

4353

2011-2012 Regular Sessions

I N S E N A T E

March 30, 2011

Introduced by Sen. RANZENHOFER -- read twice and ordered printed, and
when printed to be committed to the Committee on Finance

AN ACT to amend the state finance law and the legislative law, in
relation to the legislative budget and deposits to the tax stabiliza-
tion reserve fund

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

1 Section 1. The state finance law is amended by adding a new section
2 24-a to read as follows:

3 S 24-A. LEGISLATIVE BUDGET REVIEW; CONFERENCE COMMITTEES. 1. NO LATER
4 THAN MARCH FIFTEENTH OF EACH YEAR, THE TEMPORARY PRESIDENT OF THE
5 SENATE, THE MINORITY LEADER OF THE SENATE, THE SPEAKER OF THE ASSEMBLY
6 AND THE MINORITY LEADER OF THE ASSEMBLY SHALL JOINTLY CONVENE A GENERAL
7 BUDGET CONFERENCE COMMITTEE COMPRISED OF MEMBERS OF EACH HOUSE OF THE
8 LEGISLATURE TO ESTABLISH PROCEDURES TO RESOLVE THE DIFFERENCES BETWEEN
9 EACH HOUSE CONCERNING THE EXECUTIVE BUDGET. THE GENERAL BUDGET CONFER-
10 ENCE COMMITTEE SHALL BE COMPRISED OF TEN MEMBERS: FOUR APPOINTED BY THE
11 TEMPORARY PRESIDENT OF THE SENATE; FOUR APPOINTED BY THE SPEAKER OF THE
12 ASSEMBLY; ONE APPOINTED BY THE MINORITY LEADER OF THE SENATE; AND ONE
13 APPOINTED BY THE MINORITY LEADER OF THE ASSEMBLY. THE ADOPTION OF ANY
14 DECISION OF THE GENERAL BUDGET CONFERENCE COMMITTEE SHALL BE AFFIRMED BY
15 A MAJORITY VOTE OF THE MEMBERS OF EACH HOUSE OF THE LEGISLATURE
16 APPOINTED TO SUCH COMMITTEE.

17 2. THE GENERAL BUDGET CONFERENCE COMMITTEE SHALL ESTABLISH BUDGET
18 CONFERENCE SUBCOMMITTEES, EACH TO BE COMPRISED OF MEMBERS OF BOTH HOUSES
19 OF THE LEGISLATURE, TO RESOLVE DIFFERENCES BETWEEN EACH HOUSE CONCERNING
20 THE EXECUTIVE BUDGET, BASED ON THE PROCEDURES ESTABLISHED BY THE GENERAL
21 BUDGET CONFERENCE COMMITTEE, FOR SPECIFIC AREAS OF THE BUDGET TO BE
22 DETERMINED BY THE GENERAL BUDGET CONFERENCE COMMITTEE. SUCH PROCEDURES
23 SHALL INCLUDE A REQUIREMENT THAT ALL MEETINGS OF THE GENERAL BUDGET
24 CONFERENCE COMMITTEE AND OF THE SUBCOMMITTEES BE HELD IN PUBLIC. THE

