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

6073

2009-2010 Regular Sessions

I N A S S E M B L Y

February 24, 2009

Introduced by M. of A. GALEF, DINOWITZ, ORTIZ, ALESSI, BRADLEY, PAULIN, SCHROEDER, CAHILL, FIELDS, REILLY, LUPARDO, WEISENBERG, MAISEL, CLARK, RAIA, HAWLEY, SPANO, JAFFEE, LAVINE, MAGNARELLI, KAVANAGH, GIGLIO, CAMARA, GUNTHER, DelMONTE, KELLNER, MILLMAN, STIRPE, CUSICK -- Multi-Sponsored by -- M. of A. BACALLES, BARCLAY, BOYLAND, BURLING, CALHOUN, CHRISTENSEN, COLTON, CONTE, CROUCH, DIAZ, DUPREY, ERRIGO, FINCH, FITZPATRICK, GABRYSZAK, GORDON, HAYES, HIKIND, HYER-SPENCER, JEFFRIES, JOHN, KOLB, KOON, LANCMAN, LIFTON, MAGEE, MAYERSOHN, McDONOUGH, McKEVITT, MILLER, MOLINARO, PEOPLES, PERRY, PHEFFER, QUINN, REILICH, ROSENTHAL, RUSSELL, SALADINO, SAYWARD, SCHIMEL, SCOZZAFAVA, SEMINERIO, SWEENEY, TEDISCO, THIELE, TOWNS, TOWNSEND, WALKER, WRIGHT, ZEBROWSKI -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the legislative law, in relation to the continuity of legislative sessions

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

Section 1. Legislative intent. The legislature finds that while New York and most other states operate on two-year legislative calendars, only the legislature of the state of New York interrupts procedural continuity of legislation during the two-year session. This practice commonly requires the reconsideration and readoption of hundreds of bills during the second year which were previously considered and adopted during the first year. The legislature determines that this practice is usually unnecessary and expends time and taxpayer money which could be better spent addressing other important legislative business. The legislature therefore declares its intent to preserve the procedural continuity of all bills within the biennial legislative session.

S 2. The legislative law is amended by adding a new section 42-a to read as follows:

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

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S 42-A. CONTINUITY OF LEGISLATIVE SESSIONS. 1. UPON PASSAGE OF A BILL BY ONE HOUSE OF THE LEGISLATURE, SUCH BILL SHALL AUTOMATICALLY BE SENT TO THE APPROPRIATE COMMITTEE IN THE OTHER HOUSE FOR ACTION ON SUCH BILL, WHERE THAT HOUSE MAY ACT ON THE BILL AT ANY TIME DURING THE REMAINDER OF THE BIENNIAL LEGISLATIVE SESSION.

2. NO BILL REPORTED BY A STANDING COMMITTEE OF THE SENATE OR ASSEMBLY SHALL BE REFERRED BACK TO THAT COMMITTEE UNLESS SUCH BILL SHALL HAVE BEEN AMENDED.

3. EVERY BILL WHICH SHALL HAVE REACHED THE ORDER OF THIRD READING BUT WHICH SHALL NOT HAVE BEEN ACTED ON BY THE HOUSE BEFORE THE END OF THE FIRST YEAR OF THE TWO-YEAR LEGISLATIVE SESSION SHALL MAINTAIN ITS PLACE ON THE ORDER OF THIRD READING UNTIL THE HOUSE SHALL ACT ON SUCH BILL OR UNTIL THE END OF THE TWO-YEAR LEGISLATIVE SESSION UNLESS SUCH BILL SHALL HAVE BEEN AMENDED, IN WHICH CASE SUCH BILL MAY BE REFERRED BACK TO A STANDING COMMITTEE FOR RECONSIDERATION.

4. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO BUDGET BILLS INTRODUCED BY THE GOVERNOR PURSUANT TO ARTICLE SEVEN OF THE CONSTITUTION, BILLS REQUIRING A HOME RULE MESSAGE FROM ONE OR MORE LOCAL GOVERNMENTS PURSUANT TO ARTICLE NINE OF THE CONSTITUTION, CONCURRENT RESOLUTIONS TO AMEND THE CONSTITUTION PURSUANT TO ARTICLE NINETEEN OF THE CONSTITUTION OR BILLS SUBJECT TO THE PROVISIONS OF SECTION FIFTY OF THIS ARTICLE.

S 3. This act shall take effect on the first of January next succeeding the date on which it shall have become a law; provided, that the senate and assembly shall, by concurrent resolution, adopt rules necessary to implement this act within twenty days after such act shall have become a law.