



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

APR 21 2022

TO THE SENATE:

I hereby transmit pursuant to the provisions of section 7 of Article IV and section 4 of Article VII of the Constitution, a statement of items to which I object and which I do not approve, contained in Senate Bill Number 8003, entitled:

CHAPTER 53

LINE VETO #1

"AN ACT making appropriations for the support of government
AID TO LOCALITIES BUDGET"

Bill Page 33, Line 20, inclusive

NOT APPROVED

OFFICE FOR THE AGING

"For services and expenses of LiveOn-NY ... 100,000 (re. \$29,000)"

This item passed by the Legislature, to which I object and do not approve, has already been fully expended. Accordingly, this item is disapproved.

Ruth Hochul



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

APR 21 2022

TO THE SENATE:

I hereby transmit pursuant to the provisions of section 7 of Article IV and section 4 of Article VII of the Constitution, a statement of items to which I object and which I do not approve, contained in Senate Bill Number 8003, entitled:

CHAPTER 53

LINE VETO #2

"AN ACT making appropriations for the support of government
AID TO LOCALITIES BUDGET"

Bill Page 33, Line 21 through Line 22, inclusive

NOT APPROVED

OFFICE FOR THE AGING

"For services and expenses of Older Adults Technology Services, Inc ...
250,000 (re. \$100,000)"

This item passed by the Legislature, to which I object and do not approve, has already been fully expended. Accordingly, this item is disapproved.

Ruth Hochul



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

APR 21 2022

TO THE SENATE:

I hereby transmit pursuant to the provisions of section 7 of Article IV and section 4 of Article VII of the Constitution, a statement of items to which I object and which I do not approve, contained in Senate Bill Number 8003, entitled:

CHAPTER 53

LINE VETO #3

"AN ACT making appropriations for the support of government
AID TO LOCALITIES BUDGET"

Bill Page 33, Line 23 through Line 24, inclusive

NOT APPROVED

OFFICE FOR THE AGING

"For services and expenses of Selfhelp Community Services, Inc.
50,000 (re. \$30,000)"

This item passed by the Legislature, to which I object and do not approve, has minimal spending remaining. Accordingly, this item is disapproved.



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

APR 21 2022

TO THE SENATE:

I hereby transmit pursuant to the provisions of section 7 of Article IV and section 4 of Article VII of the Constitution, a statement of items to which I object and which I do not approve, contained in Senate Bill Number 8003, entitled:

CHAPTER 53

LINE VETO #4

"AN ACT making appropriations for the support of government

AID TO LOCALITIES BUDGET"

Bill Page 33, Line 25 through Line 26, inclusive

NOT APPROVED

OFFICE FOR THE AGING

"For services and expenses of United Jewish organizations of Williamsburg, Inc ... 50,000 (re. \$24,000)"

This item passed by the Legislature, to which I object and do not approve, has already been fully expended. Accordingly, this item is disapproved.

Ruth Hochal



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

APR 21 2022

TO THE SENATE:

I hereby transmit pursuant to the provisions of section 7 of Article IV and section 4 of Article VII of the Constitution, a statement of items to which I object and which I do not approve, contained in Senate Bill Number 8003, entitled:

CHAPTER 53

LINE VETO #5

"AN ACT making appropriations for the support of government
AID TO LOCALITIES BUDGET"

Bill Page 33, Line 39 through Line 40, inclusive

NOT APPROVED

OFFICE FOR THE AGING

"For services and expenses of the Brooklyn Chinese-American Association, Inc. ... 50,000 (re. \$50,000)"

This item passed by the Legislature, to which I object and do not approve, has minimal spending remaining. Accordingly, this item is disapproved.



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

TO THE SENATE:

APR 21 2022

I hereby transmit pursuant to the provisions of section 7 of Article IV and section 4 of Article VII of the Constitution, a statement of items to which I object and which I do not approve, contained in Senate Bill Number 8003, entitled:

CHAPTER 53

LINE VETO #6

"AN ACT making appropriations for the support of government
AID TO LOCALITIES BUDGET"

Bill Page 34, Line 1 through Line 2, inclusive

NOT APPROVED

OFFICE FOR THE AGING

"For services and expenses of Jewish Community Council of Greater Coney Island, Inc. ... 200,000 (re. \$83,000)"

This item passed by the Legislature, to which I object and do not approve, has already been fully expended. Accordingly, this item is disapproved.



