PROGRAM BILL #7

GOVERNOR'S PROGRAM BILL

2023

M E M O R A N D U M

AN ACT making appropriations for the support of government; to amend chapter 121 of the laws of 2023 relating to making appropriations for the support of government, in relation thereto; and to amend chapter 122 of the laws of 2023 relating to making appropriations for the support of government, in relation thereto; and to amend chapter 124 of the laws of 2023, relating to making appropriations for the support of government, in relation thereto; and to amend chapter 125 of the laws of 2023, relating to making appropriations for the support of government, in relation thereto, and providing for the repeal of such provisions upon expiration thereof

Purpose:

This bill provides appropriations to various State departments and agencies to permit certain payments due from April 1 to April 28, 2023, to be made absent enactment of the Budget appropriation bills submitted by the Governor for the State fiscal year beginning April 1, 2023.

Summary of Provisions:

Section 1 authorizes the Comptroller to utilize the appropriations contained in this bill, which relate to the 2023-24 State fiscal year, absent enactment of the 2023-24 Budget.

Section 2 provides $353 million in additional appropriation authority for personal service payments scheduled to be made to State officers and employees on the payrolls scheduled to be paid between April 1 through April 28, 2023. This appropriation also includes funding for payment of health care and mental hygiene bonuses to eligible State employees, and payment 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.

Section 3 continues $ 48.6 million in appropriation authority for nonpersonal service payments by various State agencies. It is the intent of this section to provide sufficient authorization for agencies to enter into contracts, the terms of which may continue beyond the life of this appropriation and for which payments for liabilities incurred beyond April 28, 2023 would be made subject to additional future appropriations.

Section 4 continues $170 million in appropriation authority for existing capital projects contract costs approved prior to April 1, 2023 for all agencies.

Section 5 continues $30 million in appropriation authority for existing capital projects contract costs approved after April 1, 2023 for all agencies.

Section 6 provides additional appropriation authority of $23.1 million for payment of State employee and retiree fringe benefits and other fixed costs mandated by statute or collective bargaining agreement during the period April 1 to April 28, 2023. The appropriation amount includes the State's contribution to the New York State Health Insurance Program, Social Security payroll tax, Employee Benefit Funds, the Voluntary Defined Contribution Plan, the Public Lands Law, Workers' Compensation, and the Metropolitan Commuter Transportation Mobility Tax.

Section 7:

- Provides $92 million in additional appropriation authority for personal service payments for the Judiciary.
- Continues $50 million in appropriation authority for nonpersonal service in the Judiciary.
- Continues $15 million in appropriation authority for aid to localities liabilities incurred by the Judiciary.
- Continues $281 million in appropriation authority for various employee fringe benefit programs within the Judiciary.

Section 8 provides $464,000 in additional appropriation authority for the Department of Agriculture and Markets local spending.

Section 9 continues $1.39 billion in appropriation authority for general support for public schools for remaining 2022-23 and prior school year obligations.

Section 10 provides: $15.3 million in appropriation authority to make adoption subsidy payments to parents and local districts.

Section 11:

- Continues $6.4 million in appropriation to the Department of Health for the Center for Community Health Program. The funds are in support of the American Indian Health Care Program to provide payments to support pharmacy providers.
- Provides $4.9 million in additional appropriation authority to the Department of Health for the Special Supplemental Nutrition Program for Women, Infants, and Children Program. The funds are in support of daily draws that reimburse vendors for services provided.
- Provides $7.8 million in additional appropriation authority to the Department of Health for the Elderly Pharmaceutical Insurance Coverage Program. The funds are in support of monthly program costs.
- Continues $9 million in appropriation authority to the Department of Health for transfer to the health research incorporated for the AIDS drug assistance program, including payments to Ryan White centers.

Section 12 provides $168 million in additional appropriation authority for the continuation of unemployment insurance benefits. Necessary due to daily new liabilities created by those filing unemployment insurance benefit claims.

Section 13 provides $6 million in additional appropriation authority to the Office for People with Developmental Disabilities to support not-for-profit providers of essential programs and services.

Section 14 prohibits expenditures from all appropriations until certificates of approval have been issued by the Director of the Budget and filed with certain State officers.

Section 15 requires the Comptroller to transfer any expenditures made against these appropriations to the 2023-24 Budget appropriations after they have become law.

Section 16, the severability clause, provides that if any part of this Act be adjudged by any court of competent jurisdiction to be invalid, such judgment would not invalidate the remainder of the Act.

Section 17 provides that the bill takes effect immediately and is deemed to be in full force and effect on April 1, 2023, and, further, that the appropriations made in the bill will be deemed repealed upon the transfer of expenditures by the Comptroller pursuant to section 15 of the bill.

Statement in Support:

This bill will allow the State to make certain payments and incur certain liabilities during the period April 1 through April 28, 2023 on a timely basis, in the absence of an enacted budget for State fiscal year 2023-24.

Budget Implications:

Expenditures and disbursements made against these appropriations shall, upon final action by the Legislature on the appropriation bills submitted by the Governor for the support of government for the State fiscal year beginning April 1, 2023, be transferred by the Comptroller as expenditures and disbursements to such appropriations for State departments and agencies. Accordingly, this bill will have no additional impact on the State's 2023-24 Financial Plan.