

S. 17

A. 17

Twentieth Extraordinary Session

S E N A T E - A S S E M B L Y

November 25, 2009

IN SENATE -- Introduced by COMMITTEE ON RULES -- (at request of the Governor) -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

IN ASSEMBLY -- Introduced by COMMITTEE ON RULES -- (at request of the Governor) -- read once and referred to the Committee on Ways and Means

AN ACT to authorize the director of the budget to reduce payment of all or part of certain appropriations; and providing for the repeal of such provisions upon expiration thereof

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

1 Section 1. Legislative findings. The legislature finds that the defi-
2 cit in New York state's current accounts presents a genuine danger that
3 the state will lack the funds necessary to make payments as they come
4 due. Further, the legislature finds that alternative means of securing
5 funds to make such payments may not be available. Therefore, in light of
6 the above and the state's extremely precarious and worsening fiscal
7 situation, the legislature intends that it shall be a condition of all
8 appropriations made for fiscal year 2009-2010 that the governor may
9 direct reduction of payment of a part of any appropriation solely as
10 necessary to allow for disbursements to be made, and with the proviso
11 that no obligation for debt service, compliance with collective bargain-
12 ing agreements or payments required by federal statute, or the state or
13 federal constitution shall be altered as a result of this condition.
14 S 2. In addition to authority otherwise provided by law, the director
15 of the budget shall be authorized, upon approval of the governor, to
16 direct reduction of payments of part of any appropriation for fiscal
17 year 2009-2010, provided that such reductions are uniformly applied to
18 the extent practicable and are in an amount that does not exceed the
19 amount necessary to reduce estimated annual state disbursements to a
20 level not to exceed the estimated annual receipts expected to be avail-

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

LBD12161-05-9

1 able in such fiscal year. Such direction may be exercised notwithstand-
2 ing any other provision of law, except that it shall not apply to any
3 funds appropriated for the payment of debt service, related expenses or
4 funds appropriated pursuant to an agreement entered into pursuant to
5 article 14 of the civil service law, and any payment required under
6 federal law or the state or federal constitution.
7 S 3. This act shall take effect immediately, and shall expire and be
8 deemed repealed December 31, 2009.