

3471

2009-2010 Regular Sessions

I N S E N A T E

March 19, 2009

Introduced by Sens. MORAHAN, ALESI, HANNON, O. JOHNSON, LARKIN, SEWARD
-- read twice and ordered printed, and when printed to be committed to
the Committee on Judiciary

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing amendments to sections 13, 14 and 16 of article 3, section 7
of article 4, sections 1, 2, 3, 4, 6 and 7 of article 7 and adding a
new section 3-a to article 7 of the constitution, in relation to
implementing a current services budget in the event a budget is not
passed in a timely manner

1 Section 1. Resolved (if the Assembly concur), That sections 13, 14 and
2 16 of article 3 of the constitution be amended to read as follows:

3 S 13. The enacting clause of all bills shall be "The People of the
4 State of New York, represented in Senate and Assembly, do enact as
5 follows," and no law shall be enacted except by bill, EXCEPT AS PROVIDED
6 IN ARTICLE VII.

7 S 14. No bill shall be passed or become a law unless it shall have
8 been printed and upon the desks of the members, in its final form, at
9 least three calendar legislative days prior to its final passage, unless
10 the governor, or the acting governor, shall have certified, under his or
11 her hand and the seal of the state, the facts which in his or her opin-
12 ion necessitate an immediate vote thereon, in which case it must never-
13 theless be upon the desks of the members in final form, not necessarily
14 printed, before its final passage; nor shall any bill be passed or
15 become a law, except by the assent of a majority of the members elected
16 to each branch of the legislature, EXCEPT AS PROVIDED IN ARTICLE VII;
17 and upon the last reading of a bill, no amendment thereof shall be
18 allowed, and the question upon its final passage shall be taken imme-
19 diately thereafter, and the ayes and nays entered on the journal.

20 S 16. No act shall be passed which shall provide that any existing
21 law, or any part thereof, shall be made or deemed a part of said act, or
22 which shall enact that any existing law, or part thereof, shall be

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

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1 applicable, except by inserting it in such act, EXCEPT AS PROVIDED IN
2 ARTICLE VII.

3 S 2. Resolved (if the Assembly concur), That section 7 of article 4 of
4 the constitution be amended to read as follows:

5 S 7. 1. Every bill which shall have passed the senate and assembly
6 shall, before it becomes a law, be presented to the governor; if the
7 governor approve, he or she shall sign it; but if not, he or she shall
8 return it with his or her objections to the house in which it shall have
9 originated, which shall enter the objections at large on the journal,
10 and proceed to reconsider it. If after such reconsideration, two-thirds
11 of the members elected to that house shall agree to pass the bill, it
12 shall be sent together with the objections, to the other house, by which
13 it shall likewise be reconsidered; and if approved by two-thirds of the
14 members elected to that house, it shall become a law notwithstanding the
15 objections of the governor. In all such cases the votes in both houses
16 shall be determined by yeas and nays, and the names of the members
17 voting shall be entered on the journal of each house respectively. If
18 any bill shall not be returned by the governor within ten days (Sundays
19 excepted) after it shall have been presented to him or her, the same
20 shall be a law in like manner as if he or she had signed it, unless the
21 legislature shall, by their adjournment, prevent its return, in which
22 case it shall not become a law without the approval of the governor. No
23 bill shall become a law after the final adjournment of the legislature,
24 unless approved by the governor within thirty days after such adjourn-
25 ment. If any bill presented to the governor contain several items of
26 appropriation of money, the governor may object to one or more of such
27 items while approving of the other portion of the bill. In such case the
28 governor shall append to the bill, at the time of signing it, a state-
29 ment of the items to which he or she objects; and the appropriation so
30 objected to shall not take effect. If the legislature be in session, he
31 or she shall transmit to the house in which the bill originated a copy
32 of such statement, and the items objected to shall be separately recon-
33 sidered. If on reconsideration one or more of such items be approved by
34 two-thirds of the members elected to each house, the same shall be part
35 of the law, notwithstanding the objections of the governor. All the
36 provisions of this section, in relation to bills not approved by the
37 governor, shall apply in cases in which he or she shall withhold
38 approval from any item or items contained in a bill appropriating money.

