



NEW YORK STATE SENATOR

George D. Maziarz

## Budget Highlights: Transportation, Economic Development, And Environmental Conservation

GEORGE D. MAZIARZ

### SENATE PASSES 2008-09 TRANSPORTATION, ECONOMIC DEVELOPMENT AND ENVIRONMENTAL CONSERVATION BUDGET LEGISLATION

Legislation Makes Important Investments in New York State's Economy;

Includes Funds for Economic Development and Environmental Protection Initiatives

The New York State Senate passed 2008-09 State budget legislation that makes critical investments in various transportation, economic development and environmental protection projects in order to upgrade our state's infrastructure, create and retain jobs while attracting new businesses and investment dollars, and protect the state's environment.

In addition, the legislation (S.6805-D and S.6809-C) restores funding to important economic and environmental programs administered by the Department of Economic Development and the Department of Environmental Conservation.

Transportation --

The State budget provides for an additional \$60 million in CHIPS capital funding over the Executive level

and \$51 million over the SFY 2007-08 level. The total SFY 2008-09 CHIPS funding is \$363 million. The budget also provides \$39.7 million in Marchiselli funding for roads and bridges.

The State budget also increases operating assistance over the Executive level by \$4 million for the Rochester Genesee Regional Transportation Authority (RGRTA) and \$1.85 million for the Capital District Transportation Authority (CDTA). In addition, the budget provides an additional \$1.05 million for HELP vehicles in the City of Binghamton, Bronx County, Queens County, City of Syracuse, City of Utica and Westchester County.

#### Economic Development --

The state budget provides \$6.9 million in operating support for the following six Centers of Excellence:

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Albany Center of Excellence in nanoelectronics

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Binghamton Center of Excellence in small scale systems integration and packaging

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Buffalo Center of Excellence in bioinformatics

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Greater Rochester Center of Excellence in photonics and microsystems

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Stony Brook Center of Excellence in wireless and information technology

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Syracuse Center of Excellence in environmental and energy systems

The state budget also includes a \$337 million appropriation for the Department of Housing and Community Renewal for targeted housing programs. Additionally, the budget restores funding to the Rural Preservation Program, the Neighborhood Preservation Program, and the Rural Revitalization Program.

#### **Environmental Conservation --**

**The Environmental Protection Fund receives an historic level of funding of \$255 million. The EPF provides \$450,000 for the Breast Cancer Environmental Risk Factor Program; \$1 million for the Hudson River Park; \$1 million for the Pollution Prevention Institute; \$2 million for solar energy initiatives and \$1 million for water projects on Long Island.**

**"The 2008 State budget is, thankfully, another positive for the environment," said Senator Carl L. Marcellino (R, Syosset), Chairman of the Environmental Conservation Committee. "The Environmental Protection Fund will receive \$255 million -- \$5 million more than last year, which is the most it has ever received. I am pleased that the environment continues to be a top priority for the State. The budget we approved today preserves and protects our environment, as well as improves the quality of life for generations of future New Yorkers."**

**The state budget also includes funding for programs administered by the Department of Environmental Conservation (DEC), including: \$1 million for DEC public education programs and \$800,000 for children's environmental health centers.**

**The bills were sent to the Assembly.**

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## **S.6805-D TRANSPORTATION & ECONOMIC DEVELOPMENT & ENVIRONMENTAL CONSERVATION**

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### **Adirondack Park Agency**

The Legislature concurs with the Executive's recommendation of \$6,248,000

Banking Department

The Legislature concurs with the Executive's recommendation of \$99.6 million, an increase of \$1.4 million or 1.5 percent from SFY 2007-08 levels.

