

RESOLUTION in response to the 2016-2017 Executive Budget submission (Legislative Bills S6400B, S6403B, S6404B, S6405B, S6406B, S6407B, S6408B and S6409B) to be adopted as legislation expressing the position of the New York State Senate relating to the 2016-2017 New York State Budget

WHEREAS, It is the intent of the Legislature to effectuate the timely passage of a State Budget; and

WHEREAS, It is the intent of the Legislature to engage in the Budget Conference Committee process, which promotes increased participation by the members of the Legislature and the public; and

WHEREAS, The Senate Finance Committee has conducted an extensive study and review of the Governor's 2016-2017 Executive Budget submission and has recommended proposed amendments to such Budget submission in the above referenced Legislative Bills and Report on the Executive Budget; and

WHEREAS, Article VII of the New York State Constitution provides the framework under which the New York State Budget is submitted, amended and enacted. The New York State Courts have limited the Legislature in how it may change the appropriations bills submitted by the Governor. The Legislature can delete or reduce items of appropriation contained in the several appropriation bills submitted by the Governor in conjunction with the Executive Budget, and it can add additional items of appropriation to those bills provided that such additions are stated separately and distinctly from the original items of the bill and refer each to a single object or purpose; and

WHEREAS, An extensive study and review of the Governor's 2016-2017 Executive Budget submission has revealed that the construction of the budget bills submitted to the Legislature by the Governor constrains the Legislature in its ability to fully effectuate its intent in amending the Governor's budget submission; and

WHEREAS, The 2016-2017 Executive Budget includes funds for new programs throughout various agencies which are direct aid and grant programs, have been drafted as lump sum appropriations and are proposed to be distributed at the sole discretion of the Executive. In addition, some of these proposed initiatives related to capital plans have no corresponding plan details, which is imperative for proper consideration of these proposals. New capital spending, distributed through regional economic development councils, is also included in the Executive proposal; and

WHEREAS, The Legislature has amended the Governor's 2016-2017 Executive Budget submission to the fullest extent possible within the authority provided to it pursuant to Section 4 of Article VII of the New York State Constitution; and

WHEREAS, The Senate, in addition to the Governor's 2016-2017 Executive Budget submission bills as amended by the Senate in the above referenced legislative bills, does hereby provide its recommendations as to provisions in the Governor's 2016-2017 Executive Budget submission which reflect those items the Senate is constrained from effectuating as amendments to the 2016-2017 Executive Budget appended hereto; and

WHEREAS, It is the intent of the Legislature that upon the passage of the Governor's 2016-2017 Executive Budget submission as amended by the Senate, and the incorporated Report on the Amended Executive Budget may provide a basis for both houses of the Legislature to convene Committees on Conference pursuant to Joint Rule III of the Senate and Assembly for the purpose of reconciling any differences between the amendments to the

Governor's budget as proposed by each house of the Legislature; now, therefore, be it

EX 31-9



RESOLVED, That, the above referenced legislative bills (S6400B, S6403B, S6404B, S6405B, S6406B, S6407B, S6408B and S6409B) be and are incorporated as part of this resolution and are hereby adopted as the New York State Legislature's budget proposal for the 2016-2017 New York State Budget.

REPORT ON THE AMENDED EXECUTIVE BUDGET

ALL STATE AGENCIES AND OPERATIONS

ADIRONDACK PARK AGENCY

State Operations (S.6400-B)

- \* The Senate concurs with the Executive recommendation of \$4.8 million.

AGING, STATE OFFICE OF THE

State Operations (S.6400-B)

- \* The Senate concurs with the Executive recommendation of \$11.3 million.

Aid to Localities (S.6403-B)

- \* The Senate modifies the Executive's recommendation of \$245.8 million as follows:
  - o Restores \$951,000 for the Naturally Occurring Retirement Communities (NORCs) and Neighborhood NORCs (NNORCs) programs.
  - o Restores \$200,000 for the Lifespan Elder Abuse Prevention Program.
  - o Increases funding for the Community Services for the Elderly program by \$3 million to eliminate local waiting lists for the program.
  - o Provides \$1.5 million to support various elder abuse awareness, screening and reporting initiatives.

AGRICULTURE AND MARKETS, DEPARTMENT OF

State Operations (S.6400-B)

- \* The Senate modifies the Executive recommendation as follows:
  - .SO DOC S R4330 RESO TEXT 2015
  - o Denies the transfer of market order authority to the Empire State Development and provides \$12.3 million.
  - o Proposes new language allowing the statutory creation of NY Pride/NY Certified program.

Aid to Localities (S.6403-B)

- \* The Senate modifies the Executive recommendation as follows:
  - o Restores:
    - \$544,000 for the Apple Growers Association;
    - \$500,000 for the Apple Research and Development Board;
    - \$320,000 for the Berry Growers Association;
    - \$125,000 for Christmas Tree Growers Association;
    - \$75,000 for the Corn and Soybean Growers Association;
    - \$1 million for the Cornell Diagnostic Lab;
    - \$50,000 for Cornell Onion Research;
    - \$125,000 for Cornell Maple Research;
  
    - \$220,000 for Dairy Profit Teams at Farm Viability;
    - \$200,000 for Deer Fence Matching Grants;
    - \$175,000 for the Eastern Equine Encephalitis program;