39 2. IN THE EVENT THAT A BUDGET FOR A FISCAL YEAR IS NOT DULY ENACTED
40 BY THE FIRST DAY OF SUCH FISCAL YEAR, THEN THE PROVISIONS OF SUBDIVISION
41 1 OF THIS SECTION SHALL BE INAPPLICABLE TO THE IMPLEMENTATION, EFFEC-
42 TIVENESS, AND ENACTMENT OF THE CURRENT SERVICES BUDGET PURSUANT TO ARTI-
43 CLE VII.

44 S 3. Resolved (if the Assembly concur), That sections 1, 2, 3, 4, 6
45 and 7 of article 7 of the constitution be amended and a new section 3-a
46 be added to read as follows:

47 Section 1. For the preparation of the budget, THE APPROPRIATION BILLS,
48 AND ANY OTHER BILLS THAT THE GOVERNOR IS REQUIRED OR AUTHORIZED TO
49 SUBMIT TO THE LEGISLATURE IN ACCORDANCE WITH THE PROVISIONS OF THIS
50 ARTICLE, the head of each department of state government AND EVERY OTHER
51 SEPARATELY BUDGETED STATE ENTITY, except the legislature and judiciary,
52 shall furnish the governor such estimates and information in such form
53 and at such times as the governor may require, copies of which shall
54 forthwith be furnished to the appropriate committees of the legislature.
55 IN ADDITION TO ANY OTHER INFORMATION THAT THE GOVERNOR MAY REQUIRE, SUCH
56 ESTIMATES SHALL INCLUDE PROJECTIONS OF THE EXPENDITURES REQUIRED TO

1 CONTINUE TO PROVIDE THE SAME LEVEL OF ALL SERVICES AND FUNCTIONS BEING
2 PROVIDED OR PERFORMED IN THE CURRENT FISCAL YEAR THROUGHOUT THE UPCOMING
3 FISCAL YEAR. IN FORMULATING SUCH PROJECTIONS, CONSIDERATION SHALL BE
4 GIVEN TO RELEVANT FACTORS SUCH AS: INFLATION RATES; COST INCREASES DUE
5 TO COMPLIANCE WITH COLLECTIVE BARGAINING AGREEMENTS AND COURT ORDERS;
6 REQUIRED OR ANTICIPATED REGULAR COST OF LIVING ADJUSTMENTS; THE ANNUALI-
7 ZATION OF SERVICES AND SERVICE LEVELS IMPLEMENTED DURING THE CURRENT
8 FISCAL YEAR; CHANGES IN DEMOGRAPHIC PATTERNS AND PROGRAM WORKLOADS; THE
9 COMPLETION OF PROJECTS; AND ANY OTHER FACTORS THAT SUCH DEPARTMENTS AND
10 ENTITIES MAY BE REQUIRED TO CONSIDER PURSUANT TO STATUTE OR THE DIREC-
11 TION OF THE GOVERNOR. The governor shall hold hearings thereon at which
12 the governor may require the attendance of heads of departments and
13 their subordinates. Designated representatives of such committees shall
14 be entitled to attend the hearings thereon and to make inquiry concern-
15 ing any part thereof.

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.

25 S 2. Annually, AT LEAST EIGHTY DAYS PRIOR TO THE FIRST DAY OF THE
26 UPCOMING FISCAL YEAR, OR on or before the first day of February in each
27 year following the year fixed by the constitution for the election of
28 governor and lieutenant governor WHERE SUCH FIRST DAY OF FEBRUARY FALLS
29 LESS THAN EIGHTY DAYS PRIOR TO THE UPCOMING FISCAL YEAR, [and on or
30 before the second Tuesday following the first day of the annual meeting
31 of the legislature, in all other years,] the governor shall submit to
32 the legislature a budget containing:

33 1. a complete plan of expenditures AS proposed BY THE LEGISLATURE AND
34 THE JUDICIARY to be made FOR THEIR OPERATIONS, AND BY THE GOVERNOR TO BE
35 MADE FOR ALL OTHER PURPOSES, before the close of the ensuing fiscal year
36 [and];

37 2. A STATEMENT OF all moneys and revenues estimated to be available
38 therefor, together with an explanation of the basis of such estimates
39 [and];

40 3. recommendations as to proposed legislation, if any, which the
41 governor may deem necessary to provide moneys and revenues sufficient to
42 meet such proposed expenditures[. It shall also contain];

