

# STATE OF NEW YORK

8212

## IN SENATE

April 17, 2020

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

### CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to article 7 of the constitution, in relation to appropriation bills submitted by the governor

1 Section 1. Resolved (if the Assembly concur), That sections 2, 3 and 4  
2 of article 7 of the constitution be amended to read as follows:

3 § 2. Annually, on or before the first day of February in each year  
4 following the year fixed by the constitution for the election of gover-  
5 nor and lieutenant governor, and on or before the second Tuesday follow-  
6 ing the first day of the annual meeting of the legislature, in all other  
7 years, the governor shall submit to the legislature a budget containing  
8 a complete plan of expenditures proposed to be made before the close of  
9 the ensuing fiscal year and all moneys and revenues estimated to be  
10 available therefor, together with an explanation of the basis of such  
11 estimates and recommendations as to proposed legislation, if any, which  
12 the governor may deem directly necessary to provide moneys and revenues  
13 sufficient to meet such proposed expenditures. It shall also contain  
14 such other recommendations and information as the governor may deem  
15 proper and such additional information as may be required by law, and  
16 shall include a detailed explanation of the fiscal necessity of any such  
17 accompanying legislation.

18 § 3. At the time of submitting the budget to the legislature the  
19 governor shall submit a bill or bills containing all the proposed appro-  
20 priations and reappropriations included in the budget and the proposed  
21 legislation, if any, recommended therein.

22 The governor may at any time within thirty days thereafter and, with  
23 the consent of the legislature, at any time before the adjournment ther-  
24 eof, amend or supplement the budget and submit amendments to any bills  
25 submitted by him or her or submit supplemental bills. Any legislation  
26 included in such amendments and supplements must be directly necessary  
27 to provide moneys and revenues sufficient to meet such proposed expendi-  
28 tures.

29 The governor and the heads of departments shall have the right, and it  
30 shall be the duty of the heads of departments when requested by either

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

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1 house of the legislature or an appropriate committee thereof, to appear  
2 and be heard in respect to the budget during the consideration thereof,  
3 and to answer inquiries relevant thereto. The procedure for such appear-  
4 ances and inquiries shall be provided by law.

5 § 4. The legislature may not alter an appropriation bill submitted by  
6 the governor except to strike out or reduce items therein, but it may  
7 add thereto items of appropriation provided that such additions are  
8 stated separately and distinctly from the original items of the bill and  
9 refer each to a single object or purpose. None of the restrictions of  
10 this section, however, shall apply to appropriations for the legislature  
11 or judiciary. The legislature shall reject any proposed legislation that  
12 is not directly necessary to provide moneys and revenues sufficient to  
13 meet such proposed expenditures, and may only include or alter any  
14 legislation that is directly necessary to provide moneys and revenues  
15 sufficient to meet such proposed expenditures.

16 Such an appropriation bill shall when passed by both houses be a law  
17 immediately without further action by the governor, except that appro-  
18 priations for the legislature and judiciary and separate items added to  
19 the governor's bills by the legislature shall be subject to approval of  
20 the governor as provided in section 7 of article IV.

21 § 2. Resolved (if the Assembly concur), That the foregoing amendment  
22 be referred to the first regular legislative session convening after the  
23 next succeeding general election of members of the assembly, and, in  
24 conformity with section 1 of article 19 of the constitution, be  
25 published for three months previous to the time of such election.