

SENATE, No. 2142

STATE OF NEW JERSEY 214th LEGISLATURE

INTRODUCED JUNE 21, 2010

Sponsored by:

Senator ANTHONY R. BUCCO

District 25 (Morris)

SYNOPSIS

Makes FY 2010 State and federal supplemental appropriations totaling \$454,509,000, reduces FY 2010 appropriations by \$727,892,000, and amends and supplements various language provisions affecting appropriations in FY 2010.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT amending and supplementing the Fiscal Year 2010 annual
2 appropriations act, P.L.2009, c.68.

3

4 BE IT ENACTED by the Senate and General Assembly of the State of New
5 Jersey:

6

7 1. The following items in section 1 of P.L.2009, c.68, the annual
8 appropriations act for State fiscal year 2010, are amended to read as follows:

9

16 DEPARTMENT OF CHILDREN AND FAMILIES

50 Economic Planning, Development, and Security

55 Social Services Programs

GRANTS-IN-AID

01- 1610 Child Protective and Permanency Services		
.....	【 \$229,504,000 】	<u>\$210,052,000</u>
Total Grants-in-Aid Appropriation,		<hr/>
Social Services Programs	【 \$229,504,000 】	<u>\$210,052,000</u>

Grants-in-Aid:

01 Independent Living and Shelter Care		
.....	【(\$23,576,000)】	<u>(\$19,836,000)</u>
01 Family Support Services		
.....	【(86,612,000)】	<u>(80,656,000)</u>
01 Foster Care	【(114,547,000)】	<u>(105,047,000)</u>
01 State Match	【(4,769,000)】	<u>(4,513,000)</u>

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Department of Children and Families, Total State		
Appropriation	【 \$229,504,000 】	<u>\$210,052,000</u>

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26 DEPARTMENT OF CORRECTIONS

10 Public Safety and Criminal Justice

16 Detention and Rehabilitation

DIRECT STATE SERVICES

08-7025 Institutional Care and Treatment		
.....	【\$163,903,000】	<u>\$154,187,000</u>
Total Direct State Services Appropriation,		<hr/>
Detention and Rehabilitation		
.....	【\$163,903,000】	<u>\$154,187,000</u>

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

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Direct State Services:

Services Other Than Personal ..
.....【(\$163,903,000)】 (\$154,187,000)

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Department of Corrections, Total State
Appropriation【\$163,903,000】 \$154,187,000

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34 DEPARTMENT OF EDUCATION
30 Educational, Cultural, and Intellectual Development

31 Direct Educational Services and Assistance

STATE AID

01-5120 General Formula Aid 【\$7,065,389,000】 \$6,710,357,000
(From Property Tax Relief Fund
..... 【\$7,065,389,000】 \$6,710,357,000)

07-5120 Special Education 【730,144,000】 692,844,000
(From Property Tax Relief Fund.....
.....【730,144,000】 692,844,000)

Total State Aid Appropriation, Direct
Educational Services and Assistance
..... 【\$7,795,533,000】 \$7,403,201,000
(From Property Tax Relief Fund.....
.....【7,795,533,000】 \$7,403,201,000)

State Aid:

01 Equalization Aid (PTRF)
.....【(\$5,479,636,000)】 (\$5,282,386,000)

01 Security Aid (PTRF)
..... 【(241,998,000)】 (209,143,000)

01 Adjustment Aid (PTRF)
..... 【(747,661,000)】 (623,834,000)

01 Preschool Education Aid
(PTRF) . 【(596,094,000)】 (594,994,000)

07 Special Education
Categorical Aid (PTRF)
..... 【(730,144,000)】 (692,844,000)

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34 Educational Support Services

STATE AID

36-5120 Student Transportation
..... 【(\$363,126,000)】 \$282,769,000

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	(From Property Tax Relief Fund	
 [\$363,126,000]	<u>\$282,769,000</u>
39-5095	Teachers' Pension and Annuity Assistance	
 [719,447,000]	<u>648,125,000</u>
	(From Property Tax Relief Fund	
 [719,447,000]	<u>648,125,000</u>
	Total State Aid Appropriation, Educational	
	Support Services [\$1,082,573,000]	<u>\$930,894,000</u>
	(From Property Tax Relief Fund.....	
 [\$1,082,573,000]	<u>\$930,894,000</u>

