

6,900 vetoes set for return

Prized pork barrel measures among bills going back to Legislature; Senate due

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ALBANY -- Gov. David Paterson's office will deliver his nearly 6,900 vetoes to the Legislature today, his office said. Meanwhile, the state Senate is poised to return to the Capitol next week, possibly as early as Tuesday, according to a person with inside knowledge of the situation.

The vetoes, which include pork barrel items that are prized by lawmakers who award them to constituent groups, could be overridden. But it remained unclear if Senate Democrats would even get all 32 members of their conference to return, let alone if there would be enough support for an override.

The 30 Republicans in the Senate have voted as a bloc against most of the year's budget measures. The minority have suggested they wouldn't join an override, which would have the effect of increasing spending.

The Assembly last week passed a revenue bill, the final piece of the budget, which aims to raise \$1 billion. The increases include the reimposition of state sales tax on most clothing and shoe purchases and a lowering charitable deductions available to people whose incomes exceed \$10 million a year.

But the Senate went home without passing the bill.

Two Democratic senators, Buffalo's Bill Stachowski and Long Island's Brian Foley, were holding out for a measure that would let SUNY campuses charge variable tuitions. The action could boost the fortunes of the Buffalo and Stony Brook university centers in their districts.

Additionally, Sen. Democratic Majority Conference Leader John Sampson said they want to try to develop, as Paterson has requested, a contingency plan for the possible loss of more than \$1 billion in Medicaid funds that were earlier included in the budget.

"Sen. Sampson is working to resolve the outstanding issues related to the budget," said Democratic spokesman Austin Shafran. "Specifically, he would like to negotiate an FMAP (Medicaid) contingency plan as well as address the concerns some of our members have over SUNY and CUNY empowerment."

Paterson's vetoes eliminated some \$500 million from the budget and moved the state closer to eliminating a \$9.2 billion gap from the unfinished 2010-11 budget.

Lawmakers earlier in the summer averted a potential government shutdown by passing the appropriations part of the budget needed to keep the state's myriad programs and agencies operating. But the revenue portion is uncompleted.

Eventually, time will become a factor as the state moves through the 2010-11 budget which would end on March 31.

Some of the revenue measures, such as reimposing state sales tax on shoes and clothing under \$100 (it has been exempted in recent years), are scheduled to begin on Oct. 1, meaning that plan needs to be passed by that time. If it isn't the budget gap could potentially get bigger.

Other measures including reducing the charitable deduction and taxing hedge funds would be retroactive to Jan. 1, state Budget Division spokesman Erik Kriss said.

But the sooner the measure is passed, the quicker the state can start collecting the additional taxes.

"We are not certain of those revenues until we get that bill," Kriss said of the revenue measure.