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

APR 21 2022

TO THE SENATE:

I hereby transmit pursuant to the provisions of section 7 of Article IV and section 4 of Article VII of the Constitution, a statement of items to which I object and which I do not approve, contained in Senate Bill Number 8003, entitled:

CHAPTER 53

LINE VETO #7

"AN ACT making appropriations for the support of government
AID TO LOCALITIES BUDGET"

Bill Page 34, Line 3 through Line 4, inclusive

NOT APPROVED

OFFICE FOR THE AGING

"For services and expenses of Lifespan of Greater Rochester, Inc
200,000 (re. \$75,000)"

This item passed by the Legislature, to which I object and do not approve, has already been fully expended. Accordingly, this item is disapproved.



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

APR 21 2022

TO THE SENATE:

I hereby transmit pursuant to the provisions of section 7 of Article IV and section 4 of Article VII of the Constitution, a statement of items to which I object and which I do not approve, contained in Senate Bill Number 8003, entitled:

CHAPTER 53

LINE VETO #8

"AN ACT making appropriations for the support of government
AID TO LOCALITIES BUDGET"

Bill Page 34, Line 38 through Line 39, inclusive

NOT APPROVED

OFFICE FOR THE AGING

"For services and expenses of Services Now for Adult Persons, Inc
300,000 (re. \$144,000)"

This item passed by the Legislature, to which I object and do not approve, has already been fully expended. Accordingly, this item is disapproved.



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

APR 21 2022

TO THE SENATE:

I hereby transmit pursuant to the provisions of section 7 of Article IV and section 4 of Article VII of the Constitution, a statement of items to which I object and which I do not approve, contained in Senate Bill Number 8003, entitled:

CHAPTER 53

LINE VETO #9

"AN ACT making appropriations for the support of government

AID TO LOCALITIES BUDGET"

Bill Page 278, Line 13 through Line 16, inclusive

NOT APPROVED

EDUCATION DEPARTMENT

"Unrestricted aid to independent colleges and universities, notwithstanding any other section of law to the contrary, aid otherwise due and payable in the 2021-22 fiscal year shall be limited to the amount appropriated herein (21831) ... 35,129,000 ... (re. \$569,000)"

This item passed by the Legislature, to which I object and do not approve, has already been fully expended. Accordingly, this item is disapproved.

Kathy Hochul



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

APR 21 2022

TO THE SENATE:

I hereby transmit pursuant to the provisions of section 7 of Article IV and section 4 of Article VII of the Constitution, a statement of items to which I object and which I do not approve, contained in Senate Bill Number 8003, entitled:

CHAPTER 53

LINE VETO #10

"AN ACT making appropriations for the support of government
AID TO LOCALITIES BUDGET"

Bill Page 294, Line 12 through Line 22, inclusive

NOT APPROVED

EDUCATION DEPARTMENT

"For services and expenses related to the development, implementation and operation of charter schools for the 2021-22 school year including an amount sufficient to support administrative/technical support services provided by the charter school institute of the state university of New York, pursuant to a plan submitted by the charter school institute and approved by the board of trustees of the state university of New York. This appropriation shall only be available for expenditure upon the approval of an expenditure plan by the director of the budget and funds appropriated herein shall be transferred to the miscellaneous special revenue fund - charter schools stimulus account (21803) ... 4,837,000 (re. \$4,837,000)"

This item passed by the Legislature, to which I object and do not approve, has already been fully expended. Accordingly, this item is disapproved.



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

APR 21 2022

TO THE SENATE:

I hereby transmit pursuant to the provisions of section 7 of Article IV and section 4 of Article VII of the Constitution, a statement of items to which I object and which I do not approve, contained in Senate Bill Number 8003, entitled:

CHAPTER 53

LINE VETO #11

"AN ACT making appropriations for the support of government
AID TO LOCALITIES BUDGET"

Bill Page 295, Line 27 through Line 28, inclusive

NOT APPROVED

EDUCATION DEPARTMENT

"For services and expenses of the Long Island Pre-K Initiative operated
by Nassau BOCES ... 500,000 (re. \$500,000)"

This item passed by the Legislature, to which I object and do not approve, has already been fully expended. Accordingly, this item is disapproved.



