

2009-2010 Regular Sessions

I N S E N A T E

January 21, 2009

Introduced by Sen. ROBACH -- 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 providing for a joint budget committee on conference to resolve differences between similar but not identical legislation passed by the senate and assembly

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 53-a
2 to read as follows:
3 S 53-A. JOINT BUDGET COMMITTEE ON CONFERENCE ON APPROPRIATIONS AND
4 PROPOSED LEGISLATION OR RESOLUTIONS RELATED TO THE BUDGET. 1. WITHIN TWO
5 DAYS OF THE PASSAGE OF APPROPRIATIONS AND PROPOSED LEGISLATION OR RESOL-
6 UTIONS RELATED TO THE BUDGET IN EACH HOUSE OF THE LEGISLATURE, WHICH ARE
7 SIMILAR BUT NOT IDENTICAL TO THOSE OF THE OTHER HOUSE, AND WHICH, IF
8 AGREED TO BY BOTH HOUSES, WOULD CONSTITUTE SUFFICIENT FUNDING FOR THE
9 SUPPORT OF GOVERNMENT, THE TEMPORARY PRESIDENT OF THE SENATE AND THE
10 SPEAKER OF THE ASSEMBLY SHALL JOINTLY CONVENE A BUDGET COMMITTEE ON
11 CONFERENCE TO CONSIDER AND WHICH MAY REPORT UPON SUCH LEGISLATION. SUCH
12 COMMITTEE SHALL BE CONSTITUTED BY THE FILING OF A JOINT CERTIFICATE BY
13 THE TEMPORARY PRESIDENT OF THE SENATE AND THE SPEAKER OF THE ASSEMBLY
14 WITH THE SECRETARY OF THE SENATE AND THE CLERK OF THE ASSEMBLY, AND
15 SHALL CONSIST OF THE SAME NUMBER OF MEMBERS OF EACH HOUSE. UNLESS OTHER-
16 WISE PROVIDED IN THE CERTIFICATE, THERE SHALL BE FIVE MEMBERS ON SUCH
17 COMMITTEE FROM EACH HOUSE TO BE APPOINTED BY THE TEMPORARY PRESIDENT OF
18 THE SENATE WHO SHALL APPOINT THE MEMBERS FROM THE SENATE AND THE SPEAKER
19 OF THE ASSEMBLY WHO SHALL APPOINT THE MEMBERS FROM THE ASSEMBLY;
20 PROVIDED, HOWEVER, THAT OF EACH HOUSE'S DELEGATION AT LEAST ONE MEMBER,
21 UPON THE RECOMMENDATION OF THE RESPECTIVE MINORITY LEADERS, SHALL REPRESENT
22 THE MINORITY IN EACH HOUSE. UNLESS DELEGATED TO THE CHAIR OF THE

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

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1 SENATE STANDING COMMITTEE ON FINANCE BY THE TEMPORARY PRESIDENT OF THE
2 SENATE OR TO THE CHAIR OF THE ASSEMBLY STANDING COMMITTEE ON WAYS AND
3 MEANS BY THE SPEAKER OF THE ASSEMBLY, THE TEMPORARY PRESIDENT OF THE
4 SENATE AND THE SPEAKER OF THE ASSEMBLY SHALL EACH SERVE AS CO-CHAIRPER-
5 SONS OF THE COMMITTEE AND SUCH CO-CHAIRPERSONS SHALL CONVENE AND RECESS
6 MEETINGS OF THE COMMITTEE. MEETINGS JOINTLY CONVENED BY THE CO-CHAIRPER-
7 SONS SHALL BE SUBJECT TO THE PROVISIONS OF ARTICLE SEVEN OF THE PUBLIC
8 OFFICERS LAW. THE COMMITTEE MAY FILE A WRITTEN REPORT SETTING FORTH THE
9 JOINT RECOMMENDATIONS OF A MAJORITY OF EACH HOUSE'S DELEGATION WITH THE
10 SECRETARY OF THE SENATE AND THE CLERK OF THE ASSEMBLY OR SUCH OTHER
11 COMMITTEES OR OFFICERS AS MAY BE SET FORTH IN THE CERTIFICATE, AND SUCH
12 REPORT MAY INCLUDE SPECIFIC BILL LANGUAGE THAT WOULD IMPLEMENT THE JOINT
13 BUDGET COMMITTEE ON CONFERENCE'S RECOMMENDATIONS. NO REPORT SHALL BE
14 FILED EXCEPT UPON THE AFFIRMATIVE VOTE OF A MAJORITY OF THE MEMBERS OF
15 EACH HOUSE'S DELEGATION ON THE COMMITTEE. MINORITY REPORTS MAY ALSO BE
16 FILED.

