

1127

2009-2010 Regular Sessions

I N S E N A T E

January 26, 2009

Introduced by Sens. PERKINS, DUANE, C. JOHNSON, KRUEGER, ONORATO, PARKER, SERRANO -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the legislative law, in relation to requiring the legislature to convene daily if the legislative passage of the budget is not timely

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. The legislative law is amended by adding a new section 5-b
2 to read as follows:

3 S 5-B. ABSENT OF BUDGET BY THE NEW FISCAL YEAR, THE LEGISLATURE SHALL
4 CONVENE DAILY. IF LEGISLATIVE PASSAGE OF THE BUDGET AS DEFINED IN SUBDI-
5 VISION THREE OF SECTION FIVE OF THIS ARTICLE HAS NOT OCCURRED PRIOR TO
6 THE FIRST DAY OF ANY FISCAL YEAR, EACH HOUSE OF THE LEGISLATURE SHALL
7 CONVENE ON A DAILY BASIS UNTIL SUCH LEGISLATIVE PASSAGE OF THE BUDGET
8 HAS OCCURRED.

9 S 2. Subdivision 3 of section 5 of the legislative law, as added by
10 chapter 635 of the laws of 1998, is amended to read as follows:

11 3. "Legislative passage of the budget", solely for the purposes of
12 this section and [section] SECTIONS five-a AND FIVE-B of this article,
13 shall mean that the appropriation bill or bills submitted by the gover-
14 nor pursuant to section three of article seven of the state constitution
15 have been finally acted on by both houses of the legislature in accord-
16 ance with article seven of the state constitution and the state comp-
17 troller has determined that such appropriation bill or bills that have
18 been finally acted on by the legislature are sufficient for the ongoing
19 operation and support of state government and local assistance for the
20 ensuing fiscal year. In addition, legislation submitted by the governor
21 pursuant to section three of article seven of the state constitution
22 determined necessary by the legislature for the effective implementation
23 of such appropriation bill or bills shall have been acted on. Nothing in
24 this section shall be construed to affect the prohibition contained in
25 section five of article seven of the state constitution.

26 S 3. This act shall take effect immediately.

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

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