STATE OF NEW YORK

9055

IN SENATE

April 15, 2024

Introduced by Sen. KRUEGER -- (at request of the Governor) -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT making appropriations for the support of government; to amend chapter 111 of the laws of 2024, relating to making appropriations for the support of government, in relation thereto; to amend chapter 113 of the laws of 2024, relating to making appropriations for the support of government, in relation thereto; and to amend chapter 114 of the laws of 2024, relating to making appropriations for the support of government, in relation thereto, and providing for the repeal of such provisions upon expiration thereof

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

Section 1. Legislative intent. The legislature hereby finds and declares that the enactment of these appropriations provides sufficient authority to the comptroller for the purpose of making payments for the purposes described herein until such time as appropriation bills submitted by the governor pursuant to article VII of the state constitution for the support of government for the state fiscal year beginning April 1, 2024 are enacted.

§ 2. Section 2 of chapter 111 of the laws of 2024, relating to making appropriations for the support of government, as amended by chapter 115 of the laws of 2024, is amended to read as follows:

§ 2. The amounts specified in this section, or so much thereof as shall be sufficient to accomplish the purposes designated, is hereby appropriated and authorized to be paid as hereinafter provided, to the public officers and for the purpose specified, which amount shall be available for the state fiscal year beginning April 1, 2024.

ALL STATE DEPARTMENTS AND AGENCIES

For the purpose of making payments for personal service, including liabilities incurred prior to April 1, 2024, on the

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

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payrolls scheduled to be paid during the period April 1 through April [~~15~~] **18**, 2024 to state officers and employees of the executive branch, including the governor, lieutenant governor, comptroller, and attorney general, and to employees of the legislature. This appropriation also includes funding for payment of health care and mental hygiene bonuses to eligible state employees, and payments for services performed by mentally ill or developmentally disabled persons who are employed in state-operated special employment, work-for-pay or sheltered workshop programs ..... [~~475,000,000~~] **709,500,000**

§ 3. Section 3 of chapter 111 of the laws of 2024, relating to making appropriations for the support of government, as amended by chapter 115 of the laws of 2024, is amended to read as follows:

§ 3. The amount specified in this section, or so much thereof as shall be sufficient to accomplish the purpose designated, is hereby appropriated and authorized to be paid as hereinafter provided, to the public officers and for the purpose specified, which amount shall be available for the state fiscal year beginning April 1, 2024.

ALL STATE DEPARTMENTS AND AGENCIES

For the payment of state operations non personal service liabilities to the executive branch, including the comptroller, and the attorney general, and legislature, incurred in the ordinary course of business, during the period April 1 through April [~~15~~] **18**, 2024, pursuant to existing state law and for purposes for which the legislature authorized the expenditure of moneys during the 2023-2024 state fiscal year; provided, however, that nothing contained herein shall be deemed to limit or restrict the power or authority of state departments or agencies to conduct their activities or operations in accordance with existing law, and further provided that nothing contained herein shall be deemed to supersede, nullify or modify the provisions of section 40 of the state finance law prescribing when appropriations made for the 2023-2024 state fiscal year shall have ceased to have force and effect 32,000,000

§ 4. Section 4 of chapter 111 of the laws of 2024, relating to making appropriations for the support of government, as amended by chapter 113 of the laws of 2024, is amended to read as follows:

§ 4. The amounts specified in this section, or so much thereof as shall be sufficient to accomplish the purposes designated, is hereby appropriated and authorized to be paid as hereinafter provided, to the public officers and for the purposes specified, which amount shall be available for the state fiscal year beginning April 1, 2024.

