

STATE OF NEW YORK

9234

IN ASSEMBLY

February 9, 2022

Introduced by M. of A. GALEF -- read once and referred to the Committee on Ways and Means

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. Not-
22 ing herein shall preclude the alteration, by law, of the expenditures
23 during the period of time which the budget shall have been adopted for.
24 § 2. Resolved (if the Senate concur), That section 2 of article 7 of
25 the constitution be amended to read as follows:
26 § 2. [~~Annually~~] Biennially, on or before the first day of February in
27 each year following the year fixed by the constitution for the election
28 of governor and lieutenant governor, and on or before the second Tuesday

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

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

12 § 3. Resolved (if the Senate concur), That section 7 of article 7 of
13 the constitution be amended to read as follows:

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

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