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State Aid:

36	Transportation Aid (PTRF) ...	
 [\$363,126,000]	<u>(\$282,769,000)</u>
[39	Teachers' Pension and Annuity	
	Fund (PTRF)	(62,122,000)]
39	Teachers' Pension and Annuity	
	Fund -- Post Retirement	
	Medical (PTRF)	
 [(657,325,000)]	<u>(648,125,000)</u>

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Department of Education, Total State		
Appropriation	[\$8,878,106,000]	<u>\$8,334,095,000</u>

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82 DEPARTMENT OF THE TREASURY

30 Educational, Cultural, and Intellectual Development

36 Higher Educational Services

STATE AID

[48-2155	Aid to County Colleges	<u>\$49,000]</u>
	[Total State Aid Appropriation, Higher	
	Educational Services	<u>\$49,000]</u>

State Aid:

[48	Employer Contributions –	
	Teachers' Pension and Annuity	
	Fund	(\$49,000)]

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50 Economic Planning, Development, and Security

51 Economic Planning and Development

GRANTS-IN-AID

38-2043	Economic Development	[\$227,200,000]	<u>\$103,563,000</u>
	Total Grants-in-Aid Appropriation, Economic		
	Planning and Development	[\$227,200,000]	<u>\$103,563,000</u>

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Grants-in-Aid:

[38	InvestNJ -- Job Credits, EDA	(\$25,000,000)]
38	InvestNJ -- Capital Credits, EDA	[(8,200,000)] <u>(200,000)</u>
38	Business Employment Incentive Program, EDA	[(194,000,000)] <u>(103,363,000)</u>

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70 Government Direction, Management, and Control

75 State Subsidies and Financial Aid

STATE AID

[35-2078	Consolidated Police and Firemen's Pension Fund	\$6,001,000]
	[Total State Aid Appropriation, State Subsidies And Financial Aid	<u>\$6,001,000]</u>

State Aid:

[35	Police and Firemen's Retirement System	(\$3,664,000)]
[35	Police and Firemen's Retirement System (P.L.1979, c.109) ...	(1,973,000)]
[35	State Contribution to Consolidated Police and Firemen's Pension Fund	(364,000)]

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Department of	The Treasury, Total State Appropriation	[\$233,250,000] <u>\$103,563,000</u>
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94 INTER-DEPARTMENTAL ACCOUNTS

70 Government Direction, Management and Control

74 General Government Services

9430 Salary Increases and Other Benefits

DIRECT STATE SERVICES

05-9430	Salary Increases and Other Benefits	[\$24,370,000] <u>\$6,344,000</u>
	Total Direct State Services Appropriation, Salary Increases and Other Benefits	[\$24,370,000] <u>\$6,344,000</u>

Direct State Services:

05	Salary Increases and Other Benefits	[(\$24,370,000)] <u>(\$6,344,000)</u>
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Inter-Departmental	Accounts, Total State Appropriation	[\$24,370,000] <u>\$6,344,000</u>
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98 THE JUDICIARY

10 Public Safety and Criminal Justice

15 Judicial Services

DIRECT STATE SERVICES

05-9730 Family Courts **[\$64,718,000]** \$57,718,000

Total Direct State Services Appropriation,
Judicial Services **[\$64,718,000]** \$57,718,000

Direct State Services:

Personal Services:

Judges **[\$(64,718,000)]** (\$57,718,000)

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The Judiciary, Total State

Appropriation **[\$64,718,000]** \$57,718,000

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Total Appropriation,

All State Funds **[\$9,593,851,000]** \$8,865,959,000

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6 2. Section 15 of P.L.2009, c.68, the annual appropriations act for State
7 fiscal year 2010, is amended to read as follows:

8 15. Notwithstanding any provisions in this act or the provisions of any law or
9 regulation to the contrary, no unexpended balances at the end of the preceding fiscal
10 year are appropriated without the approval of the Director of the Division of Budget
11 and Accounting, except that the Legislative Branch of State government shall be
12 exempt from this provision; provided, however, that the director may deappropriate
13 any such unexpended balances at any time during the fiscal year. The Director of the
14 Division of Budget and Accounting shall notify the Legislative Budget and Finance
15 Officer of those instances in which unexpended balances are not appropriated
16 pursuant to this section.

