

1992

2011-2012 Regular Sessions

I N A S S E M B L Y

January 12, 2011

Introduced by M. of A. TEDISCO -- Multi-Sponsored by -- M. of A. BUTLER,  
KOLB, SAYWARD, THIELE -- read once and referred to the Committee on  
Ways and Means

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to article 7 of the constitution, in relation to  
providing an alternative procedure for the adoption of a state budget

1 Section 1. RESOLVED (if the Senate concur), That article 7 of the  
2 constitution be amended by adding a new section 7-a to read as follows:  
3 S 7-A. 1. IN ANY CASE WHERE THE LEGISLATURE AND THE GOVERNOR HAVE NOT  
4 COMPLETED THE ACTION REQUIRED OR AUTHORIZED PURSUANT TO THE PROVISION OF  
5 THIS ARTICLE WITH RESPECT TO THE ADOPTION OF A STATE BUDGET PRIOR TO  
6 APRIL FIRST IN ANY YEAR, THE PROVISIONS OF THIS SECTION SHALL GOVERN.  
7 2. THE SENATE AND ASSEMBLY SHALL BY RESOLUTION, EACH ADOPT AND PROMUL-  
8 GATE A DETAILED BUDGET PLAN, WHICH SHALL DETERMINE APPROPRIATIONS AND  
9 THE MANNER IN WHICH REVENUES SHALL BE COLLECTED, NO LATER THAN MARCH  
10 FIRST OF EACH YEAR. IF EITHER HOUSE OF THE LEGISLATURE FAILS TO ADOPT A  
11 PLAN ON OR BEFORE MARCH FIRST, THE MEMBERS OF EACH HOUSE SHALL FORFEIT  
12 ONE DAY'S PAY FOR EVERY DAY THEREAFTER UNTIL A STATE BUDGET IS ADOPTED  
13 AND SHALL ALSO FORFEIT THEIR OPPORTUNITY TO HAVE A BUDGET PLAN PLACED ON  
14 THE BALLOT SHOULD A BUDGET NOT BE ADOPTED BY THE START OF THE FISCAL  
15 YEAR.  
16 3. AT THE TIME A HOUSE OF THE LEGISLATURE ADOPTS A BUDGET PLAN, THAT  
17 HOUSE MUST ALSO ADOPT LANGUAGE, KNOWN AS BALLOT QUESTION LANGUAGE, WHICH  
18 SHALL APPEAR ON THE REFERENDUM TO EXPLAIN THAT PLAN. THIS EXPLANATION  
19 MUST BE IN PLAIN AND SIMPLE ENGLISH, USING TERMS OF ORDINARY AND COMMON  
20 MEANING WHICH ACCURATELY REFLECTS THE GENERAL INTENT AND CONTENT OF THE  
21 PLAN, AS IT PERTAINS TO MAJOR CATEGORIES OF EXPENDITURE AND SOURCES OF  
22 REVENUES. THIS LANGUAGE SHALL BE PROVIDED TO THE OFFICE OF THE SECRETARY  
23 OF STATE WITHIN TWENTY-FOUR HOURS OF APPROVAL. THE GOVERNOR, UPON  
24 SUBMISSION OF HIS EXECUTIVE BUDGET SHALL ALSO SUBMIT SIMILAR LANGUAGE TO  
25 THE SECRETARY OF STATE NO LATER THAN MARCH FIRST.

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

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1 4. INFORMATION ON THE PLANS MUST BE PUBLICIZED THROUGH ALL AVAILABLE  
2 MEDIA, AND COPIES OF THE PLAN IN ITS ENTIRETY, BALLOT LANGUAGE, AND A  
3 SUMMARY OF THE PLAN MUST BE MADE AVAILABLE AT ALL STATE AND LOCAL PUBLIC  
4 OFFICES CONVENIENT TO THE PUBLIC, LIBRARIES, AND SCHOOLS. COPIES OF THE  
5 PLANS SHALL ALSO BE MADE AVAILABLE TO THE PUBLIC BY THE SECRETARY OF  
6 STATE.

7 5. AT ANY TIME AFTER MARCH FIRST AND PRIOR TO MARCH TWENTY-SEVENTH  
8 EITHER HOUSE OF THE LEGISLATURE MAY APPROVE A RESOLUTION AND THE GOVER-  
9 NOR, BY EXECUTIVE ORDER, MAY PREVENT THEIR PLAN FROM CONSIDERATION AS  
10 HEREINAFTER PROVIDED.

11 6. IF ON OR BEFORE APRIL FIRST A BUDGET HAS NOT BEEN ENACTED INTO LAW  
12 THEN, ON THE FIRST TUESDAY FOLLOWING APRIL SEVENTH, A STATE-WIDE  
13 ELECTION SHALL BE HELD IN WHICH THE PLANS AS HEREINBEFORE ADOPTED, USING  
14 THE BALLOT QUESTION LANGUAGE, SHALL BE SUBMITTED TO THE PEOPLE FOR  
15 APPROVAL. THE PLAN RECEIVING THE MOST VOTES AT SUCH ELECTION SHALL BE  
16 THE BUDGET PLAN FOR THE FOLLOWING FISCAL YEAR. IF BOTH HOUSES OF THE  
17 LEGISLATURE FAIL TO ADOPT PLANS AS DESCRIBED HEREINBEFORE, THEN THE  
18 FINAL VERSIONS OF THE GOVERNOR'S EXECUTIVE BUDGET SHALL BE ADOPTED AND A  
19 VOTE SHALL NOT BE REQUIRED.

20 7. THE BUDGET PLAN WHICH HAS BEEN APPROVED BY THE PEOPLE MAY ONLY BE  
21 ALTERED OR CHANGED DURING THE FISCAL YEAR WITH THE APPROVAL OF  
22 THREE-FOURTHS OF THE MEMBERS OF EACH HOUSE OF THE LEGISLATURE.

23 S 2. RESOLVED (if the Senate concur), That the foregoing be referred  
24 to the first regular legislative session convening after the next  
25 succeeding general election of members of the assembly, and, in conform-  
26 ity with section 1 of article 19 of the constitution, be published for 3  
27 months previous to the time of such election.