SENATE

January 15, 2019

A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT making appropriations for the support of government

STATE OPERATIONS BUDGET

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

- 1 Section 1. a) The several amounts specified in this chapter for state
2 operations, or so much thereof as shall be sufficient to accomplish the
3 purposes designated by the appropriations, are hereby appropriated and
4 authorized to be paid as hereinafter provided, to the respective public
5 officers and for the several purposes specified.
- 6 b) Where applicable, appropriations made by this chapter for expendi-
7 tures from federal grants for state operations may be allocated
8 for spending from federal grants for any grant period beginning, during,
9 or prior to, the state fiscal year beginning on April 1, 2019.
- 10 c) The several amounts named herein, or so much thereof as shall be
11 sufficient to accomplish the purpose designated, being the undisbursed
12 and/or unexpended balances of the prior year's appropriations, are here-
13 by reappropriated from the same funds and made available for the same
14 purposes as the prior year's appropriations, unless herein amended, for
15 the fiscal year beginning April 1, 2019. Certain reappropriations in
16 this chapter are shown using abbreviated text, with three leader dots
17 (an ellipsis) followed by three spaces (...) used to indicate where
18 existing law that is being continued is not shown. However, unless a
19 change is clearly indicated by the use of brackets [-] for deletions and
20 underscores for additions, the purposes, amounts, funding source and all
21 other aspects pertinent to each item of appropriation shall be as last
22 appropriated.

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

LBD12550-07-9

1 For the purpose of complying with the state finance law, the year,
2 chapter and section of the last act reappropriating a former original
3 appropriation or any part thereof is, unless otherwise indicated, chap-
4 ter 50, section 1, of the laws of 2018.

5 d) No moneys appropriated by this chapter shall be available for
6 payment until a certificate of approval has been issued by the director
7 of the budget, who shall file such certificate with the department of
8 audit and control, the chairperson of the senate finance committee and
9 the chairperson of the assembly ways and means committee.

10 e) The appropriations contained in this chapter shall be available for
11 the fiscal year beginning on April 1, 2019.

STATE BOARD OF ELECTIONS

STATE OPERATIONS 2019-20

1 For payment according to the following schedule:

	APPROPRIATIONS	REAPPROPRIATIONS
3 General Fund	11,559,000	5,159,000
4 Special Revenue Funds - Federal	0	30,549,000
5 Special Revenue Funds - Other	3,000,000	1,714,000
6	-----	-----
7 All Funds	14,559,000	37,422,000
8	=====	=====

9 SCHEDULE

10 ELECTION ENFORCEMENT PROGRAM	3,960,000
11	-----

12 General Fund
 13 State Purposes Account - 10050

14 For services and expenses related to compli-
 15 ance, including but not limited to over-
 16 sight of campaign receipts and expendi-
 17 tures, and educational efforts to increase
 18 compliance.
 19 Notwithstanding any other provision of law
 20 to the contrary, the OGS Interchange and
 21 Transfer Authority and the IT Interchange
 22 and Transfer Authority as defined in the
 23 2019-20 state fiscal year state operations
 24 appropriation for the budget division
 25 program of the division of the budget, are
 26 deemed fully incorporated herein and a
 27 part of this appropriation as if fully
 28 stated (23514).

29 Personal service--regular (50100)	1,089,000
30 Contractual services (51000)	421,000
31	-----
32 Total amount available	1,510,000
33	-----

34 For services and expenses related to
 35 enforcement of the election law, including
 36 but not limited to the investigation of
 37 violations and referral for prosecution.
 38 Notwithstanding any other provision of law
 39 to the contrary, the OGS Interchange and
 40 Transfer Authority and the IT Interchange
 41 and Transfer Authority as defined in the
 42 2019-20 state fiscal year state operations
 43 appropriation for the budget division
 44 program of the division of the budget, are

STATE BOARD OF ELECTIONS

STATE OPERATIONS 2019-20

1 deemed fully incorporated herein and a
2 part of this appropriation as if fully
3 stated (23515).

4 Personal service--regular (50100) 1,046,000
5 Contractual services (51000) 404,000
6 -----
7 Total amount available 1,450,000
8 -----

9 For the purchase of software and/or the
10 development of technology related to
11 compliance and enforcement (23516).

12 Contractual services (51000) 1,000,000
13 -----

14 REGULATION OF ELECTIONS PROGRAM 10,599,000
15 -----

16 General Fund
17 State Purposes Account - 10050

18 For services and expenses related to the
19 regulation of elections program.
20 Notwithstanding any other provision of law
21 to the contrary, the OGS Interchange and
22 Transfer Authority and the IT Interchange
23 and Transfer Authority as defined in the
24 2019-20 state fiscal year state operations
25 appropriation for the budget division
26 program of the division of the budget, are
27 deemed fully incorporated herein and a
28 part of this appropriation as if fully
29 stated (23504).