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

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1 GENERAL BUDGET CONFERENCE COMMITTEE SHALL PROVIDE ESTIMATES OF ANY
2 MONEYS ESTIMATED TO BE AVAILABLE FOR THE ENSUING FISCAL YEAR FROM SOURC-
3 ES OTHER THAN IN SUBDIVISION SIX OF SECTION TWENTY-THREE OF THIS ARTI-
4 CLE. SUCH ESTIMATE WHEN COMBINED WITH THOSE ESTIMATES REQUIRED BY
5 SUBDIVISION SIX OF SECTION TWENTY-THREE OF THIS ARTICLE SHALL BE ALL
6 MONEYS FROM SUCH SOURCES DESCRIBED IN THIS SUBDIVISION ESTIMATED TO BE
7 AVAILABLE TO MAKE DISBURSEMENTS AUTHORIZED BY THE APPROPRIATION BILLS
8 SUBMITTED BY THE GOVERNOR PURSUANT TO SECTION THREE OF ARTICLE SEVEN OF
9 THE CONSTITUTION AND ACTED ON BY THE LEGISLATURE FOR THE ENSUING FISCAL
10 YEAR. THE GENERAL BUDGET CONFERENCE COMMITTEE SHALL ESTABLISH LIMITA-
11 TIONS ON DISBURSEMENTS WHICH MAY BE AGREED TO BY EACH BUDGET CONFERENCE
12 SUBCOMMITTEE TO INSURE THAT TOTAL DISBURSEMENTS TO BE MADE FOR THE ENSU-
13 ING FISCAL YEAR DO NOT EXCEED THE FINAL ESTIMATE OF MONEYS AND REVENUES
14 AVAILABLE TO MAKE SUCH DISBURSEMENTS AS PROVIDED BY SUBDIVISION SIX OF
15 SECTION TWENTY-THREE OF THIS ARTICLE. THE NUMBER OF BUDGET CONFERENCE
16 SUBCOMMITTEES AND THE MEMBERSHIP OF THE BUDGET CONFERENCE SUBCOMMITTEE
17 SHALL BE DETERMINED BY THE GENERAL BUDGET CONFERENCE COMMITTEE;
18 PROVIDED, HOWEVER, THAT NO LESS THAN ONE MEMBER OF EACH BUDGET CONFER-
19 ENCE SUBCOMMITTEE SHALL BE APPOINTED EACH BY THE TEMPORARY PRESIDENT OF
20 THE SENATE, THE MINORITY LEADER OF THE SENATE, THE SPEAKER OF THE ASSEM-
21 BLY AND THE MINORITY LEADER OF THE ASSEMBLY.

22 3. AFTER THE ESTABLISHMENT OF LIMITATIONS ON DISBURSEMENTS FOR EACH
23 BUDGET CONFERENCE SUBCOMMITTEE AS PROVIDED BY SUBDIVISION TWO OF THIS
24 SECTION, EACH BUDGET CONFERENCE SUBCOMMITTEE SHALL CONVENE AT A TIME OR
25 TIMES DETERMINED BY THE GENERAL BUDGET CONFERENCE COMMITTEE AND SHALL
26 REPORT BACK TO THE GENERAL BUDGET CONFERENCE COMMITTEE AT A TIME OR
27 TIMES DETERMINED BY THE GENERAL BUDGET CONFERENCE COMMITTEE ON THE
28 RESULTS OF EFFORTS TO RESOLVE THE DIFFERENCES BETWEEN EACH HOUSE IN THE
29 SPECIFIC AREAS OF THE BUDGET ASSIGNED TO EACH SUBCOMMITTEE. ON
30 COMPLETION OF EFFORTS TO RESOLVE ALL DIFFERENCES BETWEEN EACH HOUSE,
31 EACH BUDGET CONFERENCE SUBCOMMITTEE SHALL SUBMIT A FINAL REPORT TO THE
32 GENERAL BUDGET CONFERENCE COMMITTEE ON THE RESULTS OF SUCH EFFORTS AND
33 MAKE RECOMMENDATIONS FOR FINAL ACTION TO BE TAKEN ON THE BUDGET BILLS
34 SUBMITTED BY THE GOVERNOR FOR THE ENSUING FISCAL YEAR. EACH FINAL REPORT
35 SHALL ALSO INDICATE THE ESTIMATED IMPACT THAT EACH RECOMMENDATION WOULD
36 HAVE ON STATE FINANCES FOR THE ENSUING AND NEXT TWO SUCCEEDING FISCAL
37 YEARS.

38 4. THE GENERAL BUDGET CONFERENCE COMMITTEE SHALL EITHER APPROVE THE
39 FINAL REPORT OF EACH BUDGET CONFERENCE SUBCOMMITTEE OR AGREE UPON
40 MODIFICATIONS OF SUCH SUBCOMMITTEE REPORTS, AND, THE GENERAL BUDGET
41 CONFERENCE COMMITTEE SHALL REPORT IN WRITING TO THE TEMPORARY PRESIDENT
42 OF THE SENATE, THE MINORITY LEADER OF THE SENATE, THE SPEAKER OF THE
43 ASSEMBLY AND THE MINORITY LEADER OF THE ASSEMBLY ON ALL RECOMMENDATIONS
44 FOR FINAL ACTION TO BE TAKEN ON THE BUDGET BILLS SUBMITTED BY THE GOVER-
45 NOR FOR THE ENSUING FISCAL YEAR. THE FINAL GENERAL CONFERENCE COMMITTEE
46 REPORT SHALL INCLUDE THE ESTIMATED IMPACT OF ANY PROPOSED MODIFICATIONS
47 TO LAW THAT AFFECT RECEIPTS FOR THE ENSUING AND NEXT TWO SUCCEEDING
48 FISCAL YEARS. SUCH FINAL GENERAL CONFERENCE COMMITTEE REPORT SHALL BE
49 MADE AVAILABLE TO THE PUBLIC.

