

MEMORANDUM OF UNDERSTANDING

THIS AGREEMENT, entered into on May 12, 2008, by and between Laura L. Anglin, Director of the Budget, on behalf of Governor David A. Paterson; Robert F. Mujica, Deputy Secretary to the Senate Finance Committee, on behalf of Joseph L. Bruno, Temporary President and Majority Leader of the Senate; and Dean A. Fuleihan, Secretary of the Assembly Ways and Means Committee, on behalf of Sheldon Silver, Speaker of the Assembly.

WHEREAS, the enacted State Fiscal Year (SFY) 2008-09 Budget includes a new \$30 million Community Projects Fund (CPF) – 007, Account GG appropriation for services and expenses, grants in aid, or for contracts with certain not-for-profit agencies, universities, colleges, school districts, corporations, and/or municipalities to support various programs; and

WHEREAS, Chapter 55 of the Laws of 2008 stipulates that use of that appropriation shall be subject to a Memorandum of Understanding executed by the above-named parties;

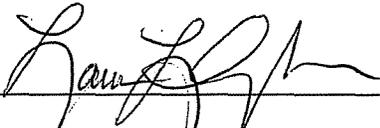
NOW THEREFORE, in consideration of the mutual covenants contained herein, the parties agree as follows:

1. The appropriation of thirty million dollars (\$30,000,000) enacted by Chapter 55 of the Laws of 2008 from the CPF – 007 Account GG shall be allocated to and made available for projects designated by the Governor. To support such projects, and in accordance with section 4 of the state finance law and section 2 of part MM of chapter 59 of the laws of 2008, the comptroller is authorized and directed to transfer from the general fund-state purposes account to the community projects fund 007 account GG: (a) \$10,600,000 for the period April 1, 2009 through March 31, 2010; and (b) \$19,400,000 for the period April 1, 2010 through March 31, 2011.
2. At any time, but not more than once within any 30 calendar day period, projects may be proposed by the Governor, or his designee, to be funded pursuant to and consistent with the aforementioned CPF appropriation. Such projects, including the legally incorporated

name of the recipient organization, the amount of funding requested for the project, and the State agency or authority requested to administer the funding, shall be shared by the Director of the Budget, with the Secretaries of the respective Legislative Fiscal Committees and the appropriate administering State agency, department, or authority for review. Concerns, if any, regarding any such project(s) shall be raised directly with the Director of the Budget or the Director's designees. If by the close of the thirtieth day after transmittal there has been no concern raised by the notified parties regarding the transmitted project(s), each administering State agency, department, or authority shall transmit project award letters and contract applications to each of the recipient organizations.

3. For the duration of the thirty-day review period referenced above, projects shall be posted on a public web site to ensure full and public disclosure of all projects recommended for funding. Disbursements from the aforementioned CPF appropriation to any recipient organization shall be strictly prohibited during the thirty-day review period.
4. Immediately following the thirtieth day of public disclosure, necessary funding shall be suballocated by the Director of the Budget on certificate to the appropriate administering agency, department or authority as indicated on the transmittal. After project review, such agency, department or authority shall, subject to the review of the Attorney General and to the Comptroller's approval pursuant to Section 112 of the State Finance Law, enter into a contract with the named organization. The Comptroller may also perform audits on such projects as deemed appropriate.
5. Nothing herein shall have the effect of limiting or modifying current responsibilities of the agency, department or authority to review project proposals and ensure that recipient organizations meet their contractual obligations.
6. This agreement may be amended only by written agreement of all parties.

Dated this 12th day of May, 2008



Laura L. Anglin
Director of the Budget



Robert F. Mujica
Deputy Secretary, Senate Finance Committee



Dean A. Fuleihan
Secretary, Assembly Ways and Means Committee