17 (cf: P.L.2009, c.68, s.15)

18

19 3. In addition to the amounts appropriated under P.L.2009, c.68, the
20 annual appropriations act for State fiscal year 2010, there are appropriated out
21 of the General Fund the following sums for the purposes specified:
22

34 DEPARTMENT OF EDUCATION

30 Educational, Cultural, and Intellectual Development

31 Direct Educational Services and Assistance

STATE AID

23 Notwithstanding the provisions of any law or regulation to the contrary, any
24 reduction in an appropriation for State aid made pursuant to P.L. , c.
25 (pending before the Legislature as this bill) shall not necessitate an
26 adjustment to any State school aid withholding made by the Department of
27 Education pursuant to Executive Order #14 of 2010.

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42 DEPARTMENT OF ENVIRONMENTAL PROTECTION

40 Community Development and Environmental Management

42 Natural Resource Management

GRANTS-IN-AID

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In addition to the amount hereinabove appropriated for Parks Management, an amount not to exceed \$10,000,000 is appropriated from the Shade Tree and Community Forest Preservation License Plate Fund, established pursuant to section 12 of P.L.1996, c.135 (C.39:3-27.81), for the operation and maintenance of State parks and forests.

43 Science and Technical Programs

GRANTS-IN-AID

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Of the amounts hereinabove for the Stormwater Management Grants program and Watershed Restoration Projects, such sums as are necessary may be transferred to the Water Resources Monitoring and Planning – Constitutional Dedication special purpose account, subject to the approval of the Director of the Division of Budget and Accounting.

46 DEPARTMENT OF HEALTH AND SENIOR SERVICES

20 Physical and Mental Health

26 Senior Services

GRANTS-IN-AID

22-4275 Medical Services for the Aged	\$79,582,000
24-4275 Pharmaceutical Assistance to the Aged and Disabled	<u>3,697,000</u>
Total Grants-in-Aid Appropriation, Senior Services	<u>\$83,279,000</u>

Grants-in-Aid:

22 Medical Day Care Services	(\$20,498,000)
22 Payments for Medical Assistance	
Recipients – Nursing Homes	(43,972,000)
22 Global Budget for Long Term Care	(15,112,000)
24 Senior Gold Prescription Discount	
Program	(3,697,000)

14

Department of Health and Senior Services, Total	
State Appropriation	<u>\$83,279,000</u>

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54 DEPARTMENT OF HUMAN SERVICES

20 Physical and Mental Health

23 Mental Health Services

DIRECT STATE SERVICES

10-7710 Patient Care and Health Services	<u>\$11,062,000</u>
Total Direct State Services Appropriation, Mental	
Health Services	<u>\$11,062,000</u>

Direct State Services:

Personal Services

Salaries and Wages	(\$6,669,000)
Materials and Supplies	(4,393,000)

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7700 Division of Mental Health Services

STATE AID

08-7700 Community Services	\$26,626,000
Total State Aid Appropriation, Division of Mental Health Services	<u>\$26,626,000</u>

State Aid:

08 Support of Patients in County Psychiatric Hospitals	(\$26,626,000)
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24 Special Health Services

7540 Division of Medical Assistance and Health Services

GRANTS-IN-AID

22-7540 General Medical Services	\$218,500,000
Total Grants-in-Aid Appropriation, Division of Medical Assistance and Health Service	<u>\$218,500,000</u>

Grants-in-Aid:

22 Managed Care Initiative	(\$24,209,000)
22 Payments for Medical Assistance Recipients -- Medicare Premiums	(93,750,000)
22 General Assistance Medical Services	(100,541,000)

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27 Disability Services

7545 Division of Disability Services

GRANTS-IN-AID

27-7545 Disability Services	\$11,932,000
Total Grants-in-Aid Appropriation, Division of Disability Services	<u>\$11,932,000</u>

Grants-in-Aid:

27 Payments for Medical Assistance Recipients – Personal Care	(\$11,932,000)
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50 Economic Planning, Development, and Security

53 Economic Assistance and Security

7550 Division of Family Development

STATE AID

15-7550 Income Maintenance Management	\$14,321,000
Total State Aid Appropriation, Division of Family Development	<u>\$14,321,000</u>