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

APR 21 2022

TO THE SENATE:

I hereby transmit pursuant to the provisions of section 7 of Article IV and section 4 of Article VII of the Constitution, a statement of items to which I object and which I do not approve, contained in Senate Bill Number 8003, entitled:

CHAPTER 53

LINE VETO #12

"AN ACT making appropriations for the support of government

AID TO LOCALITIES BUDGET"

Bill Page 304, Line 34 through Line 46, inclusive

NOT APPROVED

EDUCATION DEPARTMENT

"For additional nonpublic school aid payable in the 2020-21 school year to reimburse 2019-20 school year expenses. Provided that nonpublic schools shall continue to receive aid based on either a 5.0/5.5 hour standard instructional day, or another work day as certified by the nonpublic school officials, in accordance with the methodology for computing salary and benefits applied by the department in paying aid for the 2012-13 and prior school years. Notwithstanding any provision of law, rule or regulation to the contrary, each nonpublic school which seeks aid payable in the 2020-21 school year shall submit a claim for such aid to the state education department no later than May 15, 2021, and such claims shall be paid by the department no later than June 30, 2021 (21769) ... 115,652,000 (re. \$17,000)"

This item passed by the Legislature, to which I object and do not approve, is duplicative of another reappropriation for the same purpose. Accordingly, this item is disapproved.



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

APR 21 2022

TO THE SENATE:

I hereby transmit pursuant to the provisions of section 7 of Article IV and section 4 of Article VII of the Constitution, a statement of items to which I object and which I do not approve, contained in Senate Bill Number 8003, entitled:

CHAPTER 53

LINE VETO #13

"AN ACT making appropriations for the support of government

AID TO LOCALITIES BUDGET"

Bill Page 313, Line 11 through Line 15, inclusive

NOT APPROVED

EDUCATION DEPARTMENT

"For services and expenses of a teacher diversity pipeline pilot operated by the State University College at Buffalo for the Buffalo City School District to assist teacher aides and teaching assistants in attaining the necessary educational and professional credentials to obtain teacher certification (55997) ... 500,000 ... (re. \$500,000)"

This item passed by the Legislature, to which I object and do not approve, has already been fully expended. Accordingly, this item is disapproved.

Ruth Hochstetler



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

APR 21 2022

TO THE SENATE:

I hereby transmit pursuant to the provisions of section 7 of Article IV and section 4 of Article VII of the Constitution, a statement of items to which I object and which I do not approve, contained in Senate Bill Number 8003, entitled:

CHAPTER 53

LINE VETO #14

"AN ACT making appropriations for the support of government
AID TO LOCALITIES BUDGET"

Bill Page 568, Line 46 through Line 47, inclusive

NOT APPROVED

OFFICE OF CHILDREN AND FAMILY SERVICES

"For services and expenses of [Be Proud (15246)] OHEL Children's Homee and Family Services, Inc. ... 5,000 (re. \$5,000)"

This language, to which I object and do not approve, represents an unconstitutional alteration of a reappropriation contained in the Executive Budget submission because it changes the purpose of the reappropriation by striking out the recipient "Be Proud" and inserting a new recipient "OHEL Children's Homee and Family Services, Inc." and is therefore disapproved. See *Silver v. Pataki*, 4 N.Y.3d 75 (2004). The Governor's disapproval of language on the basis of its unconstitutionality is not subject to override by the Legislature. See *id.* (dismissing challenge by Speaker of the State Assembly to the Governor's disapproval of 55 unconstitutional items added by the Legislature to the 1998-99 budget); 1982 N.Y. Op. Att'y General 21 (recognizing that the Governor's disapproval of unconstitutional budget language "is not subject to override by the Legislature"). Even a vote by two-thirds of the members of both Houses of the State Legislature cannot transform unconstitutional budgetary language into a law that may be validly executed by responsible state officials. See *City Council of N.Y. v. Bloomberg*, 2006 N.Y. LEXIS 149 (2006) (upholding Mayor Bloomberg's refusal to execute invalid legislation enacted into law over his veto by the New York City Council). Therefore, the aforementioned changes in purpose for the reappropriation are vetoed, but the original purpose of the reappropriation in the Executive Budget resubmission is retained.



