

GOVERNOR'S PROGRAM BILL

2024

M E M O R A N D U M

AN ACT making appropriations for the support of government and to amend chapter 111 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

Purpose:

This bill provides appropriations to various State departments and agencies to permit certain payments due from April 1 to April 8, 2024, to be made absent enactment of the Budget appropriation bills submitted by the Governor for the State fiscal year beginning April 1, 2024.

Summary of Provisions:

Section 1 authorizes the Comptroller to utilize the appropriations contained in this bill, which relate to the 2024-25 State fiscal year, absent enactment of the 2024-25 Budget.

Section 2 provides \$7.0 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, 2024 and April 8, 2024, including active National Guard members on the Division of Military and Naval Affairs emergency payroll. 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 provides \$10 million in additional 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 8, 2024 would be made subject to additional future appropriations.

Section 4 provides \$28.9 million in additional appropriation authority 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 8, 2024. The appropriation amount includes the State's contribution to the Social Security payroll tax, the Voluntary Defined Contribution Plan, and the Metropolitan Commuter Transportation Mobility Tax.

Section 5:

- Provides \$6.4 million for services and expenses related to the Indian health program.
- Provides \$4.3 million in additional authority for various federal food and nutritional services.

Section 6 provides \$30 million in additional appropriation authority for the continuation of unemployment insurance benefits. New appropriation is necessary due to daily new liabilities created by those filing unemployment insurance benefit claims.

Section 7 provides \$112,000 in appropriation authority for payments to veterans experiencing homelessness.

Section 8 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 9 requires the Comptroller to transfer any expenditures made against these appropriations to the 2024-25 Budget appropriations after they have become law.

Section 10, 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 11 provides that the bill takes effect immediately and is deemed to be in full force and effect on April 1, 2024, and, further, that the appropriations made in the bill will be deemed repealed upon the transfer of expenditures by the Comptroller pursuant to section 9 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 8, 2024 on a timely basis, in the absence of an enacted budget for State fiscal year 2024-25.

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, 2024, 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 2024-25 Financial Plan.