MISCELLANEOUS -- ALL STATE DEPARTMENTS AND AGENCIES

GENERAL STATE CHARGES

STATE OPERATIONS

GENERAL STATE CHARGES ..... [~~45,650,000~~] 62,420,000

General Fund
State Purposes Account - 10050

For employee fringe benefits according to the following project schedule including those benefits which are related to employees paid from funds, accounts, or programs where the division of the budget has issued waivers ..... [~~44,550,000~~] 60,570,000

Project Schedule

PROJECT	AMOUNT
For the state's contribution to the social security contribution fund .... [~~44,000,000~~]	60,000,000
For the state's share of contributions to the voluntary defined contribution plan made on behalf of eligible employees pursuant to chapter 18 of the laws of 2012 who elect to participate in such plan and who are not otherwise eligible to participate in the SUNY optional retirement program ..... [~~550,000~~]	570,000
Project schedule total ..... [~~44,550,000~~]	60,570,000

For the payment of the metropolitan commuter transportation mobility tax pursuant to article 23 of the tax law as added by

chapter 25 of the laws of 2009 on behalf of the state employees employed in the metropolitan commuter transportation district ..... [~~1,100,000~~] **1,850,000**

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§ 5. Section 4 of chapter 114 of the laws of 2024, relating to making appropriations for the support of government, as amended by chapter 115 of the laws of 2024, is amended to read as follows:

§ 4. The amounts specified in this section, or so much thereof as shall be sufficient to accomplish the purposes designated, is hereby appropriated and authorized to be paid as hereinafter provided, to the public officers and for the purposes specified, which amount shall be available for the state fiscal year beginning April 1, 2024.

JUDICIARY

For the purpose of making payments for personal service, including liabilities incurred prior to April 1, 2024, on the payrolls scheduled to be paid during the period April 1 through April [~~15~~] **18**, 2024 to officers and employees of the judiciary .. 80,000,000

For the payment of state operations nonpersonal service liabilities, the sum of seventeen million dollars ($17,000,000), or so much thereof as shall be sufficient to accomplish the purpose designated, is hereby appropriated to the judiciary out of any moneys in the general fund or other funds to the credit of the state purposes account not otherwise appropriated. The comptroller is hereby authorized and directed to utilize this appropriation for the purpose of making payments for non-personal service liabilities incurred by the judiciary from April 1 through April [~~15~~] **18**, 2024 17,000,000

For the payment of aid to localities liabilities, the sum of twelve million five hundred thousand dollars ($12,500,000), or so much thereof as shall be sufficient to accomplish the purpose designated, is hereby appropriated to the judiciary out of any moneys in the general fund or other funds to the credit of the state purposes account not otherwise appropriated. The comptroller is hereby authorized and directed to utilize this appropriation for the purpose of making payments for aid to localities liabilities incurred by the judiciary from April 1 through April [~~15~~] **18**, 2024 12,500,000

For the payment of employee fringe benefit programs including, but not limited to, the judiciary's contributions to the

health insurance fund, the employees' retirement system pension accumulation fund, the social security contribution fund, employee benefit fund programs, the dental insurance plan, the vision care plan, the unemployment insurance fund, and for workers' compensation benefits, the sum of sixty-seven million dollars ($67,000,000), or so much thereof as shall be sufficient to accomplish the purpose designated, is hereby appropriated to the judiciary out of any moneys in the general fund or other funds to the credit of the state purposes account not otherwise appropriated. The comptroller is hereby authorized and directed to utilize this appropriation for the purpose of making payments for employee fringe benefit liabilities incurred by the judiciary from April 1 through April [~~15~~] **18**, 2024 67,000,000

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§ 6. Section 5 of chapter 111 of the laws of 2024, relating to making appropriations for the support of government, as amended by chapter 115 of the laws of 2024, is amended to read as follows:

§ 5. The amounts specified in this section, or so much thereof as shall be sufficient to accomplish the purposes designated, is hereby appropriated and authorized to be paid as hereinafter provided, to the public officers and for the purposes specified, which amount shall be available for the state fiscal year beginning April 1, 2024.