50 S 2. Subdivisions 1, 2 and 3 of section 40 of the state finance law,
51 as amended by chapter 169 of the laws of 1994, are amended to read as
52 follows:

53 1. The budget and the budget bills submitted by the governor shall
54 include all appropriations which in the opinion of the governor will be
55 required during the full succeeding fiscal year. IN THE CASE OF APPRO-
56 PRIATIONS FOR THE GENERAL SUPPORT OF PUBLIC SCHOOLS AND THE STATE

1 LOTTERY FUND, THE BUDGET AND THE BUDGET BILLS SUBMITTED BY THE GOVERNOR
2 SHALL INCLUDE ALL APPROPRIATIONS FOR THE GENERAL SUPPORT OF PUBLIC
3 SCHOOLS AND THE STATE LOTTERY FUND WHICH IN THE OPINION OF THE GOVERNOR
4 WILL BE REQUIRED DURING THE NEXT FULL FISCAL YEAR FOLLOWING THE SUCCEED-
5 ING FISCAL YEAR, AND ANY ADDITIONAL APPROPRIATIONS FOR THE GENERAL
6 SUPPORT OF PUBLIC SCHOOLS WHICH IN THE OPINION OF THE GOVERNOR WILL BE
7 REQUIRED DURING THE FULL SUCCEEDING FISCAL YEAR ABOVE, AT OR BELOW THE
8 AMOUNTS APPROPRIATED FOR SUCH PURPOSES IN THE CURRENT FISCAL YEAR. SUCH
9 APPROPRIATIONS SHALL BE PROPOSED AS SEPARATE APPROPRIATIONS APPLYING
10 INDIVIDUALLY TO THE SUCCEEDING FISCAL YEAR AND THE NEXT SUCCEEDING
11 FISCAL YEAR.

12 2. (a) No appropriation made at a regular session of the legislature
13 shall, unless the contrary is expressly provided in the act by which
14 such appropriation is made, be available prior to the commencement of
15 the fiscal year for which the budget is adopted at such session, and
16 every appropriation made at such session, except as provided in para-
17 graphs (b), (d), and (e) of this subdivision, shall cease to have force
18 and effect, except as to liabilities already incurred thereunder, at the
19 close of [such] THE fiscal year IN WHICH SUCH APPROPRIATION SHALL FIRST
20 BECOME AVAILABLE.

21 (b) Every deficiency appropriation made at a regular session of the
22 legislature which by the express terms of the act by which such appro-
23 priation is made shall be available prior to the commencement of the
24 fiscal year for which the budget is adopted at such session shall cease
25 to have force and effect, except as to liabilities already incurred
26 thereunder, at the close of the fiscal year in which such appropriation
27 shall become available.

28 (c) Every appropriation made at an extraordinary session of the legis-
29 lature shall, unless the contrary is expressly provided in the act by
30 which such appropriation is made, be available immediately upon the
31 taking effect of such act and shall cease to have force and effect,
32 except as to liabilities already incurred thereunder, at the close of
33 the fiscal year in which such appropriation shall become available.

34 (d) Every appropriation enacted in the fund type special revenue
35 funds-federal for a grant period which extends beyond [March thirty-
36 first] APRIL THIRTIETH of the fiscal year in which the appropriations
37 are enacted shall be available for liabilities incurred during such
38 grant period after such [March thirty-first] APRIL THIRTIETH date.

39 (e) All state operations appropriations made to the city university of
40 New York and the state university of New York shall cease to have force
41 and effect, except as to liabilities already incurred thereunder, as of
42 the thirtieth day of June immediately following the state fiscal year
43 for which they are enacted.