43 4. RECOMMENDATIONS AS TO ANY OTHER PROPOSED LEGISLATION WHICH THE
44 GOVERNOR MAY DEEM NECESSARY TO IMPLEMENT THE EXPENDITURES PROPOSED TO BE
45 MADE BEFORE THE CLOSE OF THE ENSUING FISCAL YEAR;

46 5. such other recommendations and information as the governor may deem
47 proper;

48 6. A CURRENT SERVICES BUDGET, IN A FORMAT THAT FACILITATES COMPARISON
49 WITH THE BUDGET PROPOSED BY THE GOVERNOR, SETTING FORTH THE PROJECTIONS
50 OF THE GOVERNOR REGARDING THE EXPENDITURES REQUIRED TO CONTINUE TO
51 PROVIDE THE SAME LEVEL OF ALL SERVICES AND FUNCTIONS BEING PROVIDED OR
52 PERFORMED IN THE CURRENT FISCAL YEAR THROUGHOUT THE UPCOMING FISCAL
53 YEAR; PROVIDED FURTHER THAT IN FORMULATING SUCH PROJECTIONS, CONSIDER-
54 ATION SHALL BE GIVEN TO ALL THE FACTORS LISTED IN SECTION 1 OF THIS
55 ARTICLE, AS WELL AS TO ANY OTHER FACTORS AS MAY BE REQUIRED BY STATUTE;

1 7. A DESCRIPTIVE LISTING OF ALL LEGISLATION THAT THE GOVERNOR MAY DEEM
2 NECESSARY TO IMPLEMENT THE CURRENT SERVICES BUDGET FOR THE UPCOMING
3 FISCAL YEAR; and

4 8. such additional information as may be required by law.

5 S 3. At the time of submitting the budget to the legislature the
6 governor shall submit:

7 1. a bill or bills containing all the proposed appropriations and
8 reappropriations [included] NECESSARY TO MAKE THE EXPENDITURES PROPOSED
9 in the budget [and the] BY THE LEGISLATURE AND THE JUDICIARY FOR THEIR
10 OPERATIONS AND BY THE GOVERNOR FOR ALL OTHER PURPOSES;

11 2. A BILL OR BILLS CONSTITUTING ALL THE PROPOSED LEGISLATION THAT THE
12 GOVERNOR MAY DEEM NECESSARY TO PROVIDE MONEYS AND REVENUES SUFFICIENT TO
13 MAKE SUCH PROPOSED EXPENDITURES;

14 3. A BILL OR BILLS CONSTITUTING ALL THE PROPOSED LEGISLATION WHICH THE
15 GOVERNOR MAY DEEM NECESSARY TO IMPLEMENT SUCH PROPOSED EXPENDITURES;

16 4. SUCH OTHER proposed legislation, if any, recommended [therein] IN
17 THE BUDGET;

18 5. A BILL OR BILLS, CONFORMING TO SUCH REQUIREMENTS AS MAY BE REQUIRED
19 BY STATUTE, CONTAINING ALL THE PROPOSED APPROPRIATIONS AND REAPPROPRI-
20 ATIONS NECESSARY TO MAKE THE EXPENDITURES PROJECTED BY THE GOVERNOR IN
21 THE CURRENT SERVICES BUDGET TO BE REQUIRED TO CONTINUE TO PROVIDE THE
22 SAME LEVEL OF ALL SERVICES AND FUNCTIONS BEING PROVIDED OR PERFORMED IN
23 THE CURRENT FISCAL YEAR THROUGHOUT THE UPCOMING FISCAL YEAR;

24 6. A BILL OR BILLS CONSTITUTING ALL THE PROPOSED LEGISLATION THAT THE
25 GOVERNOR MAY DEEM NECESSARY TO IMPLEMENT THE CURRENT SERVICES BUDGET FOR
26 THE UPCOMING FISCAL YEAR.

27 The governor may at any time within thirty days thereafter and, with
28 the consent of the legislature, at any time before the adjournment ther-
29 eof, amend or supplement the budget and submit amendments to any bills
30 submitted by him or her or submit supplemental bills.