17 2. FOR PURPOSES OF THIS SECTION, THE LEGISLATION TO BE CONSIDERED BY
18 THE JOINT BUDGET COMMITTEE ON CONFERENCE MAY BE BILLS OR RESOLUTIONS OR
19 A COMBINATION OF BILLS OR RESOLUTIONS WHICH HAVE BEEN MUTUALLY AGREED TO
20 BY THE TEMPORARY PRESIDENT OF THE SENATE AND THE SPEAKER OF THE ASSEMBLY
21 TO CONSTITUTE LEGISLATION WHICH IS SIMILAR BUT NOT IDENTICAL.

22 3. THE CO-CHAIRPERSONS OF THE JOINT COMMITTEE SHALL CREATE SUBCOMMIT-
23 TEES CONSISTING OF AN EQUAL NUMBER OF MEMBERS OF EACH HOUSE, BUT NOT
24 FEWER THAN THREE MEMBERS OF EACH HOUSE, WHICH CORRESPOND TO THE MAJOR
25 RELEVANT BUDGETARY ISSUES CONTAINED IN THE GOVERNOR'S BUDGET SUBMISSION
26 WHICH REMAIN UNRESOLVED. AT LEAST ONE MEMBER OF THE MINORITY CONFERENCE
27 OF EACH HOUSE AS RECOMMENDED BY THE RESPECTIVE MINORITY LEADERS SHALL BE
28 DESIGNATED TO SERVE ON EACH SUBCOMMITTEE CREATED. SUCH SUBCOMMITTEES
29 SHALL FACILITATE DISCUSSION, ANALYSIS, AND REVIEW OF OUTSTANDING BUDGET-
30 ARY ISSUES RELEVANT TO THE BUDGETARY AREAS FOR WHICH THE SUBCOMMITTEE IS
31 RESPONSIBLE. SUCH SUBCOMMITTEES SHALL WORK TO ACHIEVE AN APPROPRIATE
32 ALLOCATION OF STATE FUNDS ALLOCATED FOR ITS PURPOSES AND TO DEVELOP
33 LANGUAGE TO IMPLEMENT PROGRAMMATIC PROPOSALS INCIDENTAL TO THE ALLO-
34 CATION OF STATE FUNDS WITHIN THE SUBCOMMITTEE'S AREA OF RESPONSIBILITY.
35 UPON AN AFFIRMATIVE VOTE OF EACH HOUSE'S DELEGATION ON THE SUBCOMMITTEE,
36 SUCH SUBCOMMITTEE MAY REPORT ITS JOINT RECOMMENDATIONS TO THE BUDGET
37 COMMITTEE ON CONFERENCE AT THE CONCLUSION OF SUBCOMMITTEE DELIBERATIONS.
38 ANY MINORITY REPORT SHALL ALSO BE FORWARDED TO THE JOINT BUDGET COMMIT-
39 TEE ON CONFERENCE. IN THE EVENT THAT THE SUBCOMMITTEE DOES NOT RESOLVE
40 ALL OUTSTANDING ISSUES WITHIN THE SUBCOMMITTEE'S AREA OF RESPONSIBILITY,
41 SUCH UNRESOLVED ISSUES SHALL BE REFERRED TO THE JOINT BUDGET COMMITTEE
42 ON CONFERENCE FOR RESOLUTION.

43 S 2. This act shall take effect immediately.