



NEW YORK STATE SENATOR

Carl L. Marcellino

## Where is the Budget

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In 2007 sweeping budget reform laws were enacted that were supported and touted by every Democrat and Republican. We put in place a public schedule to get a budget done in public and on time. The law requires that joint budget conference committee meeting be scheduled within 10 days of submission of the Executive Budget. It calls for the Senate and Assembly to pass their own versions of a budget in bill or resolution form, and have the differences discussed in public. These reforms have worked and resulted in on time budgets. It's tragic that all of the advances we made to open up the budget process are being completely ignored and that the Governor is turning back the clock to the days of three men in a room that came to symbolize the dysfunction of state government. These changes have not gone unnoticed by the news media. Here is an example in today's Newsday editorial page:

Newsday - Free the budget March 26, 2009 "To: Open records access officers for Gov. David Paterson, Assembly Speaker Sheldon Silver and Senate Majority Leader Malcolm Smith  
From: New Yorkers everywhere, except in the Capitol building  
Re: Freedom of Information Law request  
What: Under the provisions of the New York Freedom of Information Law, we hereby request a copy of the state budget that you are rushing to cobble together by the March 31 deadline. Maybe we're overeager, but we're hoping to have an inkling about how Albany wants to spend about \$121 billion of our state tax money - as well as the \$6.5 billion of federal stimulus dollars. Why: We have a quaint notion that this is a government for the people. This budget could affect our jobs, the quality of the education in our schools, and

whether we'll still have a hospital open in our neighborhoods. Yet we've been all but shut out of the deliberations occurring behind closed doors for several weeks. The top three Democrats in Albany are talking substance only among themselves. Our elected representatives are being somewhat filled in, if they happen to be Democrats. But if they're Republicans - fuggedaboutit. When: We'd like a few days to review the budget before it's passed. So, any time right about now would suffice, if your goal is to have a 2009-10 budget in place when the fiscal year begins on April 1. (That's next Wednesday, by the way.) In reality, the state budget has been late 20 of the past 22 years. Late isn't ideal, but it's not fatal, either. Why, again: There might be something in the budget that we'd find objectionable - like a covert plan to fatten the wallets of trial lawyers in medical malpractice suits. We might want to talk about things before the budget's passed. Can't we read it first? State budgets run between 3,000 and 4,000 pages. We're worried that the three Democrats are emphasizing an "on-time" budget at the expense of one that's on the mark. In closing: The rationale for not letting us see the budget would be hilarious if it weren't so frightening. We're hearing that the fear is this: If it sits on desks for the required three days, lobbyists will find a way to scare enough State Senate Democrats into voting against it. With a close, 32-30 margin, that means the budget might not get the needed votes. (The sock-puppet Assembly is already signed, sealed and delivered.) So, we're filing this FOIL request to pry open the budget and let regular people - non-lawmakers, non-lobbyists - weigh in before it's a done deal. Then the Big Three could deliver a budget that reflects the wishes of the electorate, the ultimate special interest." Copyright © 2009, Newsday Inc. I couldn't agree more