44 3. Every appropriation for whatever purpose which at the close of the
45 fiscal year IN WHICH SUCH APPROPRIATION SHALL FIRST BECOME AVAILABLE,
46 shall cease to have force and effect except as to liabilities already
47 incurred thereunder shall as to such liabilities continue in force and
48 effect until the dates specified in paragraphs (a), (b), (c) and (d) of
49 this subdivision, on which dates such appropriation shall lapse and no
50 money shall thereafter be paid out of the state treasury or any of its
51 funds or any of the funds under its management pursuant to such appro-
52 priation.

53 (a) Except for appropriations made to THE city university of New York
54 and the state university of New York, all state operations appropri-
55 ations including special revenue funds-federal appropriations continued
56 pursuant to paragraph (d) of subdivision two of this section shall lapse

1 on the [thirtieth] THIRTY-FIRST day of [June] JULY immediately following
2 the close of the fiscal year. The appropriations made to the city
3 university of New York or the state university of New York shall lapse
4 on the thirtieth day of September immediately following the close of the
5 fiscal year.

6 (b) All aid to localities appropriations including special revenue
7 funds-federal appropriations continued pursuant to paragraph (d) of
8 subdivision two of this section shall lapse on the fifteenth day of
9 [September] OCTOBER immediately following the close of the fiscal year.

10 (c) All capital projects appropriations shall lapse on the fifteenth
11 day of [September] OCTOBER immediately following the close of the fiscal
12 year.

13 (d) All other appropriations shall lapse on the fifteenth day of
14 [September] OCTOBER immediately following the close of the fiscal year.

15 S 3. Subdivisions 3 and 4 of section 92 of the state finance law, as
16 separately amended by chapters 405 and 957 of the laws of 1981, are
17 amended to read as follows:

18 3. At the close of each fiscal year any cash surplus remaining in the
19 general fund over and above the norm for such fiscal year shall be
20 transferred from or retained in such fund as hereinafter in this subdi-
21 vision provided. There shall be transferred to the tax stabilization
22 reserve fund all of such surplus moneys, up to and including an amount
23 equivalent to [two-tenths] ONE-HALF of one per centum of such norm,
24 unless such transfer would increase such reserve fund to an amount in
25 excess of [two] FIVE per centum of the amount of the norm for such
26 fiscal year, in which event such transfer shall be limited to such
27 amount as will increase such reserve fund to such [two] FIVE per centum
28 limitation. Any balance of such surplus moneys, thereafter remaining in
29 the general fund, shall be retained in such fund and be available for
30 the reduction of state taxes.

31 4. In the event that at the close of any fiscal year the receipts
32 derived from the taxes, fees and other sources, required to be paid
33 during such fiscal year into the general fund of the state shall fall
34 below the norm for such fiscal year, there shall be transferred from the
35 tax stabilization reserve fund to the general fund to the extent that
36 there are sufficient moneys in the tax stabilization reserve fund, an
37 amount equal to the difference between the norm and the amount of such
38 receipts. If such transfer reduces the tax stabilization reserve fund to
39 an amount less than [two] FIVE per centum of the norm for such fiscal
40 year, the amount so transferred shall be repaid in cash prior to the
41 computation and payment of any transfer to the fund pursuant to subdivi-
42 sion three of this section in not less than three equal annual install-
43 ments within the period of six years or less next succeeding the date of
44 such transfer; provided, however, that if any such annual installment
45 shall increase such reserve fund to an amount in excess of [two] FIVE
46 per centum of the amount of the norm for the then current fiscal year,
47 such installment shall be limited to such amount as will increase such
48 reserve fund to such [two] FIVE per centum limitation and no further
49 repayment of the whole or any part of such transfer shall be required in
50 any subsequent fiscal year. Repayments to the tax stabilization reserve
51 fund shall be stipulated in annual budget bills.

