

Legislature Rejects Governor's Land Moratorium & Defends Integrity of Environmental Protection Fund, Despite Governor's Attacks
Numbers are Disappointing, but Green Group Says Legislature Salvaged Reliable Funding Source & Halted Paterson's Plan to Bleed Fund Dry via Day-to-Day Expenses

For more information:
John F. Sheehan
518-432-1770 ofc
518-441-1340 cell

Released: Friday, May 28, 2010

ALBANY, N.Y. – The Adirondack Council today thanked the leaders of the NYS Senate and Assembly for standing up to a flurry of attacks on the NYS Environmental Protection Fund (EPF) proposed by Gov. David Paterson during this year's budget negotiations.

Legislators today passed bills agreed to yesterday with Gov. Paterson that would reopen the state parks, historic sites and campgrounds closed by the Governor, while also preserving the funding and traditional spending priorities of the EPF.

While the overall spending levels for the EPF for FY 2010-11 are lower than the organization had hoped, the group praised the two Environmental Conservation committee Chairmen (Sen. Antoine Thompson of Buffalo and Assemblyman Robert Sweeney of Lindenhurst), as well as Senate Conference Leader John Sampson and Assembly Speaker Sheldon Silver, for making numerous improvements to the EPF in light of a \$9 billion budget deficit.

"Today's legislation would preserve the reliable funding source and the integrity of the Environmental Protection Fund, while reopening the state's parks and campgrounds before the Memorial Day weekend," said Brian L. Houseal, Executive Director of the Adirondack Council. "It would also allow the state to live up to some of its existing commitments to purchase and protect critical lands and waters that have been identified by the public for their recreational and ecological importance."

The EPF's 2010-11 total funding will be \$134 million, down significantly from \$222 million last year. The open space account for 2010-11 contains \$17.6 million, much less than the \$60 million from 2009-10, but it also rescinds Governor Paterson's proposed moratorium on land protection. It is our understanding that the Governor has agreed to spend this money on land protection projects that the Legislature has allocated.

Not included in the EPF's expenses are \$11 million the Governor had proposed for paying state employees and day-to-day expenses at parks and historic sites. Also not included in the EPF's expenses are \$5 million for a portion of the state's payment of taxes to local governments for state-owned land across the state. Both of those expenses are due to come from the state budget's General Fund, as they have in past years.

"Legislative leaders recognize that all New Yorkers need clean air, clean water and safe places to play. We also need the tourism revenue that our parks, campgrounds and Forest Preserves and other open spaces provide to our citizens," Houseal said. "We are grateful that they did so much to improve on the Governor's plan."

The EPF was created in 1993 and is funded primarily through a small Real Estate Transfer fee, to fund major environmental expenses. Eligible projects include municipal landfill closure, purchase and construction of recycling facilities and transfer stations; as well as the purchase of new lands and parks for environmental protection, recreation and historic preservation.

The EPF is a capital-projects-only fund, to ensure that its revenues would not be siphoned into paying day-to-day expenses, such as state employee salaries and benefits.

“If state agencies were allowed to pay their employees out of the EPF account, the EPF would be dry in just a few years,” Houseal explained. “We would never fund another capital project out of it. We’d be right back to borrowing for everything. Nobody wants that.”

“Governor Paterson followed the lead of his predecessors and tried to use the EPF to pay for staff and other administrative expenses,” Houseal said. “He wanted to change the very structure of the EPF. We are pleased the Legislature said ‘no.’”

The final agreement on the EPF passed both houses earlier today. The Assembly passed the bill by a vote of 86-47 just before 3 AM early Friday morning. The Senate passed the bill by a vote of 32-27 at 2:30 PM.

The Adirondack Council's mission is to ensure the ecological integrity and wild character of the Adirondack Park. Founded in 1975, the Council is a privately funded not-for-profit organization with 18,000 members in all 50 United States. The Council carries out its mission through research, education, advocacy and legal action.

The Adirondack Council doesn't solicit, nor does it accept, government grants or taxpayer-funded donations of any kind.