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

APR 21 2022

TO THE SENATE:

I hereby transmit pursuant to the provisions of section 7 of Article IV and section 4 of Article VII of the Constitution, a statement of items to which I object and which I do not approve, contained in Senate Bill Number 8003, entitled:

CHAPTER 53

LINE VETO #15

"AN ACT making appropriations for the support of government
AID TO LOCALITIES BUDGET"

Bill Page 569, Line 5 through Line 7, inclusive

NOT APPROVED

OFFICE OF CHILDREN AND FAMILY SERVICES

"For services and expenses of [American-Italian Coalition of Organizations (AMICO) (15276)] OHEL Children's Home and Family Services, Inc. ... 10,000 (re. \$10,000)"

This language, to which I object and do not approve, represents an unconstitutional alteration of a reappropriation contained in the Executive Budget submission because it changes the purpose of the reappropriation by striking out the recipient "American-Italian Coalition of Organizations (AMICO)" and inserting a new recipient "OHEL Children's Home and Family Services, Inc." and is therefore disapproved. See *Silver v. Pataki*, 4 N.Y.3d 75 (2004). The Governor's disapproval of language on the basis of its unconstitutionality is not subject to override by the Legislature. See *id.* (dismissing challenge by Speaker of the State Assembly to the Governor's disapproval of 55 unconstitutional items added by the Legislature to the 1998-99 budget); 1982 N.Y. Op. Att'y General 21 (recognizing that the Governor's disapproval of unconstitutional budget language "is not subject to override by the Legislature"). Even a vote by two-thirds of the members of both Houses of the State Legislature cannot transform unconstitutional budgetary language into a law that may be validly executed by responsible state officials. See *City Council of N.Y. v. Bloomberg*, 2006 N.Y. LEXIS 149 (2006) (upholding Mayor Bloomberg's refusal to execute invalid legislation enacted into law over his veto by the New York City Council). Therefore, the aforementioned changes in purpose for the reappropriation are vetoed, but the original purpose of the reappropriation in the Executive Budget resubmission is retained.



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

APR 21 2022

TO THE SENATE:

I hereby transmit pursuant to the provisions of section 7 of Article IV and section 4 of Article VII of the Constitution, a statement of items to which I object and which I do not approve, contained in Senate Bill Number 8003, entitled:

CHAPTER 53

LINE VETO #16

"AN ACT making appropriations for the support of government
AID TO LOCALITIES BUDGET"

Bill Page 578, Line 1 through Line 3, inclusive

NOT APPROVED

OFFICE OF CHILDREN AND FAMILY SERVICES

"For services and expenses of the [Brooklyn Chinese-American Association (15381)] Boro Park Jewish Community Council, Inc.
100,000 (re. \$100,000)"

This language, to which I object and do not approve, represents an unconstitutional alteration of a reappropriation contained in the Executive Budget submission because it changes the purpose of the reappropriation by striking out the recipient "Brooklyn Chinese-American Association" and inserting a new recipient "Boro Park Jewish Community Council, Inc." and is therefore disapproved. See *Silver v. Pataki*, 4 N.Y.3d 75 (2004). The Governor's disapproval of language on the basis of its unconstitutionality is not subject to override by the Legislature. See *id.* (dismissing challenge by Speaker of the State Assembly to the Governor's disapproval of 55 unconstitutional items added by the Legislature to the 1998-99 budget); 1982 N.Y. Op. Att'y General 21 (recognizing that the Governor's disapproval of unconstitutional budget language "is not subject to override by the Legislature"). Even a vote by two-thirds of the members of both Houses of the State Legislature cannot transform unconstitutional budgetary language into a law that may be validly executed by responsible state officials. See *City Council of N.Y. v. Bloomberg*, 2006 N.Y. LEXIS 149 (2006) (upholding Mayor Bloomberg's refusal to execute invalid legislation enacted into law over his veto by the New York City Council). Therefore, the aforementioned changes in purpose for the reappropriation are vetoed, but the original purpose of the reappropriation in the Executive Budget resubmission is retained.