30 Personal service--regular (50100) 2,976,000
31 Temporary service (50200) 45,000
32 Holiday/overtime compensation (50300) 4,000
33 Supplies and materials (57000) 128,000
34 Travel (54000) 26,000
35 Contractual services (51000) 1,343,000
36 Equipment (56000) 77,000
37 For additional services and expenses for the
38 state board of elections 3,000,000
39 -----
40 Program account subtotal 7,599,000
41 -----

42 Special Revenue Funds - Other
43 Miscellaneous Special Revenue Fund
44 Voting Machine Examinations Account - 22099

STATE BOARD OF ELECTIONS

STATE OPERATIONS 2019-20

1 For services and expenses related to the
2 regulation of elections program (23504).

3	Contractual services (51000)	3,000,000
4		-----
5	Program account subtotal	3,000,000
6		-----

STATE BOARD OF ELECTIONS

STATE OPERATIONS - REAPPROPRIATIONS 2019-20

1 ELECTION ENFORCEMENT PROGRAM

2 General Fund
3 State Purposes Account - 10050

4 By chapter 50, section 1, of the laws of 2018:

5 For services and expenses related to compliance, including but not
6 limited to oversight of campaign receipts and expenditures, and
7 educational efforts to increase compliance.

8 Notwithstanding any other provision of law to the contrary, the OGS
9 Interchange and Transfer Authority and the IT Interchange and Trans-
10 fer Authority as defined in the 2018-19 state fiscal year state
11 operations appropriation for the budget division program of the
12 division of the budget, are deemed fully incorporated herein and a
13 part of this appropriation as if fully stated.

14 Personal service--regular (50100) ... 1,089,000 (re. \$166,000)
15 Contractual services (51000) ... 421,000 (re. \$169,000)

16 For the purchase of software and/or the development of technology
17 related to compliance and enforcement.

18 Contractual services (51000) ... 1,000,000 (re. \$512,000)

19 By chapter 50, section 1, of the laws of 2017:

20 For the purchase of software and/or the development of technology
21 related to compliance and enforcement (23516).

22 Contractual services (51000) ... 1,000,000 (re. \$73,000)

23 By chapter 50, section 1, of the laws of 2016:

24 For the purchase of software and/or the development of technology
25 related to compliance and enforcement (23516).

26 Contractual services (51000) ... 1,300,000 (re. \$107,000)

27 REGULATION OF ELECTIONS PROGRAM

28 General Fund
29 State Purposes Account - 10050

30 By chapter 50, section 1, of the laws of 2018:

31 Notwithstanding any other provision of law to the contrary, the OGS
32 Interchange and Transfer Authority and the IT Interchange and Trans-
33 fer Authority as defined in the 2018-19 state fiscal year state
34 operations appropriation for the budget division program of the
35 division of the budget, are deemed fully incorporated herein and a
36 part of this appropriation as if fully stated.

37 Personal service--regular (50100) ... 2,976,000 (re. \$393,000)
38 Temporary service (50200) ... 45,000 (re. \$14,000)
39 Holiday/overtime compensation (50300) ... 4,000 (re. \$3,000)
40 Supplies and materials (57000) ... 128,000 (re. \$20,000)
41 Travel (54000) ... 26,000 (re. \$6,000)
42 Contractual services (51000) ... 1,343,000 (re. \$401,000)
43 Equipment (56000) ... 77,000 (re. \$25,000)

STATE BOARD OF ELECTIONS

STATE OPERATIONS - REAPPROPRIATIONS 2019-20

1 For services and expenses related to securing election infrastructure
 2 from cyber-related threats including, but not limited to the
 3 creation of an election support center, development of an elections
 4 cyber security support toolkit, and providing cyber risk vulnerabil-
 5 ity assessments and support for local boards of elections. Funds
 6 appropriated herein shall be distributed pursuant to a plan devel-
 7 oped by the state board of elections based on consultation with
 8 appropriate state, local and federal stakeholders to ensure that the
 9 development and implementation of election cyber security measures
 10 utilize and leverage, to the greatest extent practicable, existing
 11 security resources and expertise. The plan shall also address the
 12 use of such spending as a match for associated federal grants.
 13 Expenditures shall be made from this appropriation only pursuant to
 14 a contract, or modified contract, approved by a vote of the state
 15 board of elections pursuant to subdivision 4 of section 3-100 of the
 16 election law, or, absent a contract, pursuant to a vote of the state
 17 board of elections for expenditure pursuant to subdivision 4 of
 18 section 3-100 of the election law (23520).
 19 Contractual Services (51000) ... 5,000,000 (re. \$4,979,000)

20 Special Revenue Funds - Federal
 21 Federal Miscellaneous Operating Grants Fund
 22 [~~Help America Vote Act Implementation Account - 25497~~]
 23 HAVA Election Security Grant Account - 25541

24 By chapter 50, section 1, of the laws of 2018:
 25 Funds appropriated shall be used to disburse federal grants in support
 26 of improvements to the administration of elections, including
 27 enhanced election technology and election security improvements.
 28 Expenditures shall be made from this appropriation only pursuant to
 29 a contract, or modified contract, approved by a vote of the state
 30 board of elections pursuant to subdivision 4 of section 3-100 of the
 31 election law, or, absent a contract, pursuant to a vote of the state
 32 board of elections for expenditure pursuant to subdivision 4 of
 33 section 3-100 of the election law (23504)
 34 23,000,000 (re. \$22,749,000)