31 The governor and the heads of departments shall have the right, and it
32 shall be the duty of the heads of departments when requested by either
33 house of the legislature or an appropriate committee thereof, to appear
34 and be heard in respect to the budget during the consideration thereof,
35 and to answer inquiries relevant thereto. The procedure for such appear-
36 ances and inquiries shall be provided by law.

37 S 3-A. 1. ANNUALLY, BEFORE THE FIRST DAY OF ANY FISCAL YEAR, THE
38 LEGISLATURE SHALL PASS A BUDGET FOR THE UPCOMING FISCAL YEAR.

39 2. ANNUALLY, AFTER THE APPROPRIATE COMMITTEES OF THE LEGISLATURE HAVE
40 REVIEWED AND HELD HEARINGS ON THE BUDGET SUBMITTED BY THE GOVERNOR
41 PURSUANT TO SECTION 2 OF THIS ARTICLE, THE SENATE AND ASSEMBLY SHALL
42 EACH, BY THE ASSENT OF A MAJORITY OF THE MEMBERS ELECTED THERETO, ADOPT
43 A RESOLUTION ON THE BUDGET. EACH SUCH RESOLUTION SHALL CONTAIN THE
44 HOUSE'S DETERMINATION AS TO THE APPROPRIATE LEVELS OF REVENUES AND
45 EXPENDITURES, FOR THE ENSUING FISCAL YEAR, BOTH IN TOTAL AND WITH
46 RESPECT TO EACH OF THE MAJOR FUNCTIONAL CATEGORIES OF REVENUES AND
47 EXPENDITURES, WITH THOSE CATEGORIES TO BE ESTABLISHED BY LAW. EACH SUCH
48 RESOLUTION SHALL ALSO SET FORTH THE HOUSE'S DETERMINATION AS TO THE
49 AMOUNT, IF ANY, BY WHICH THE AGGREGATE LEVEL OF STATE REVENUES SHOULD BE
50 INCREASED OR DECREASED BY BILLS TO BE REPORTED BY THE APPROPRIATE
51 COMMITTEES OF THE LEGISLATURE. THE ASSEMBLY AND THE SENATE SHALL ADOPT
52 SUCH A RESOLUTION AT LEAST FIFTEEN DAYS BEFORE THE BEGINNING OF THE
53 FISCAL YEAR TO WHICH IT RELATES. WITHIN TWO DAYS OF THE ADOPTION OF SUCH
54 A RESOLUTION BY BOTH THE ASSEMBLY AND SENATE, A CONFERENCE COMMITTEE
55 SHALL BE HELD TO RECONCILE ANY DIFFERENCES THAT MAY EXIST BETWEEN SUCH
56 RESOLUTIONS AND REPORT A CONCURRENT BUDGET RESOLUTION TO BOTH HOUSES FOR

1 THEIR CONSIDERATION. THE CONCURRENT RESOLUTION SHALL BE ADOPTED AT LEAST
2 TEN DAYS BEFORE THE BEGINNING OF THE FISCAL YEAR TO WHICH IT RELATES.
3 SUCH CONCURRENT BUDGET RESOLUTION, WHEN ADOPTED, SHALL SERVE AS AN
4 INTERNAL MECHANISM FOR GUIDING THE ACTIONS OF BOTH HOUSES OF THE LEGIS-
5 LATURE AND THEIR COMMITTEES ON THE BILLS SUBMITTED BY THE GOVERNOR IN
6 ACCORDANCE WITH SECTION 3 OF THIS ARTICLE AND ON ALL OTHER BILLS WITH
7 FISCAL IMPLICATIONS THAT IT MAY CONSIDER PRIOR TO ITS ADJOURNMENT. UNTIL
8 SUCH A CONCURRENT BUDGET RESOLUTION IS ADOPTED BY BOTH HOUSES OF THE
9 LEGISLATURE, IT SHALL NOT BE IN ORDER IN THE SENATE OR THE ASSEMBLY,
10 WITH RESPECT TO THE FISCAL YEAR COVERED BY THAT RESOLUTION, TO CONSIDER
11 ANY OTHER BUDGET-RELATED MATTER. AT ANY TIME AFTER A CONCURRENT BUDGET
12 RESOLUTION FOR A FISCAL YEAR HAS BEEN AGREED TO BY BOTH HOUSES, AND
13 BEFORE THE END OF SUCH FISCAL YEAR, THE TWO HOUSES MAY ADOPT A CONCUR-
14 RENT RESOLUTION ON THE BUDGET WHICH REVISES OR REAFFIRMS THE CONCURRENT
15 BUDGET RESOLUTION FOR SUCH FISCAL YEAR MOST RECENTLY ADOPTED.

