

Veto pen budget sword

Reams of paper show \$525M cut from state spending plan, including prized pork projects

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First published in print: Thursday, July 8, 2010 Albany Times Union

ALBANY -- Gov. David Paterson's VetoThon ended with a thud Wednesday as his representatives dropped off hundreds of pounds' worth of spending vetoes on the desks of legislative leaders.

The gesture was part theater, but it also marked a new chapter in relations between the state's executive and legislative branches. Delivery of the papers followed Paterson's vetoing last week of 6,681 spending items desired by lawmakers.

All told, the governor spent a total of seven hours over two days hand-signing the vetoes. In doing so, he lopped off \$525 million in spending. That included the \$419 million in education funding lawmakers have tried to put back in the still-uncompleted 2010-11 budget and up to \$190 million in member items, or pork barrel grants that lawmakers request and hand out to groups in their districts.

In vetoing the pork barrel money, Paterson has attacked one of the Legislature's most prized institutions. Lawmakers point to the grants as evidence they are working on behalf of their constituencies.

Paterson has also once again exerted his newfound power over a Legislature that, with a fractured Senate, is unlikely to override the vetoes.

Members of the Senate's 30-member Republican minority have signaled that they will almost certainly not participate in an override which would require a two-thirds vote. Republicans in the Senate have voted no on most spending measures all year.

The vetoed pork wasn't actually in the 2010-11 budget since that plan included no member items. The items Paterson vetoed were instead from earlier budgets but had not been immediately spent and were thus re-appropriated this year. "These are from previous years," said Assemblyman Jack McEneny, D-Albany, who, like others lawmakers, criticized the vetoes.

There is also a catch in the vetoes. If an agency puts in a claim for money it was to get under an existing contract with the state agency administering the member item by Sept. 15, the state is obligated to pay.

"We have to pay valid claims under existing contracts," said Budget Division spokesman Erik Kriss. It wasn't immediately clear how many of the vetoed items were bound with existing contracts.

Officials at the myriad non-profits, municipalities, and other organizations that get member items say they were expecting the potential shortfall, given the state's recent budget woes. But it was clear that the vetoes would have an impact.

Though member items are frequently derided as political gimmies that legislators use to curry favor with voters, many groups depend on them.

"The fewer dollars we receive the fewer services we provide," said Renee Benson, executive director for Caregivers Support Services, which is under the Albany Roman Catholic Diocese's Catholic Charities umbrella.

Caregivers brings in home health care workers for families living with elderly relatives, and helps pay for senior day care centers. Such services help people stay in their houses instead of going to nursing homes.

Benson wasn't sure how much money they would lose -- but estimated it could run to \$20,000 -- which would mean fewer aides would be hired for families in need.

For Michael Borges, executive director of the state Library Association, the vetoes probably mean the loss of \$2 million to \$4 million, which libraries want for purchasing new books or computers that patrons are able to use for free.

"Many of them had counted on that money," Borges said.

"It gets portrayed as 'pork' but it was going to go to the highway departments," said Assemblyman Tim Gordon, I-Bethlehem, who had put in requests for road maintenance money in his district. He planned on allocating \$1 for each person in the various municipalities -- so a town like Bethlehem would get about \$33,000 and New Lebanon \$3,400. Gordon viewed the money as a modest form of property tax relief since town highway funds usually come from local assessments.

Some local groups have already weened themselves from member items.

"We were continuing to assume that we were getting nothing," said William Spoylar, director of the Schenectady Free Health Clinic, which offers free medical care to the poor. The clinic made headlines several years ago when area Assemblyman Jim Tedisco, a Republican, alleged that former Gov. Eliot Spitzer had cut their member item funding after the two politicians engaged in a public spat.

The money was eventually restored but when the Senate flipped from Republican to Democratic control in 2008, the funding stopped. The clinic is in a Republican-held district. While partisan politics looms large in how lawmakers divvy up member items, the Democratic governor's vetoes appeared to ignore party lines.

And they came with no second chances, insisted Paterson spokesman Morgan Hook.

After the vetoes were delivered, Hook said the governor wasn't planning on using them as a bargaining chip.

"The governor has said, and we have taken the position that this is not a negotiation," Hook said, repeating the administration's contention that the \$136.5 billion budget is basically complete.

Paterson contends that the vetoes helped put the spending plan in balance but he still needs legislation allowing new sources of revenue such as a sales tax on clothing.

The Assembly last week passed a revenue bill to complete the 2010-11 budget; the Senate left town without doing so.

Senators are tentatively scheduled to come back to try to pass the bill and deal with what Paterson has said could be an additional \$1 billion shortfall in Medicaid funding from the federal government.

Lawmakers haven't been paid since April 1 and they can't collect their salaries until the budget is complete. They have been getting \$171 per-diem expense reimbursement while in Albany, however. Local lawmakers get no payments.