35 Special Revenue Funds - Federal
 36 Federal Miscellaneous Operating Grants Fund
 37 Help America Vote Act Implementation Account - 25497

38 By chapter 50, section 1, of the laws of 2011:
 39 For services and expenses related to the implementation of federal
 40 election requirements including the help America vote act of 2002
 41 and the military and overseas voter empowerment act of 2009 (23508).
 42 Nonpersonal service (57050) ... 6,500,000 (re. \$4,062,000)

43 By chapter 50, section 1, of the laws of 2010:
 44 For services and expenses related to the implementation of the mili-
 45 tary and overseas voter empowerment act of 2009 (23508)
 46 6,500,000 (re. \$996,000)

STATE BOARD OF ELECTIONS

STATE OPERATIONS - REAPPROPRIATIONS 2019-20

1 By chapter 50, section 1, of the laws of 2009, as amended by chapter 50,
 2 section 1, of the laws of 2011:
 3 For HAVA related expenditures (23511)
 4 6,000,000 (re. \$1,144,000)

5 Special Revenue Funds - Federal
 6 Federal Miscellaneous Operating Grants Fund
 7 Help America Vote Act Implementation Account - 25496

8 By chapter 50, section 1, of the laws of 2005, as added by chapter 62,
 9 section 1, of the laws of 2005:

10 For services and expenses related to the help America vote act of
 11 2002; provided however, expenditures shall be made from this appro-
 12 priation only pursuant to a contract, or modified contract, approved
 13 by a vote of the state board of elections pursuant to subdivision 4
 14 of section 3-100 of the election law, or, absent a contract, pursu-
 15 ant to a vote of the state board of elections for expenditure pursu-
 16 ant to subdivision 4 of section 3-100 of the election law. The
 17 amounts hereby appropriated may be increased or decreased through
 18 interchange with any other special revenue funds - federal, federal
 19 operating grants fund - 290 appropriation in the board or trans-
 20 ferred to any other eligible state agency for the purpose of imple-
 21 menting the help America vote act of 2002, provided that any such
 22 interchange or transfer shall be approved by the state board of
 23 elections pursuant to subdivision 4 of section 3-100 of the election
 24 law and, in addition, any such interchange or transfer shall be
 25 approved by the director of the budget who shall file copies thereof
 26 with the state comptroller and the chairman of the senate finance
 27 and assembly ways and means committees.
 28 For services and expenses incurred prior to April 1, 2005 (23508)
 29 5,000,000 (re. \$799,000)
 30 For services and expenses incurred on or after April 1, 2005 (23508)
 31 ... 15,000,000 (re. \$799,000)

32 Special Revenue Funds - Other
 33 Miscellaneous Special Revenue Fund
 34 Help America Vote Act Matching Funds Account - 22174

35 By chapter 50, section 1, of the laws of 2018:
 36 For expenses including prior year liabilities related to satisfying
 37 the matching fund requirements of section 253(b) (5) of the help
 38 America vote act of 2002; provided however, expenditures shall be
 39 made from this appropriation only pursuant to a contract, or modi-
 40 fied contract, approved by a vote of the state board of elections
 41 pursuant to subdivision 4 of section 3-100 of the election law, or,
 42 absent a contract, pursuant to a vote of the state board of
 43 elections for expenditure pursuant to subdivision 4 of section 3-100
 44 of the election law (23504).
 45 Contractual services (51000) ... 1,000,000 (re. \$845,000)

46 By chapter 50, section 1, of the laws of 2009:

STATE BOARD OF ELECTIONS

STATE OPERATIONS - REAPPROPRIATIONS 2019-20

1 For expenses including prior year liabilities related to satisfying
2 the matching fund requirements of section 253(b) (5) of the help
3 America vote act of 2002; provided however, expenditures shall be
4 made from this appropriation only pursuant to a contract, or modi-
5 fied contract, approved by a vote of the state board of elections
6 pursuant to subdivision 4 of section 3-100 of the election law, or,
7 absent a contract, pursuant to a vote of the state board of
8 elections for expenditure pursuant to subdivision 4 of section 3-100
9 of the election law (23504).
10 Contractual services (51000) ... 1,000,000 (re. \$869,000)

11 Special Revenue Funds - Other
12 Miscellaneous Special Revenue Fund
13 Voting Machine Examinations Account - 22099

14 By chapter 50, section 1, of the laws of 2018:
15 Contractual services (51000) ... 3,000,000 (re. \$3,000,000)

16 By chapter 50, section 1, of the laws of 2017:
17 Contractual services (51000) ... 3,000,000 (re. \$3,000,000)

18 By chapter 50, section 1, of the laws of 2016:
19 Contractual services (51000) ... 3,000,000 (re. \$3,000,000)

20 By chapter 50, section 1, of the laws of 2014, as added by chapter 53,
21 section 2, of the laws of 2014:
22 Contractual services ... 3,000,000 (re. \$2,548,000)