16 S 4. 1. The legislature may not alter an appropriation bill submitted
17 by the governor PURSUANT TO SUBDIVISION 1 OF SECTION 3 OF THIS ARTICLE
18 except to strike out or reduce items therein, but it may add thereto
19 items of appropriation provided that such additions are stated separate-
20 ly and distinctly from the original items of the bill and refer each to
21 a single object or purpose. None of the restrictions of this section,
22 however, shall apply to appropriations for the legislature or judiciary.

23 2. Such an appropriation bill shall when passed by both houses be a
24 law immediately without further action by the governor, except that
25 appropriations for the legislature and judiciary and separate items
26 added to the governor's bills by the legislature shall be subject to
27 approval of the governor as provided in section 7 of article IV.

28 3. THE LEGISLATURE MAY NOT ALTER A BILL SUBMITTED BY THE GOVERNOR
29 PURSUANT TO SUBDIVISIONS 5 AND 6 OF SECTION 3 OF THIS ARTICLE IN ANY WAY
30 UNLESS SUCH AMENDMENTS ARE RECOMMENDED BY THE STATE COMPTROLLER AS BEING
31 NECESSARY TO ENSURE THAT THOSE BILLS, IF ENACTED PURSUANT TO SUBDIVISION
32 4 OF THIS SECTION, WOULD PROVIDE IN THE UPCOMING FISCAL YEAR THE SAME
33 LEVEL OF ALL SERVICES AND FUNCTIONS AS IN THE CURRENT FISCAL YEAR AFTER
34 TAKING INTO CONSIDERATION THE SAME FACTORS THAT BUDGETED AGENCIES ARE
35 REQUIRED BY SECTION 1 OF THIS ARTICLE TO TAKE INTO CONSIDERATION WHEN
36 PREPARING THEIR ESTIMATES FOR THIS PURPOSE, INCLUDING ANY ADDITIONAL
37 FACTORS THAT THE LEGISLATURE MAY BY STATUTE REQUIRE SUCH AGENCIES TO
38 CONSIDER IN PREPARING THEIR CURRENT SERVICES BUDGET ESTIMATES, AND
39 UNLESS SUCH AMENDMENTS ARE MADE AND MADE AVAILABLE TO THE PUBLIC AT
40 LEAST SEVEN DAYS BEFORE THE FIRST DAY OF THE FISCAL YEAR.

41 4. IF BY THE FIRST DAY OF THE FISCAL YEAR, BOTH HOUSES OF THE LEGISLA-
42 TURE HAVE NOT ACTED ON THE APPROPRIATIONS AND REAPPROPRIATIONS BILLS
43 SUBMITTED BY THE GOVERNOR PURSUANT TO SUBDIVISION 1 OF SECTION 3 OF THIS
44 ARTICLE IN A MANNER THAT, AS DETERMINED BY THE STATE COMPTROLLER, IS
45 SUFFICIENT FOR THE ONGOING OPERATION AND SUPPORT OF STATE GOVERNMENT AND
46 LOCAL ASSISTANCE FOR THE UPCOMING FISCAL YEAR, THEN THE CURRENT SERVICES
47 BUDGET BILLS SUBMITTED BY THE GOVERNOR PURSUANT TO SUBDIVISIONS 5 AND 6
48 OF SECTION 3 OF THIS ARTICLE AND AS AMENDED IN ACCORDANCE WITH SUBDIVI-
49 SION 3 OF THIS SECTION SHALL BE DEEMED ENACTED AND SHALL REMAIN IN
50 EFFECT FOR THE ENTIRE FISCAL YEAR UNLESS, WITHIN SIXTY DAYS OF THE
51 BEGINNING OF SUCH FISCAL YEAR, BOTH HOUSES OF THE LEGISLATURE HAVE ACTED
52 ON THE APPROPRIATIONS BILLS SUBMITTED BY THE GOVERNOR PURSUANT TO SUBDI-
53 VISION 1 OF SECTION 3 OF THIS ARTICLE IN A MANNER THAT, AS DETERMINED BY
54 THE STATE COMPTROLLER, IS SUFFICIENT FOR THE ONGOING OPERATION AND
55 SUPPORT OF STATE GOVERNMENT AND LOCAL ASSISTANCE FOR THE UPCOMING FISCAL
56 YEAR. IN SUCH LATTER EVENT, THE APPROPRIATIONS AND REAPPROPRIATIONS