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

APR 21 2022

TO THE SENATE:

I hereby transmit pursuant to the provisions of section 7 of Article IV and section 4 of Article VII of the Constitution, a statement of items to which I object and which I do not approve, contained in Senate Bill Number 8003, entitled:

CHAPTER 53

LINE VETO #17

"AN ACT making appropriations for the support of government
AID TO LOCALITIES BUDGET"

Bill Page 579, Line 27 through Line 28, inclusive

NOT APPROVED

OFFICE OF CHILDREN AND FAMILY SERVICES

"For services and expenses of [Be Proud (15246)] OHEL Children's Home and Family Services, Inc. ... 5,000 (re. \$5,000)"

This language, to which I object and do not approve, represents an unconstitutional alteration of a reappropriation contained in the Executive Budget submission because it changes the purpose of the reappropriation by striking out the recipient "Be Proud" and inserting a new recipient "OHEL Children's Home and Family Services, Inc." and is therefore disapproved. See *Silver v. Pataki*, 4 N.Y.3d 75 (2004). The Governor's disapproval of language on the basis of its unconstitutionality is not subject to override by the Legislature. See *id.* (dismissing challenge by Speaker of the State Assembly to the Governor's disapproval of 55 unconstitutional items added by the Legislature to the 1998-99 budget); 1982 N.Y. Op. Att'y General 21 (recognizing that the Governor's disapproval of unconstitutional budget language "is not subject to override by the Legislature"). Even a vote by two-thirds of the members of both Houses of the State Legislature cannot transform unconstitutional budgetary language into a law that may be validly executed by responsible state officials. See *City Council of N.Y. v. Bloomberg*, 2006 N.Y. LEXIS 149 (2006) (upholding Mayor Bloomberg's refusal to execute invalid legislation enacted into law over his veto by the New York City Council). Therefore, the aforementioned changes in purpose for the reappropriation are vetoed, but the original purpose of the reappropriation in the Executive Budget resubmission is retained.



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

APR 21 2022

TO THE SENATE:

I hereby transmit pursuant to the provisions of section 7 of Article IV and section 4 of Article VII of the Constitution, a statement of items to which I object and which I do not approve, contained in Senate Bill Number 8003, entitled:

CHAPTER 53

LINE VETO #18

"AN ACT making appropriations for the support of government
AID TO LOCALITIES BUDGET"

Bill Page 669, Line 23 through Line 35, inclusive

NOT APPROVED

OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE

"For additional services and expenses of a program, pursuant to section 35 of the social services law, providing legal representation of individuals whose federal disability benefits have been denied or may be discontinued. The commissioner shall reduce reimbursement otherwise payable to social services districts to ensure that social services districts shall financially participate in additional legal representation expenditures made pursuant to this provision. Such reduction in local reimbursement shall be allocated among districts by the commissioner based on the cost of, and number of district residents served by, each legal assistance program, or by such alternative cost allocation procedure deemed appropriate by the commissioner after consultation with social services officials (52335) ... 1,500,000 (re. \$81,000)"

This item passed by the Legislature, to which I object and do not approve, has already been fully expended. Accordingly, this item is disapproved.



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

APR 21 2022

TO THE SENATE:

I hereby transmit pursuant to the provisions of section 7 of Article IV and section 4 of Article VII of the Constitution, a statement of items to which I object and which I do not approve, contained in Senate Bill Number 8003, entitled:

CHAPTER 53

LINE VETO #19

"AN ACT making appropriations for the support of government
AID TO LOCALITIES BUDGET"

Bill Page 846, Line 28 through Line 29, inclusive

NOT APPROVED

DEPARTMENT OF HEALTH

"For services and expenses of the Adelphi University breast cancer support program (29913) ... 100,000 (re. \$100,000)"

This item passed by the Legislature, to which I object and do not approve, has minimal spending remaining. Accordingly, this item is disapproved.



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

APR 21 2022

TO THE SENATE:

I hereby transmit pursuant to the provisions of section 7 of Article IV and section 4 of Article VII of the Constitution, a statement of items to which I object and which I do not approve, contained in Senate Bill Number 8003, entitled:

CHAPTER 53

LINE VETO #20

"AN ACT making appropriations for the support of government
AID TO LOCALITIES BUDGET"

Bill Page 846, Line 41 through Line 42, inclusive

NOT APPROVED

DEPARTMENT OF HEALTH

"For services and expenses of the Apicha Community Health Center ...
50,000 (re. \$50,000)"

This item passed by the Legislature, to which I object and do not approve, has already been fully expended. Accordingly, this item is disapproved.