State Aid:

15 Payments for Cost of General Assistance .	(\$992,000)
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15	General Assistance Emergency Assistance Program	(3,338,000)
15	Payments for Supplemental Security Income	(9,947,000)
15	State Supplemental Security Income Administrative Fee to SSA	(44,000)

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Department of Human Services, Total State Appropriation	\$282,441,000
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66 DEPARTMENT OF LAW AND PUBLIC SAFETY

10 Public Safety and Criminal Justice

12 Law Enforcement

DIRECT STATE SERVICES

06-1200	State Police Operations	\$3,750,000
	Total Direct State Services Appropriation, Law Enforcement	\$3,750,000

Direct State Services:

Personal Services	
Salaries and Wages	(\$3,750,000)

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Department of Law and Public Safety, Total State Appropriation	\$3,750,000
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74 DEPARTMENT OF STATE

30 Educational, Cultural, and Intellectual Development

36 Higher Educational Services

2405 Higher Education Student Assistance Authority

GRANTS-IN-AID

45-2405	Student Assistance Programs	\$3,411,000
	Total Grants-in-Aid Appropriation, Higher Education Student Assistance Authority	\$3,411,000

Grants-in-Aid:

45	Part-Time Tuition Aid Grants for County Colleges	(\$2,496,000)
45	New Jersey Student Tuition Assistance Reward Scholarship (NJSTARS I & II)	(915,000)

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Department of State, Total State Appropriation	\$3,411,000
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78 DEPARTMENT OF TRANSPORTATION

60 Transportation Programs

61 State and Local Highway Facilities

DIRECT STATE SERVICES

06-6100	Maintenance and Operations	\$29,503,000
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Total Direct State Services Appropriation, State and Local Highway Facilities \$29,503,000

Direct State Services:

Maintenance and Fixed Charges (\$29,503,000)

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Department of Transportation, Total State Appropriation \$29,503,000

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82 DEPARTMENT OF THE TREASURY

70 Government Direction, Management, and Control

75 State Subsidies and Financial Aid

STATE AID

28-2078 County Boards of Taxation \$125,000

Total State Aid Appropriation, State Subsidies and Financial Aid \$125,000

State Aid:

28 County Boards of Taxation (\$125,000)

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Department of the Treasury, Total State Appropriation \$125,000

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94 INTER-DEPARTMENTAL ACCOUNTS

70 Government Direction, Management and Control

74 General Government Services

DIRECT STATE SERVICES

01-9400 Property Rentals \$20,000,000

Total Direct State Services Appropriation, General Government Services \$20,000,000

Direct State Services:

Property Rentals

01 Existing and Anticipated Leases (\$20,000,000)

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Inter-Departmental Accounts, Total State Appropriation \$20,000,000

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Total Appropriation, General Fund \$422,509,000

Total Appropriation, All State Funds \$422,509,000

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4. Upon certification by the Director of the Division of Budget and Accounting in the Department of the Treasury that federal funds to support the expenditures listed below are available, the following sum is appropriated:

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FEDERAL FUNDS

16 DEPARTMENT OF CHILDREN AND FAMILIES

50 Economic Planning, Development, and Security

55 Social Services Programs

01-1610	Child Protective and Permanency Services	\$32,000,000
		<hr/>
	Total Appropriation, Social Services Programs	\$32,000,000
		<hr/>
	Personal Services:	
	Salaries and Wages	(\$32,000,000)
	Total Appropriation, Federal Funds	\$32,000,000
	Grand Total Appropriation, All Funds	<u><u>\$454,509,000</u></u>

