

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

3163--A

2011-2012 Regular Sessions

I N A S S E M B L Y

January 24, 2011

Introduced by M. of A. MORELLE, LUPARDO, PAULIN, CAHILL, COLTON, GABRYS-ZAK, SCHROEDER, JAFFEE, CASTRO, GALEF -- Multi-Sponsored by -- M. of A. DESTITO, HOYT, LIFTON -- read once and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing amendments to sections 1, 2 and 7 of article 7 of the constitution, in relation to providing for the establishment of a biennial budgeting system for the state replacing the state annual budget process

1 Section 1. RESOLVED (if the Senate concur), That section 1 of article
2 7 of the constitution be amended to read as follows:
3 Section 1. For the preparation of the budget, the head of each depart-
4 ment of state government, except the legislature and judiciary, shall
5 furnish the governor such estimates and information in such form and at
6 such times as the governor may require, copies of which shall forthwith
7 be furnished to the appropriate committees of the legislature. The
8 governor shall hold hearings thereon at which the governor may require
9 the attendance of heads of departments and their subordinates. Desig-
10 nated representatives of such committees shall be entitled to attend the
11 hearings thereon and to make inquiry concerning any part thereof.
12 Itemized estimates of the financial needs of the legislature, certi-
13 fied by the presiding officer of each house, and of the judiciary,
14 approved by the court of appeals and certified by the chief judge of the
15 court of appeals, shall be transmitted to the governor not later than
16 the first day of December in each year IMMEDIATELY PRECEDING THE YEAR IN
17 WHICH THE GOVERNOR TRANSMITS TO THE LEGISLATURE THE GOVERNOR'S BUDGET
18 DOCUMENT for inclusion in the budget without revision but with such
19 recommendations as the governor may deem proper. Copies of the itemized
20 estimates of the financial needs of the judiciary also shall forthwith
21 be transmitted to the appropriate committees of the legislature. NOTH-

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

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1 ING HEREIN SHALL PRECLUDE THE ALTERATION, BY LAW, OF THE EXPENDITURES
2 DURING THE PERIOD OF TIME WHICH THE BUDGET SHALL HAVE BEEN ADOPTED FOR.

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

5 S 2. [Annually] BIENNIALY, on or before the first day of February in
6 each year following the year fixed by the constitution for the election
7 of governor and lieutenant governor, and on or before the second Tuesday
8 following the first day of the annual meeting of the legislature, in all
9 other ODD NUMBERED years, the governor shall submit to the legislature a
10 budget containing a complete plan of expenditures proposed to be made
11 [before the close of the ensuing fiscal year] DURING THE NEXT TWO FISCAL
12 YEARS and all moneys and revenues estimated to be available therefor,
13 together with an explanation of the basis of such estimates and recom-
14 mendations as to proposed legislation, if any, which the governor may
15 deem necessary to provide moneys and revenues sufficient to meet such
16 proposed expenditures. It shall also contain such other recommendations
17 and information as the governor may deem proper and such additional
18 information as may be required by law.

19 S 3. RESOLVED (if the Senate concur), That section 7 of article 7 of
20 the constitution be amended to read as follows:

21 S 7. No money shall ever be paid out of the state treasury or any of
22 its funds, or any of the funds under its management, except in pursuance
23 of an appropriation by law; nor unless such payment be made within [two]
24 FOUR years next after the passage of such appropriation act; and every
25 such law making a new appropriation or continuing or reviving an appro-
26 priation, shall distinctly specify the sum appropriated, and the object
27 or purpose to which it is to be applied; and it shall not be sufficient
28 for such law to refer to any other law to fix such sum.

29 S 4. RESOLVED (if the Senate concur), That the foregoing amendments
30 be referred to the first regular legislative session convening after the
31 next succeeding general election of members of the assembly, and, in
32 conformity with section 1 of article 19 of the constitution, be
33 published for three months previous to the time of such election.