Ruth Hochul



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

APR 21 2022

TO THE SENATE:

I hereby transmit pursuant to the provisions of section 7 of Article IV and section 4 of Article VII of the Constitution, a statement of items to which I object and which I do not approve, contained in Senate Bill Number 8003, entitled:

CHAPTER 53

LINE VETO #21

"AN ACT making appropriations for the support of government
AID TO LOCALITIES BUDGET"

Bill Page 847, Line 31 through Line 32, inclusive

NOT APPROVED

DEPARTMENT OF HEALTH

"For services and expenses of New York Cancer Center, Inc
100,000 (re. \$100,000)"

This item passed by the Legislature, to which I object and do not approve, has already been fully expended. Accordingly, this item is disapproved.



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

APR 21 2022

TO THE SENATE:

I hereby transmit pursuant to the provisions of section 7 of Article IV and section 4 of Article VII of the Constitution, a statement of items to which I object and which I do not approve, contained in Senate Bill Number 8003, entitled:

CHAPTER 53

LINE VETO #22

"AN ACT making appropriations for the support of government

AID TO LOCALITIES BUDGET"

Bill Page 862, Line 33 through Line 35, inclusive

NOT APPROVED

DEPARTMENT OF HEALTH

"For services and expenses related to physician workforce studies pursuant to subdivision 5-a of section 2807-m of the public health law (29884) ... 487,000 (re. \$363,000)"

This item passed by the Legislature, to which I object and do not approve, has already been fully expended. Accordingly, this item is disapproved.



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

APR 21 2022

TO THE SENATE:

I hereby transmit pursuant to the provisions of section 7 of Article IV and section 4 of Article VII of the Constitution, a statement of items to which I object and which I do not approve, contained in Senate Bill Number 8003, entitled:

CHAPTER 53

LINE VETO #23

"AN ACT making appropriations for the support of government
AID TO LOCALITIES BUDGET"

Bill Page 862, Line 36 through Line 38, inclusive

NOT APPROVED

DEPARTMENT OF HEALTH

"For services and expenses of the diversity in medicine/post-baccalaureate program pursuant to subdivision 5-a of section 2807-m of the public health law (29883) ... 1,244,000 (re. \$1,244,000)"

This item passed by the Legislature, to which I object and do not approve, has already been fully expended. Accordingly, this item is disapproved.

Ruth Hochul



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

APR 21 2022

TO THE SENATE:

I hereby transmit pursuant to the provisions of section 7 of Article IV and section 4 of Article VII of the Constitution, a statement of items to which I object and which I do not approve, contained in Senate Bill Number 8003, entitled:

CHAPTER 53

LINE VETO #24

"AN ACT making appropriations for the support of government
AID TO LOCALITIES BUDGET"

Bill Page 863, Line 23 through Line 25, inclusive

NOT APPROVED

DEPARTMENT OF HEALTH

"For transfer to the pool administrator for distributions related to school based health clinics (29873)
4,230,000 (re. \$4,230,000)"

This item passed by the Legislature, to which I object and do not approve, has already been fully expended. Accordingly, this item is disapproved.



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

APR 21 2022

TO THE SENATE:

I hereby transmit pursuant to the provisions of section 7 of Article IV and section 4 of Article VII of the Constitution, a statement of items to which I object and which I do not approve, contained in Senate Bill Number 8003, entitled:

CHAPTER 53

LINE VETO #25

"AN ACT making appropriations for the support of government

AID TO LOCALITIES BUDGET"

Bill Page 863, Line 26 through Line 34, inclusive

NOT APPROVED

DEPARTMENT OF HEALTH

"For services and expenses related to school based health centers. The total amount of funds provided herein shall be distributed to school-based health center providers based on the ratio of each provider's total enrollment for all sites to the total enrollment of all providers. This formula shall be applied to the total amount made available herein, provided, however, that notwithstanding any contrary provision of law, the commissioner of health may establish minimum and maximum awards for providers (29867) 2,115,000 (re. \$2,115,000)"

This item passed by the Legislature, to which I object and do not approve, has already been fully expended. Accordingly, this item is disapproved.



