

PROGRAM BILL # 100

S.

Senate

IN SENATE--Introduced by Sen

--read twice and ordered printed,
and when printed to be committed
to the Committee on

----- A.
Assembly

IN ASSEMBLY--Introduced by M. of A.

with M. of A. as co-sponsors

--read once and referred to the
Committee on

CONSTCOR

(Proposes amendments to the consti-
tution to reform the budget process)

Const. budget reform

CONCURRENT RESOLUTION
OF THE SENATE AND ASSEMBLY

proposing amendments to sections 2,
3, 5 and 17 of article 7 of the
constitution, in relation to reform-
ing the budget process of the state
of New York

IN SENATE

Senate introducer's signature

The senators whose names are circled below wish to join me in the sponsorship
of this proposal

s55 Alesi	s08 Puschillo	s52 Iibous	s21 Parker	s14 Smith. M.
s20 Andrews	s22 Golden	s45 Little	s30 Paterson	s35 Spano
s07 Balboni	s33 Gonzalez	s15 Maltese	s61 Rath	s58 Stachowski
s42 Bonacic	s06 Hannon	s05 Marcellino	s56 Robach	s16 Staviskey
s46 Breslin	s36 Hassell-	s24 Marchi	s13 Sabini	s03 Trunco
s43 Bruno	Thompson	s62 Maziara	s41 Saland	s49 Valensky
s25 Connor	s04 Johnson	s47 Meier	s19 Sampson	s59 Volker
s50 DeFrancisco	s34 Klein	s18 Montgomery	s23 Savino	s53 Winner
s32 Diaz	s26 Krueger	s38 Morahan	s31 Schneiderman	s48 Wright
s17 Dillan	s27 Kruger	s54 Nozzolio	s28 Serrano	s57 Young
s29 Duane	s39 Larkin	s12 Onorato	s51 Seward	s60
s44 Farley	s01 LaValle	s37 Oppenheimer	s09 Skelos	
s02 Flanagan	s40 Leibell	s11 Padavan	s10 Smith. A.	

IN ASSEMBLY

Assembly introducer's signature

The Members of the Assembly whose names are circled below wish to join me in the
multi-sponsorship of this proposal:

a049 Abbate	a032 Cook	a083 Heastie	a022 Meng	a012 Saladino
a001 Alessi	a107 Crouch	a028 Hevesi	a102 Miller	a113 Sayward
a021 Alfano	a063 Cusick	a048 Hikind	a052 Millman	a029 Scarborough
a084 Arroyo	a045 Cymbrowitz	a127 Hooker	a060 Mirones	a140 Schillingier
a118 Aubertine	a138 DelMonte	a018 Hooper	a132 Morelle	a145 Schroeder
a035 Aubry	a116 Destito	a144 Hoyt	a093 Mosiello	a122 Scorzafova
a136 Bacalles	a086 Diaz. L.	a062 Ignizio	a037 Nolan	a038 Sumnerio
a124 Barclay	a005 Diaz. R.	a042 Jacobs	a128 Oaka	a064 Silver
a014 Barra	a015 DiNapoli	a131 John	a069 O'Donnell	a099 Stephens
a082 Benedetto	a081 Dinowitz	a095 Karben	a137 O'Mara	a011 Sweeney
a079 Benjamin	a003 Eddington	a100 Kirwan	a051 Ortiz	a110 Tedesco
a073 Bing	a004 Englebright	a129 Kolb	a114 Ortloff	a002 Thiele
a055 Boyland	a130 Errigo	a135 Koon	a150 Parment	a031 Titus
a089 Bradley	a072 Espallat	a034 Lafayette	a088 Paulin	a143 Tokasz
a044 Brennan	a071 Farrell	a091 Latimer	a141 Peoples	a105 Tonko
a092 Brodsky	a005 Fields	a061 Lavelle	a039 Peralta	a054 Towns
a121 Brown	a123 Finch	a013 Lavine	a058 Perry	a115 Townsend
a147 Burling	a007 Fitzpatrick	a050 Lentol	a023 Pfeffer	a015 Walker
a117 Butler	a090 Galef	a125 Lifton	a068 Powell	a041 Weinstein
a101 Cahill	a133 Gantt	a053 Lopez	a087 Pretlow	a020 Weisenberg
a096 Calhoun	a036 Gianaris	a126 Lupardo	a146 Quinn	a024 Weprin
a043 Camara	a149 Giglio	a111 Magee	a097 Rabbitt	a142 Wirth
a106 Canestrari	a066 Glick	a120 Magnarelli	a009 Raia	a070 Wright
a026 Carrozza	a040 Gordon	a103 Manning	a006 Rams	a094 Zebrowski
a108 Casale	a075 Gottfried	a030 Markey	a134 Reilich	a008
a119 Christensen	a065 Gramis	a027 Mayersohn	a109 Reilly	a017
a033 Clerk	a057 Green	a112 McDonald	a078 Rivera. J.	a059
a046 Cohen. A.	a077 Greene	a019 McDonough	a080 Rivera. N.	a067
a047 Colton	a098 Gunther	a104 McEneny	a076 Rivera. P.	a074
a010 Conte	a148 Hayes	a025 McLaughlin	a056 Robinson	a139