1 BILLS SUBMITTED BY THE GOVERNOR PURSUANT TO SUBDIVISION 1 OF SECTION 3
2 OF THIS ARTICLE, AS ACTED ON BY THE LEGISLATURE SHALL SUPERSEDE SUCH
3 CURRENT SERVICES BUDGET, WHICH SHALL BE DEEMED REPEALED ON SUCH DATE AS
4 MAY BE DETERMINED BY THE LEGISLATURE, EXCEPT THAT APPROPRIATIONS FOR THE
5 LEGISLATURE AND JUDICIARY AND SEPARATE ITEMS ADDED TO THE GOVERNOR'S
6 BILLS BY THE LEGISLATURE SHALL BE SUBJECT TO THE GOVERNOR'S APPROVAL AS
7 PROVIDED IN SECTION 7 OF ARTICLE IV.

8 S 6. Except for appropriations contained in the bills submitted by the
9 governor and in a supplemental appropriation bill for the support of
10 government, no appropriations shall be made except by separate bills
11 each for a single object or purpose. All such bills and such supple-
12 mental appropriation bill shall be subject to the governor's approval as
13 provided in section 7 of article IV.

14 No provision shall be embraced in any appropriation bill submitted by
15 the governor or in such supplemental appropriation bill unless it
16 relates specifically to some particular appropriation in the bill, and
17 any such provision shall be limited in its operation to such appropri-
18 ation. NO PROPOSED CHANGES IN THE STATUTES OF THE STATE SHALL BE
19 INCLUDED EITHER DIRECTLY OR INDIRECTLY IN ANY APPROPRIATION BILL SUBMIT-
20 TED BY THE GOVERNOR OR IN SUCH SUPPLEMENTAL APPROPRIATION BILL. IN THE
21 EVENT THAT A CHANGE IN THE STATUTES OF THE STATE IS DEEMED NECESSARY BY
22 THE GOVERNOR TO IMPLEMENT THE PROPOSED BUDGET, SUCH CHANGES SHALL BE
23 INCLUDED IN A BILL SUBMITTED BY THE GOVERNOR PURSUANT TO SUBDIVISION 2,
24 3 OR 4 OF SECTION 3 OF THIS ARTICLE.

25 S 7. No money shall ever be paid out of the state treasury or any of
26 its funds, or any of the funds under its management, except in pursuance
27 of an appropriation by law; nor unless such payment be made within two
28 years next after the passage of such appropriation act; and every such
29 law making a new appropriation or continuing or reviving an appropri-
30 ation, shall distinctly specify the sum appropriated, and the object or
31 purpose to which it is to be applied; and it shall not be sufficient for
32 such law to refer to any other law to fix such sum. IF A BILL OR BILLS
33 CONTAINING ALL THE PROPOSED APPROPRIATIONS AND REAPPROPRIATIONS NECES-
34 SARY TO MAKE THE EXPENDITURES PROJECTED BY THE GOVERNOR IN THE CURRENT
35 SERVICES BUDGET, SUBMITTED BY THE GOVERNOR PURSUANT TO SUBDIVISION 5 OF
36 SECTION 3 OF THIS ARTICLE, IS DEEMED ENACTED PURSUANT TO SUBDIVISION 4
37 OF SECTION 4 OF THIS ARTICLE, SUCH ENACTMENT SHALL BE AN APPROPRIATION
38 BY LAW FOR PURPOSES OF THIS SECTION FOR THE PERIOD OF ITS EFFECTIVENESS
39 PURSUANT TO SECTION 4 OF THIS ARTICLE.

40 S 4. Resolved (if the Assembly concur), That the foregoing amendment
41 be referred to the first regular legislative session convening after the
42 next succeeding general election of members of the assembly, and, in
43 conformity with section 1 of article 19 of the constitution, be
44 published for 3 months previous to the time of such election.