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

APR 21 2022

TO THE SENATE:

I hereby transmit pursuant to the provisions of section 7 of Article IV and section 4 of Article VII of the Constitution, a statement of items to which I object and which I do not approve, contained in Senate Bill Number 8003, entitled:

CHAPTER 53

LINE VETO #26

"AN ACT making appropriations for the support of government

AID TO LOCALITIES BUDGET"

Bill Page 863, Line 39 through Line 41, inclusive

NOT APPROVED

DEPARTMENT OF HEALTH

"For transfer to the dormitory authority of the state of New York for the health facility restructuring program (29865)
19,600,000 (re. \$19,600,000)"

This item passed by the Legislature, to which I object and do not approve, has already been fully expended. Accordingly, this item is disapproved.



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

APR 21 2022

TO THE SENATE:

I hereby transmit pursuant to the provisions of section 7 of Article IV and section 4 of Article VII of the Constitution, a statement of items to which I object and which I do not approve, contained in Senate Bill Number 8003, entitled:

CHAPTER 53

LINE VETO #27

"AN ACT making appropriations for the support of government
AID TO LOCALITIES BUDGET"

Bill Page 918, Line 17 through Line 18, inclusive

NOT APPROVED

DEPARTMENT OF HEALTH

"For services and expenses of Primary Care Development Corporation ...
450,000 (re. \$450,000)"

This item passed by the Legislature, to which I object and do not approve, has already been fully expended. Accordingly, this item is disapproved.



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

APR 21 2022

TO THE SENATE:

I hereby transmit pursuant to the provisions of section 7 of Article IV and section 4 of Article VII of the Constitution, a statement of items to which I object and which I do not approve, contained in Senate Bill Number 8003, entitled:

CHAPTER 53

LINE VETO #28

"AN ACT making appropriations for the support of government
AID TO LOCALITIES BUDGET"

Bill Page 966, Line 12 through Line 13, inclusive

NOT APPROVED

DIVISION OF HOUSING AND COMMUNITY RENEWAL

"For services and expenses of the association for neighborhood and housing development (30920) ... 100,000 (re. \$50,000)"

This item passed by the Legislature, to which I object and do not approve, has already been fully expended. Accordingly, this item is disapproved.



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

APR 21 2022

TO THE SENATE:

I hereby transmit pursuant to the provisions of section 7 of Article IV and section 4 of Article VII of the Constitution, a statement of items to which I object and which I do not approve, contained in Senate Bill Number 8003, entitled:

CHAPTER 53

LINE VETO #29

"AN ACT making appropriations for the support of government
AID TO LOCALITIES BUDGET"

Bill Page 1156, Line 38, inclusive

NOT APPROVED

DEPARTMENT OF STATE

"CITY OF HUDSON YOUTH DEPARTMENT ... 3,000 (re. \$3,000)"

This item passed by the Legislature, to which I object and do not approve, improperly attempts to reappropriate an item of spending that was not appropriated because it was previously vetoed. Accordingly, this item is not a valid reappropriation and is disapproved.

Ruth Hochul



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

APR 21 2022

TO THE SENATE:

I hereby transmit pursuant to the provisions of section 7 of Article IV and section 4 of Article VII of the Constitution, a statement of items to which I object and which I do not approve, contained in Senate Bill Number 8003, entitled:

CHAPTER 53

LINE VETO #30

"AN ACT making appropriations for the support of government
AID TO LOCALITIES BUDGET"

Bill Page 1167, Line 25, inclusive

NOT APPROVED

DEPARTMENT OF STATE

"Blooming Grove Volunteer Ambulance ... 10,000 (re. \$10,000)"

This item passed by the Legislature, to which I object and do not approve, has already been fully expended. Accordingly, this item is disapproved.

Ruth Hochul



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

APR 21 2022

TO THE SENATE:

I hereby transmit pursuant to the provisions of section 7 of Article IV and section 4 of Article VII of the Constitution, a statement of items to which I object and which I do not approve, contained in Senate Bill Number 8003, entitled:

CHAPTER 53

LINE VETO #31

"AN ACT making appropriations for the support of government
AID TO LOCALITIES BUDGET"

Bill Page 1171, Line 17 through Line 18, inclusive

NOT APPROVED

STATE UNIVERSITY OF NEW YORK

"For services and expenses of the Orange county community college simulation lab ... 50,000 (re. \$50,000)"

This item passed by the Legislature, to which I object and do not approve, has already been fully expended. Accordingly, this item is disapproved.

