

7533

2009-2010 Regular Sessions

I N A S S E M B L Y

April 14, 2009

Introduced by M. of A. SCHROEDER -- read once and referred to the
Committee on Ways and Means

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing amendments to sections 1, 2, 11 and 12 of article 7 of the
constitution, in relation to the submission of a capital program and
financing plan and the number of ballot propositions authorizing debt
that may be put to the voters in a single election

1 Section 1. Resolved (if the Senate concur), That section 1 of article
2 7 of the constitution be amended to read as follows:
3 Section 1. For the preparation of the budget, the head of each depart-
4 ment of state government, except the legislature and judiciary, shall
5 furnish the governor such estimates and information in such form and at
6 such times as the governor may require, copies of which shall forthwith
7 be furnished to the appropriate committees of the legislature. The
8 governor shall hold hearings thereon at which the governor may require
9 the attendance of heads of departments and their subordinates. Desig-
10 nated representatives of such committees shall be entitled to attend the
11 hearings thereon and to make inquiry concerning any part thereof. THE
12 GOVERNOR ALSO SHALL HOLD HEARINGS, IN A MANNER PRESCRIBED BY LAW, ON THE
13 CAPITAL NEEDS OF THE STATE, AND SUBMIT TO THE LEGISLATURE AN ASSESSMENT
14 OF CAPITAL ASSETS AND NEEDS, AT SUCH TIMES AND IN THE MANNER PRESCRIBED
15 BY LAW.
16 Itemized estimates of the financial needs of the legislature, certi-
17 fied by the presiding officer of each house, and of the judiciary,
18 approved by the court of appeals and certified by the chief judge of the
19 court of appeals, shall be transmitted to the governor not later than
20 the first day of December in each year for inclusion in the budget with-
21 out revision but with such recommendations as the governor may deem
22 proper. Copies of the itemized estimates of the financial needs of the
23 judiciary also shall forthwith be transmitted to the appropriate commit-
24 tees of the legislature.

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

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1 S 2. Resolved (if the Senate concur), That section 2 of article 7 of
2 the constitution be amended to read as follows:

3 S 2. Annually, on or before the first day of February in each year
4 following the year fixed by the constitution for the election of gover-
5 nor and lieutenant governor, and on or before the second Tuesday follow-
6 ing the first day of the annual meeting of the legislature, in all other
7 years, the governor shall submit to the legislature a budget containing
8 a complete plan of expenditures proposed to be made before the close of
9 the ensuing fiscal year and all moneys and revenues estimated to be
10 available therefor, together with an explanation of the basis of such
11 estimates and recommendations as to proposed legislation, if any, which
12 the governor may deem necessary to provide moneys and revenues suffi-
13 cient to meet such proposed expenditures. It shall also contain such
14 other recommendations and information as the governor may deem proper
15 and such additional information as may be required by law.

16 ANNUALLY, AS PROVIDED BY LAW, THE GOVERNOR SHALL SUBMIT TO THE LEGIS-
17 LATURE A DETAILED MULTI-YEAR CAPITAL PROGRAM AND FINANCING PLAN.

18 S 3. Resolved (if the Senate concur), That section 11 of article 7 of
19 the constitution be amended to read as follows:

20 S 11. Except the debts or refunding debts specified in sections 9, 10
21 and 13 of this article, no debt shall be hereafter contracted by or in
22 behalf of the state, unless such debt shall be authorized by law, for
23 some single work or purpose, to be distinctly specified therein. No such
24 law shall take effect until it shall, at a general election, have been
25 submitted to the people, and have received a majority of all the votes
26 cast for and against it at such election nor shall it be submitted to be
27 voted on within three months after its passage [nor at any general
28 election when any other law or any bill shall be submitted to be voted
29 for or against].

30 The legislature may, at any time after the approval of such law by the
31 people, if no debt shall have been contracted in pursuance thereof,
32 repeal the same; and may at any time, by law, forbid the contracting of
33 any further debt or liability under such law.

34 S 4. Resolved (if the Senate concur), That subdivision 6 of section
35 12 of article 7 of the constitution be amended to read as follows:

36 6. The money arising from any loan creating such debt or liability
37 shall be applied only to CAPITAL PROJECTS FOR the work or purpose speci-
38 fied in the act authorizing such debt or liability, or for the payment
39 of such debt or liability, including any notes or obligations issued in
40 anticipation of the sale of bonds evidencing such debt or liability.

41 S 5. Resolved (if the Senate concur), That the foregoing amendments be
42 referred to the first regular legislative session convening after the
43 next succeeding general election of members of the assembly, and, in
44 conformity with section 1 of article 19 of the constitution, be
45 published for 3 months previous to the time of such election.