5. Notwithstanding any provision of law or P.L.2009, c.68, the fiscal year 2010 appropriations act to the contrary, the following appropriations in the amounts specified are deappropriated and the amounts so deappropriated shall be considered as part of the General Fund balance and are available for appropriation for any other purpose: Housing Demonstration Program: \$2,668,000; Neighborhood Preservation Program: \$499,000, State Rental Assistance Program: \$12,000,000; School District Deficit Relief: \$2,040,000; Infant Mortality Reduction Program: \$401,000; New Jersey Emergency Medical Services Helicopter Response Program: \$485,000; Energy Efficiency – Statewide Projects: \$10,000,000; New Jersey Builders’ Utilization for Labor Diversity: \$1,500,000; Public Area Furniture Contingency – Justice Complex: \$31,000; Office of Homeland Security and Preparedness: \$84,000; Professional Campaign Fund Raiser Register: \$11,000; Lobbying Annual Fees: \$346,000; New Home Owner’s Warranty: \$149,000; Residential Warranty Corporation: \$196,000; Commercial Vehicle Enforcement Program: \$8,000,000; Motor Vehicle Services: \$14,899,000; Drug Abuse Education Fund: \$457,000; Retail Margin Fund: \$134,000,000; and New Jersey Public Records Preservation: \$13,400,000.

6. Notwithstanding any provision of law or regulation to the contrary, there may be transferred from the Clean Energy Fund to the General Fund as State revenue an amount not in excess of \$158,000,000, subject to the approval of the Director of the Division of Budget and Accounting.

7. Notwithstanding any provision of law or regulation to the contrary, there may be transferred from the Spinal Cord Research Fund, P.L.1999, c.201, to the General Fund as State revenue an amount not in excess of \$5,150,000, subject to the approval of the Director of the Division of Budget and Accounting.

8. Notwithstanding any provision of law or regulation to the contrary, there may be transferred from surplus balances in the Enterprise Zone Assistance Fund to the General Fund as State revenue an amount not in excess of \$78,117,512, subject to the approval of the Director of the Division of Budget and Accounting.

9. Notwithstanding any provision of law or regulation to the contrary, there may be transferred from the various accounts established pursuant to section 4 of P.L. 2008, c.22 in the Long Term Obligation and Capital Expenditure Fund to the General Fund as State revenue an amount not in excess of \$103,730,332, subject to the approval of the Director of the Division of Budget and Accounting.

1 10. Notwithstanding any provision of law or regulation to the contrary, there may
2 be transferred from the State Disability Benefits Fund to the General Fund as State
3 revenue an amount not in excess of \$25,000,000, subject to the approval of the
4 Director of the Division of Budget and Accounting.

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6 11. This act shall take effect immediately.
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9 STATEMENT
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11 This bill amends and supplements the Fiscal Year 2009-2010 appropriations
12 act, making State and federal supplemental appropriations totaling
13 \$454,509,000, reducing enacted appropriations by \$727,892,000, and
14 amending and supplementing various language provisions affecting
15 appropriations.
16

17 The supplemental appropriations of State funds are as follows:

18 **Department of Health and Senior Services:** The bill appropriates a total of
19 \$83,279,000 in Grants-in-Aid funding for the following purposes: 1)
20 \$20,498,000 appropriation for Medical Day Care Services for higher than
21 expected caseloads and lower than projected savings from anti-fraud
22 initiatives; 2) \$43,972,000 appropriation for Payment for Medical Assistance
23 Recipients – Nursing Homes to offset lower than expected federal resources
24 from the American Recovery and Reinvestment Act of 2009; 3) \$15,112,000
25 appropriation for Global Budget for Long Term Care for higher than expected
26 caseloads; and 4) \$3,697,000 appropriation for Senior Gold Prescription
27 Discount Program for higher than expected caseloads.

28 **Department of Human Services:** The bill appropriates a total of
29 \$282,441,000 in State funds for the following purposes: 1) \$11,062,000 in
30 Direct State Services appropriations for Patient Care and Health Services to
31 five psychiatric hospitals to provide funding for salary and fuel and utilities
32 shortfalls at the various institutions; 2) \$26,626,000 State Aid for Support of
33 Patients in County Psychiatric Hospitals due to increased caseloads and
34 unrealized savings from a federal waiver that was not approved; 3)
35 \$24,209,000 grant appropriation for Managed Care Initiative for a projected
36 shortfall due to higher than expected caseloads and a capitation rate increase
37 that was higher than budgeted; 4) \$93,750,000 grant appropriation for
38 Payments for Medical Assistance Recipients – Medicare Premiums for
39 anticipated federal reimbursements for incorrect Medicaid billings that were
40 not received; 5) \$100,541,000 grant appropriation for General Assistance
41 Medical Services for delayed implementation of an initiative to receive federal
42 Medicaid match on payments to General Assistance beneficiaries
43 (\$78,175,000) and increased caseloads (\$22,366,000); 6) \$11,932,000 grant
44 appropriation for Payments for Medical Assistance Recipients – Personal Care
45 for increased caseloads; and 7) \$14,321,000 in State Aid appropriations for
46 four Income Maintenance Management State aid accounts for increased
47 caseloads.