52 S 4. The legislative law is amended by adding a new section 53-a to
53 read as follows:

54 S 53-A. FAILURE TO ENACT A TIMELY STATE BUDGET. AFTER THE COMMENCE-
55 MENT OF THE FISCAL YEAR OF THE STATE, UNTIL ALL THE APPROPRIATION BILLS
56 SUBMITTED BY THE GOVERNOR FOR THAT FISCAL YEAR AND ALL THE BILLS SUBMIT-

1 TED BY THE GOVERNOR CONTAINING THE PROPOSED LEGISLATION RECOMMENDED IN
2 THE BUDGET FOR THAT FISCAL YEAR SHALL HAVE BEEN FINALLY ACTED ON BY BOTH
3 HOUSES OF THE LEGISLATURE, NEITHER HOUSE SHALL CONSIDER OR TAKE ANY
4 ACTION WHATSOEVER ON ANY OTHER BILL, RESOLUTION OR OTHER MATTER PENDING
5 BEFORE EITHER SUCH HOUSE OR ANY COMMITTEE THEREOF, EXCEPT FOR APPROPRI-
6 ATION BILLS SUBMITTED TO THE LEGISLATURE ON MESSAGE FROM THE GOVERNOR
7 CERTIFYING TO THE NECESSITY OF THE IMMEDIATE PASSAGE OF SUCH BILL.

8 S 5. Section 54 of the legislative law is amended by adding three new
9 subdivisions 3, 4 and 5 to read as follows:

10 3. WHEN BOTH HOUSES ARE IN AGREEMENT AND PREPARED TO FINALLY ACT ON
11 THE APPROPRIATION BILLS SUBMITTED BY THE GOVERNOR IN ACCORDANCE WITH
12 ARTICLE SEVEN OF THE CONSTITUTION, THE SECRETARY OF THE SENATE FINANCE
13 COMMITTEE AND THE SECRETARY OF THE ASSEMBLY WAYS AND MEANS COMMITTEE
14 SHALL PREPARE AND DELIVER TO THE DIVISION OF THE BUDGET A LETTER THAT
15 STATES THAT BOTH HOUSES ARE IN AGREEMENT AND PREPARED TO FINALLY ACT ON
16 THE APPROPRIATION BILLS AND PROPOSED LEGISLATION SUBMITTED BY THE GOVER-
17 NOR IN ACCORDANCE WITH ARTICLE SEVEN OF THE CONSTITUTION. THE SECRETARY
18 OF THE SENATE FINANCE COMMITTEE AND THE SECRETARY OF THE ASSEMBLY WAYS
19 AND MEANS COMMITTEE SHALL FURNISH THE DIVISION OF THE BUDGET, CONCURRENT
20 WITH THE SUBMISSION OF THE JOINT LETTER, INFORMATION SUFFICIENT FOR THE
21 PREPARATION OF A SUMMARY REPORT, INCLUDING THE APPROPRIATION BILLS AND
22 PROPOSED LEGISLATION ON WHICH BOTH HOUSES ARE IN AGREEMENT AND PREPARED
23 TO ACT.

24 4. PROMPTLY UPON RECEIPT OF THE JOINT LETTER AND INFORMATION DESCRIBED
25 IN SUBDIVISION THREE OF THIS SECTION, THE DIVISION OF THE BUDGET SHALL
26 PREPARE A PLAIN LANGUAGE SUMMARY REPORT OF THE APPROPRIATION BILLS AND
27 RELATED LEGISLATION TO BE ENACTED BY THE LEGISLATURE. SUCH SUMMARY
28 REPORT SHALL BE IN SUCH A FORM AS TO INDICATE THAT THE BUDGET AS AMENDED
29 PROVIDES THAT, FOR THE GENERAL FUND, THE TOTAL OF ANTICIPATED DISBURSE-
30 MENTS, INCLUDING TRANSFERS TO OTHER FUNDS, IS NOT GREATER THAN THE TOTAL
31 OF ANTICIPATED RECEIPTS, INCLUDING TRANSFERS FROM OTHER FUNDS, PLUS ANY
32 BALANCE AVAILABLE IN SUCH FUND. THE SUMMARY REPORT SHALL FURTHER
33 DESCRIBE THE IMPACT OF PROPOSED LEGISLATIVE AMENDMENTS ON THE RECEIPT
34 AND DISBURSEMENT ESTIMATES CONTAINED IN THE EXECUTIVE BUDGET FOR SUCH
35 FISCAL YEAR AND FOR THE SUCCEEDING TWO FISCAL YEARS. THE SUMMARY REPORT
36 SHALL BE IN SUCH FORMAT AS THE DIVISION OF THE BUDGET MAY DETERMINE.