DEPARTMENT OF HEALTH

AID TO LOCALITIES

CENTER FOR COMMUNITY HEALTH PROGRAM ..... [~~22,450,000~~] **25,660,000**

General Fund
Local Assistance Account - 10000

For services and expenses related to the Indian health program. The moneys hereby appropriated shall be for payment of financial assistance heretofore accrued or hereafter to accrue (26840) 6,400,000

Special Revenue Funds - Federal
Federal USDA-Food and Nutrition Services Fund
Federal Food and Nutrition Services Account - 25022

For various federal food and nutritional services. The moneys hereby appropriated shall be available for payment of finan- cial assistance heretofore accrued (26986)

.....[~~16,050,000~~] **19,260,000**

§ 7. Section 6 of chapter 111 of the laws of 2024, relating to making appropriations for the support of government, as amended by chapter 115 of the laws of 2024, is amended to read as follows:

§ 6. The amounts specified in this section, or so much thereof as shall be sufficient to accomplish the purposes designated, is hereby appropriated and authorized to be paid as hereinafter provided, to the public officers and for the purposes specified, which amount shall be available for the state fiscal year beginning April 1, 2024.

DEPARTMENT OF LABOR

AID TO LOCALITIES

UNEMPLOYMENT INSURANCE BENEFIT PROGRAM ..... [~~405,000,000~~] **570,000,000**

Enterprise Funds
Unemployment Insurance Benefit Fund
Unemployment Insurance Benefit Account - 50650

For payment of unemployment insurance benefits pursuant to article 18 of the labor law or as authorized by the federal government through the disaster unemployment assistance program, the emergency unemployment compensation program, the extended benefit program, the federal additional compensation program or any other federally funded unemployment benefit program (34787) ..... [~~405,000,000~~] **570,000,000**

§ 8. Section 7 of chapter 113 of the laws of 2024, relating to making appropriations for the support of government, as amended by chapter 115 of the laws of 2024, is amended to read as follows:

§ 7. The amounts specified in this section, or so much thereof as shall be sufficient to accomplish the purposes designated, is hereby appropriated and authorized to be paid as hereinafter provided, to the public officers and for the purposes specified, which amount shall be available for the state fiscal year beginning April 1, 2024.

DEPARTMENT OF VETERANS' SERVICES

AID TO LOCALITIES

BLIND VETERAN ANNUITY ASSISTANCE PROGRAM 385,000

General Fund
Local Assistance Account - 10000

For payment of annuities to blind veterans and eligible surviving spouses. Up to

$15,000 of this appropriation may be transferred to state operations for administrative costs associated with this program (54606) 385,000

VETERANS' BENEFITS ADVISING PROGRAM ..... [~~210,000~~] **252,000**

Special Revenue Funds - Other
Homeless Veterans Assistance Fund
Homeless Veterans Assistance Account - 20204

For services and expenses related to homeless veterans' housing, including liabilities incurred prior to April 5, 2024 .... [~~210,000~~] **252,000**

§ 9. No expenditure may be made from any appropriation in this act, until a certificate of approval has been issued by the director of the budget and a copy of such certificate shall have been filed with the state comptroller, the chairman of the senate finance committee and the chairman of the assembly ways and means committee provided, however, that any expenditures from any appropriation in this act made by the legislature or judiciary shall not require such certificate.

§ 10. All expenditures and disbursements made against the appropriations in this act shall, upon final action by the legislature on appropriation bills submitted by the governor pursuant to article VII of the state constitution for the support of government for the state fiscal year beginning April 1, 2024, be transferred by the comptroller as expenditures and disbursements to such appropriations for all state departments and agencies, as applicable, in amounts equal to the amounts charged against the appropriations in this act for each such department, agency, and the legislature and the judiciary.

§ 11. Severability clause. If any clause, sentence, paragraph, subdivision, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

§ 12. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2024; provided, however, that upon the transfer of expenditures and disbursements by the comptroller as provided in section ten of this act, the appropriations made by this act and subject to such section shall be deemed repealed.