48 **Department of Law and Public Safety:** This bill appropriates \$3,750,000
49 in Direct State Services funding for State Police Operations to offset a

1 shortfall in Vehicle Rental Surcharge collections used to support Salaries and
2 Wages.

3 **Department of State:** This bill appropriates a total of \$3,411,000 in Grants-
4 in-Aid to support scholarships for county college students due to increased
5 applications from eligible students for Part-Time Tuition Aid Grants for
6 County Colleges (\$2,496,000) and New Jersey Tuition Assistance Reward
7 Scholarship (NJSTARS I and II) (\$915,000).

8 **Department of Transportation:** This bill appropriates \$29,503,000 in Direct
9 State Services funding to support incurred snow removal costs.

10 **Department of Treasury:** This bill appropriates \$125,000 for State Aid to
11 County Boards of Taxation to provide for increased appointments to the
12 boards.

13 **Inter-Departmental Accounts:** The bill appropriates Direct State Services
14 funding of \$20,000,000 for Property Rentals to offset anticipated savings from
15 lease negotiations that were not achieved.

16

17 The supplemental appropriation of federal funds is as follows:

18 **Department of Children and Families:** The bill appropriates a \$32 million
19 increase in fiscal 2009 federal spending authorization for Title IV-E Foster
20 Care beyond the amount anticipated in P.L.2008, c.35, the Fiscal Year 2009
21 appropriations act.

22

23 The supplements or amendments to various language provisions are as
24 follows:

25 **Department of Education:** A language provision clarifies that the
26 decreased appropriation for State school aid included in this bill will not
27 necessitate any adjustment to a school aid withholding made by the
28 Department of Education pursuant to Executive Order #14.

29 **Department of Environmental Protection:**

30 1) A language provision appropriates \$10,000,000 from the Shade Tree
31 and Community Forest Preservation License Plate Fund for operation and
32 maintenance of State parks and forests.

33 2) A language provision permits transfer of 4% Corporation Business Tax
34 dedication balances from the Stormwater Management Grants and the
35 Watershed Restoration Projects Grants-in-Aid accounts to the Water
36 Resources Monitoring and Planning – Constitutional Dedication special
37 purpose account.

38

39 **General Language Provisions affecting Appropriations and Revenues:**

40 1) Authorizes the Director of the Division of Budget and Accounting to
41 deappropriate, at any time during the fiscal year, any unexpended balances
42 (also known as carry forward balances) from the end of the preceding fiscal
43 year.

44 2) Deappropriates a total of \$201,166,000 from various dedicated
45 accounts and makes the deappropriated amounts available to the General Fund
46 for appropriation for any other purpose.

47 3) Permits transfer of surplus balances up to \$158,000,000 from the Clean
48 Energy Fund to the General Fund.

1 4) Permits transfer of surplus balances up to \$5,150,000 from the New
2 Jersey Spinal Cord Research Fund to the General Fund.

3 5) Permits transfer of surplus balances up to \$78,117,512 from the
4 Enterprise Zone Assistance Fund to the General Fund.

5 6) Permits transfer of \$103,730,332 from surplus balances in the Long
6 Term Obligation and Capital Expenditure Fund to the General Fund.

7 7) Permits transfer of \$25,000,000 from surplus balances in the State
8 Disability Benefits Fund to the General Fund.

9

10 The reductions in enacted appropriations are as follows:

11 *Department of Children and Families:* Grants in Aid totaling:
12 \$19,452,000.

13 *Department of Corrections:* Direct State Services totaling: \$9,716,000.

14 *Department of Education:* State Aid totaling: \$544,011,000.

15 *Department of the Treasury:* State Aid and Grants-in-Aid totaling:
16 \$129,687,000.

17 *Inter-Departmental Accounts:* Direct State Services totaling: \$18,026,000

18 *The Judiciary:* Direct State Services totaling: \$7,000,000.