

STATE OF NEW YORK

3333

2017-2018 Regular Sessions

IN SENATE

January 20, 2017

Introduced by Sens. KRUEGER, PERKINS, SERRANO -- 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 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 Assembly concur), That section 1 of article 7 of the constitution be amended to read as follows:

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3 Section 1. For the preparation of the budget, the head of each department of state government, except the legislature and judiciary, shall furnish the governor such estimates and information in such form and at such times as the governor may require, copies of which shall forthwith be furnished to the appropriate committees of the legislature. The governor shall hold hearings thereon at which the governor may require the attendance of heads of departments and their subordinates. Designated representatives of such committees shall be entitled to attend the hearings thereon and to make inquiry concerning any part thereof.

12 Itemized estimates of the financial needs of the legislature, certified by the presiding officer of each house, and of the judiciary, approved by the court of appeals and certified by the chief judge of the court of appeals, shall be transmitted to the governor not later than the first day of December in each year immediately preceding the year in which the governor transmits to the legislature the governor's budget document for inclusion in the budget without revision but with such recommendations as the governor may deem proper. Copies of the itemized estimates of the financial needs of the judiciary also shall forthwith be transmitted to the appropriate committees of the legislature. Nothing herein shall preclude the alteration, by law, of the expenditures during the period of time which the budget shall have been adopted for.

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

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

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

17 § 3. Resolved (if the Assembly concur), That section 7 of article 7
18 of the constitution be amended to read as follows:

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

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