Ruth Hochal



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

APR 21 2022

TO THE SENATE:

I hereby transmit pursuant to the provisions of section 7 of Article IV and section 4 of Article VII of the Constitution, a statement of items to which I object and which I do not approve, contained in Senate Bill Number 8003, entitled:

CHAPTER 53

LINE VETO #32

"AN ACT making appropriations for the support of government
AID TO LOCALITIES BUDGET"

Bill Page 1172, Line 6 through Line 8, inclusive

NOT APPROVED

STATE UNIVERSITY OF NEW YORK

"For the support of county cooperative extension associations pursuant to paragraph (d) of subdivision (8) of section 224 of the county law (50952) ... 3,920,000 (re. \$1,609,700)"

This item passed by the Legislature, to which I object and do not approve, has already been fully expended. Accordingly, this item is disapproved.

Ruth Hochul



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

APR 21 2022

TO THE SENATE:

I hereby transmit pursuant to the provisions of section 7 of Article IV and section 4 of Article VII of the Constitution, a statement of items to which I object and which I do not approve, contained in Senate Bill Number 8003, entitled:

CHAPTER 53

LINE VETO #33

"AN ACT making appropriations for the support of government
AID TO LOCALITIES BUDGET"

Bill Page 1247, Line 13 through Page 1248 Line 2, inclusive

NOT APPROVED

NEW YORK STATE URBAN DEVELOPMENT CORPORATION

"Funds appropriated herein shall be made available for expenses consistent with the purposes of a small business pandemic relief program. All or a portion of the funds appropriated herein may be suballocated or transferred to any department, agency, or public authority:

For services and expenses of the COVID-19 Pandemic Small Business Recovery Grant Program. Funds appropriated herein shall be for grants, services, and expenses of either a small business recovery grant program as established under section 16-ff of the New York state urban development corporation act[,] or a small business seed funding grant program as established under section 16-gg of the New York state urban development corporation act, including costs of program administration, to support viable New York state small businesses, micro-businesses, and for-profit independent arts and cultural organizations that can demonstrate economic hardship as a result of the COVID-19 pandemic. Grants awarded from this appropriation shall be available to eligible entities that do not qualify for business assistance grant programs under the federal American Rescue Plan Act of 2021 or any other available federal COVID-19 economic recovery or business assistance grant programs, including loans forgiven under the Federal Paycheck Protection Program, or are unable to obtain sufficient business assistance from such federal programs. Grant funds awarded to eligible COVID-19 impacted businesses are to be used for eligible costs incurred between either March 1, 2020 and April 1, 2021 pursuant to a small business recovery grant program as established under section 16-ff of the New York state urban development corporation act, or March 1, 2019 and January 1, 2022 pursuant to a small business seed funding program as established under section 16-gg of the New York state urban development corporation act related to operations, pandemic health and safety compliance, rental assistance, and other eligible costs as determined by the New York state urban development corporation. Funds appropriated herein shall also be used to provide outreach, technical assistance, and program administration directly attributable to the implementation and execution of this program. The New York state urban development corporation may establish guidelines or regulations for the implementation of this program
800,000,000 (re. \$384,700,000)"

This language, to which I object and do not approve, represents an unconstitutional alteration of a reappropriation contained in the Executive Budget submission because it changes a date of "September 1, 2018" to "March 1, 2019" and is therefore disapproved. See *Silver v. Pataki*, 4 N.Y.3d 75 (2004). The Governor's disapproval of language on the basis of its unconstitutionality is not subject to override by the Legislature. See *id.* (dismissing challenge by Speaker of the State Assembly to the Governor's disapproval of 55 unconstitutional items added by the Legislature to the 1998-99 budget); 1982 N.Y. Op. Att'y General 21 (recognizing that the Governor's disapproval of unconstitutional budget language "is not subject to override by the Legislature"). Even a vote by two-thirds of the members of both Houses of the State Legislature cannot transform unconstitutional budgetary language into a law that may be validly executed by responsible state officials. See *City Council of N.Y. v. Bloomberg*, 2006 N.Y. LEXIS 149 (2006) (upholding Mayor Bloomberg's refusal to execute invalid legislation enacted into law over his veto by the New York City Council). Therefore, the aforementioned changes in purpose for the reappropriation are vetoed, but the original purpose of the reappropriation in the Executive Budget resubmission is retained.

Ruth Hochul