S T A T E O F N E W Y O R K

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I N A S S E M B L Y

April 23, 2010

Introduced by M. of A. TEDISCO, CALHOUN, THIELE -- Multi-Sponsored by -- M. of A. BUTLER, CROUCH, KOLB, McKEVITT, REILICH, SAYWARD -- read once and referred to the Committee on Ways and Means

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing amendments to section 3 of article 7 of the constitution, in relation to implementing the budget of the previous fiscal year where a current fiscal year's budget is not enacted in a timely manner

Section 1. Resolved (if the Senate concur), That section 3 of article 7 of the constitution be amended to read as follows:

S 3. At the time of submitting the budget to the legislature the governor shall submit a bill or bills containing all the proposed appropriations and reappropriations included in the budget and the proposed legislation, if any, recommended therein.

The governor may at any time within thirty days thereafter and, with the consent of the legislature, at any time before the adjournment thereof, amend or supplement the budget and submit amendments to any bills submitted by him or her or submit supplemental bills.

The governor and the heads of departments shall have the right, and it shall be the duty of the heads of departments when requested by either house of the legislature or an appropriate committee thereof, to appear and be heard in respect to the budget during the consideration thereof, and to answer inquiries relevant thereto. The procedure for such appearances and inquiries shall be provided by law.

IF THE BUDGET HAS NOT BEEN ENACTED BY THE LEGISLATURE AND APPROVED, AS REQUIRED, BY THE GOVERNOR ON OR BEFORE APRIL FIRST IN THE YEAR SUBMITTED, THEN THE BUDGET WHICH WAS ENACTED INTO LAW FOR THE PRECEDING FISCAL YEAR SHALL BE DEEMED ENACTED FOR THE CURRENT FISCAL YEAR AND SHALL REMAIN IN EFFECT UNLESS AND UNTIL A BUDGET SHALL BE ENACTED FOR SUCH CURRENT FISCAL YEAR.

S 2. Resolved (if the Senate concur), That the foregoing amendment be referred to the first regular legislative session convening after the next succeeding general election of members of the assembly, and, in conformity with section 1 of article 19 of the constitution, be published for three months previous to the time of such election.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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