Department of Environmental Conservation

The Legislature includes the following environmental initiatives:

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\$400,000 for the Cornell Community Integrated Pest Management Program

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\$200,000 for the Peconic Estuary

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\$155,250 for the Town of North Elba/ORDA Promotion

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\$300,000 for the Greenwood Lake Bi-State Commission

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\$188,000 for the Susquehanna River Basin Commission

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\$123,000 for the Delaware River Basin Commission

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\$396,280 for the Interstate Environmental Commission

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\$250,000 for Delaware River Basin Flood Control

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\$500,000 for the Finger Lakes Institute for Water Quality

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\$250,000 for the Champlain Watershed Improvement Coalition

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\$250,000 for the Adirondack Watershed Institute

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\$250,000 for the Trudeau Institute in Saranac Lake

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\$200,000 for a Road Salt Study in the Adirondacks

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\$200,000 for a Staten Island South Shore Feasibility Study

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\$100,000 for a Flood Mitigation Study - Village of Larchmont

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\$1,500,000 for the Marine Diseases Pathology Consortium to be administered by SUNY Stony Brook

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\$400,000 for the BPU OxyCoal Plant Study- Jamestown

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\$250,000 for the Sea Grant Institute

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\$1,000,000 for the DEC Public Education (E-waste)

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\$500,000 for Edgewood Preserve

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\$100,000 for the Riverhead Foundation

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\$800,000 for Children's Environmental Health Centers

## Article VII

*The Legislature rejects the following Executive Article VII proposals.*

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Expand the State Returnable Container Act (The Bottle Bill) to include non carbonated beverages and to provide the unclaimed deposits on beverage containers returned to the State for deposit into the EPF.

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Authorize an increase of the maximum Title V facility per ton operating permit fee on regulated air contaminants from \$45 to a maximum of \$80. This proposal is estimated to generate \$19 million in SFY 2008-09.





The Legislature accepts the following Executive Article VII proposals:

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Authorizes (for three years) the current time frames for review of pesticide product registration applications and the pesticide product registration fee.

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Approves the Executive proposal to increase the amount of the General Guarantee repayment to the Environmental Protection Fund (EPF) by \$125 million to \$447.1 million. This General Fund Guarantee is fully reimbursable to the EPF if funds are deemed insufficient to meet anticipated disbursements.

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Amends the definition of municipality in the non-hazardous municipal landfill closure program

Environmental Facilities Corporation

The Legislature concurs with the Executive's recommendation of \$14,171,000.

**Environmental Protection Fund (EPF)**

**The Legislature modifies the Executive EPF funding proposals as follows:**

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Provides \$450,000 for Breast Cancer Environmental Risk Factor Program

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Provide \$1,625,000 for the Beacon Institute

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Provide \$1 million for Long Island Water Projects

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Provide \$1 million for Riverfront Development

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Provides \$1 million for the Hudson River Park

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Provides \$250,000 for the Upper Susquehanna Coalition

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Provide an additional \$1 million for Invasive Species Program

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Provides additional \$500,000 for the Land Trust Alliance

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Provides \$1 million for Pollution Prevention Institute

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Provides \$2 million for Solar Energy Initiatives

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Provides \$3 million for Hudson-Fulton-Champlain Quadricentennial

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Provides an additional \$500,000 for Zoos, Aquaria and Botanicals, an additional \$1 million for Oceans & Lakes Initiatives and additional \$2 million for Water Quality programs.

Division of Housing and Community Renewal - (DHCR)

The Legislature amends the Executive's recommendation and approves a \$337 million appropriation for the DHCR to include minor appropriation reductions for state operations and restorations of funds for targeted housing programs.

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Reduces funds in non-personal service accounts and the Housing Development Fund Program.

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Restores funding to the Rural Preservation Program, the Neighborhood Preservation Program, and the Rural Revitalization Program.

Adds new funding for New York City Housing Authority – Tenant Pilot Program.

Capital Programs are being formulated

#### **Insurance Department**

The Legislature concurs with the Executive recommendation of \$340.6 million, an increase of \$40.4 million, or 13.5 percent from SFY 2007-08 levels.

The Legislature rejects the Executive’s proposal to increase various civil penalties placed on insurers, agents and brokers for violations of Insurance Law and related regulations; to authorize the Superintendent of Insurance to cease and desist orders without any prior notice or hearing; and increases the length of time that an insurer must wait to obtain a license after revocation.

#### **Division of the Lottery**

The Legislature concurs with the Executive’s recommendation of \$120.3 million, a decrease of \$12 million or nine percent from SFY 2007-08 levels and rejects the Executive’s proposal to monetize the New York State Lottery to establish future funding for higher education programs.