37 5. THE DIVISION OF THE BUDGET SUMMARY REPORT AS DESCRIBED IN SUBDIVI-
38 SION FOUR OF THIS SECTION SHALL BE PLACED ON THE DESKS OF EACH MEMBER OF
39 THE LEGISLATURE, AND SHALL BE MADE AVAILABLE TO THE PUBLIC FOR A PERIOD
40 OF AT LEAST FORTY-EIGHT HOURS PRIOR TO THE PASSAGE OF THE APPROPRIATION
41 BILLS AND RELATED LEGISLATION BY EACH HOUSE.

42 S 6. Paragraph (a) of subdivision 2 of section 54 of the legislative
43 law, as added by chapter 1 of the laws of 2007, is amended to read as
44 follows:

45 (a) The legislature shall enact a budget for the upcoming fiscal year
46 that it determines is balanced in the general fund. THE TOTAL AMOUNT OF
47 ALL FUNDS SPENDING, WHICH SHALL INCLUDE SPENDING FROM ALL STATE REVENUE
48 SOURCES INCLUDING TAXES, FEES, FINES, FEDERAL GRANTS, BOND PROCEEDS,
49 LOTTERY PROCEEDS AND MISCELLANEOUS RECEIPTS, AND WHICH COMPRISES SPEND-
50 ING FROM THE GENERAL FUND, SPECIAL REVENUE FUNDS, CAPITAL PROJECTS FUND,
51 DEBT SERVICE FUNDS, INTERNAL SERVICE FUNDS, ENTERPRISE FUNDS AND FIDUCI-
52 ARY FUNDS, SHALL NOT EXCEED SPENDING IN THE PRIOR YEAR BY MORE THAN THE
53 RATE OF INFLATION AS DETERMINED BY THE PERCENTAGE INCREASE IN THE
54 CONSUMER PRICE INDEX FOR URBAN WAGE EARNERS AND CLERICAL WORKERS (CPI-W)
55 PUBLISHED BY THE UNITED STATES DEPARTMENT OF LABOR, BUREAU OF LABOR
56 STATISTICS; PROVIDED, HOWEVER, THAT SUCH SPENDING MAY EXCEED THE RATE OF

1 INFLATION BY THE AMOUNT OF ANY UNEXPECTED FEDERAL FUNDS RECEIVED BY THE
2 STATE.

3 S 7. Section 22 of the state finance law is amended by adding a new
4 subdivision 17 to read as follows:

5 17. NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, THE BUDGET
6 SUBMITTED PURSUANT TO THIS SECTION SHALL NOT PROVIDE FOR TOTAL ALL FUNDS
7 SPENDING IN AN AMOUNT WHICH EXCEEDS SPENDING IN THE PRIOR YEAR BY MORE
8 THAN THE RATE OF INFLATION AS DETERMINED BY THE PERCENTAGE INCREASE IN
9 THE CONSUMER PRICE INDEX FOR URBAN WAGE EARNERS AND CLERICAL WORKERS
10 (CPI-W) PUBLISHED BY THE UNITED STATES DEPARTMENT OF LABOR, BUREAU OF
11 LABOR STATISTICS. FOR THE PURPOSES OF THIS SUBDIVISION ALL FUNDS SPEND-
12 ING SHALL INCLUDE SPENDING FROM ALL STATE REVENUE SOURCES INCLUDING
13 TAXES, FEES, FINES, FEDERAL GRANTS, BOND PROCEEDS, LOTTERY PROCEEDS AND
14 MISCELLANEOUS RECEIPTS, AND SHALL COMPRISE SPENDING FROM THE GENERAL
15 FUND, SPECIAL REVENUE FUNDS, CAPITAL PROJECTS FUND, DEBT SERVICE FUNDS,
16 INTERNAL SERVICE FUNDS, ENTERPRISE FUNDS AND FIDUCIARY FUNDS.

17 S 8. Of moneys appropriated to state operations and aid to localities
18 in the general fund, community projects fund - 007, no such moneys shall
19 be appropriated for services and expenses, grants in aid, or for
20 contracts with certain not-for-profit agencies, universities, colleges,
21 school districts, corporations, and/or municipalities unless such appro-
22 priation is set forth with such specificity as is reasonable to deter-
23 mine how such moneys shall be expended.

24 S 9. This act shall take effect immediately; provided however that the
25 provisions of section three of this act shall take effect three years
26 after it shall have become a law.