#### **Department of Motor Vehicles**

The Legislature accepts the Executive recommendation of \$363 million in All Funds spending.

The Legislature amends the Executive’s proposal to allow an additional \$20 fee for the issuance of optional Western Hemisphere Travel Initiative (WHTI)-compliant driver licenses and non-driver identification cards by increasing the fee to \$30.

#### **Olympic Regional Development Authority**

The Legislature concurs with the Executive’s recommendation of \$9,026,000

#### **Office of Parks, Recreation and Historic Preservation (OPRHP)**

The Legislature provides fund to support the following initiatives:

\$250,000 for the French and Indian War 250th Anniversary

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\$300,000 for the Mohawk Valley Heritage Corridor Commission

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\$250,000 for the Saratoga Historic Partnership

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\$125,000 for New York City Parks-Western Queens

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\$100,000 for the Long Island North Shore Heritage Area

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\$50,000 for the Albany County Convention-Hudson-Fulton-Champlain Quadricentennial

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\$75,000 for Historic Cherry Hill

The Legislature includes capital language that requires the Office to provide notice in the form of a report within 30 days of the enactment of the State budget, each parks project to be funded, the estimated amount of each project, and the purpose of each project, the location of each project and the anticipated construction dates of each project.

**State Racing and Wagering Board**

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The Legislature concurs with the Executive's recommendation of \$25 million, an increase of \$250,000 or less than one percent from SFY 2007-08 levels.

**Governor's Office of Regulatory Reform**

The Legislature concurs with the Executive's recommendation of \$3.6 million, a decrease of \$146,000 or 3.9 percent from SFY 2007-08 levels.

The Legislature concurs with the Executive's recommendation of \$1 million.

**Foundation for Science, Technology and Innovation (d.b.a. NYSTAR)**

The Legislature provides \$48.4 million in all funds spending for NYSTAR, a decrease of \$12.3 million over 2007-08 levels.

The Legislature restores \$750,000 in funding for the Center for Integrated Manufacturing and \$400,000 in funding for the Center for Remanufacturing.

The Legislature denies the Executive's recommendation to provide \$4 million for the Supercomputer Consortium.

The Legislature accepts the Executive's to eliminate \$1 million in funding for the Watson young investigator program.

**Department of State**

The Legislature modifies the Executive's recommendation as follows:

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Reject the creation of the Office of Indigent Services in the Department's Local Government and Community Services Program and associated 15 new full time equivalent positions. The Executive proposed to fund this new Office with a transfer of \$3 million from the Legal Services Assistance Fund.

The proposed transfer is also rejected.

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Provide \$4.2 million for civil legal services for the poor.

Therefore, the Legislature recommends All Funds appropriations of \$158.5 million for the Department, a decrease of \$16.5 million or 9.4 percent from SFY 2007-08 levels.

*Article VII Proposals:*

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The Legislature extends by one year the authority of the Secretary of State to charge increased fees for expedited handling of documents.

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The Legislature extends the existing funding formula for the State's Community Services Block Grant Program by one year, and rejects the Executive's proposal to conform the State's Community Services Block Grant Program to the expired federal law governing administration of the Federal Community Services Block Grant Program and distribution of associated Federal funds.

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The Legislature rejects the Executive's proposal to establish a new Office of Indigent Defense Services in the Department of State, and also rejects the proposal to cap funds available for distribution to counties from the Indigent Legal Services Fund at \$72 million in SFY 2008-09, with any excess balance held in escrow by the Comptroller to be disbursed to relevant indigent defense programs throughout the State as directed by the new Office.



## Department of Taxation and Finance

The Legislature amends the Executive recommendation of \$450.3 million, an increase of \$14.5 million, or 3.3 percent from SFY 2007-08 levels. The Legislature also concurs with the Executive's recommendation by accepting the Executive's proposed addition of 195 new full time equivalent positions to the Audit, Collection and Enforcement Program.

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Allowing the City of Buffalo to adjudicate traffic tickets.