1) Single House Bill (introduced and printed separately in either or both
houses). Uni-Bill (introduced simultaneously in both houses and printed as one
bill. Senate and Assembly introducer sign the same copy of the bill).

2) Circle names of co-sponsors and return to introduction clerk with 2 signed
copies of bill and 4 copies of memorandum in support (single house); or 4 signed
copies of bill and 8 copies of memorandum in support (uni-bill).

Senate

1 Section 1. Resolved (if the ^{Assembly} concur), That section 2 of article
2 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] in which a governor is elected, provided
6 such governor did not hold the office of governor at the time of the
7 election, and on or before [the second Tuesday following the first day
8 of the annual meeting of the legislature] the first business day follow-
9 ing January fourteenth, in all other years, the governor shall submit to
10 the legislature a balanced budget in the general fund containing a
11 complete plan of expenditures proposed to be made before the close of
12 the ensuing fiscal year and all moneys and revenues estimated to be
13 available therefor, together with an explanation of the basis of such
14 estimates and recommendations as to proposed legislation, if any, which
15 the governor may deem necessary to provide moneys and revenues suffi-
16 cient to meet such proposed expenditures. It shall also contain such
17 other recommendations and information as the governor may deem proper
18 and such additional information as may be required by law.

19 § 2. Resolved (if the ^{Assembly} concur), That section 3 of article 7 of
20 the constitution be amended to read as follows:

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

25 The governor may at any time within [thirty days] twenty-one days
26 thereafter and, with the consent of the legislature, at any time before
27 the adjournment thereof, amend or supplement the budget and submit

1 amendments to any bills submitted by him or her or submit supplemental
2 bills.

3 The governor and the heads of departments shall have the right, and it
4 shall be the duty of the heads of departments when requested by either
5 house of the legislature or an appropriate committee thereof, to appear
6 and be heard in respect to the budget during the consideration thereof,
7 and to answer inquiries relevant thereto. The procedure for such appear-
8 ances and inquiries shall be provided by law.

9 § 3. Resolved (if the ~~Assembly~~ ^{Assembly} concur), That section 5 of article 7 of
10 the constitution be amended to read as follows:

11 § 5. Neither house of the legislature shall consider any other bill
12 making an appropriation until all the appropriation bills submitted by
13 the governor shall have been finally acted on by both houses, except on
14 message from the governor certifying to the necessity of the immediate
15 passage of such a bill. In finally acting on the appropriation bills
16 submitted by the governor, the legislature shall enact a balanced budget
17 in the general fund. If after such enactment, it is determined that the
18 budget is not in balance, as provided for by law, and subsequently ther-
19 eto the legislature has not acted to restore such balance, as further
20 provided by law, the governor shall have the power to (i) transfer, in
21 excess of any limitation otherwise provided by law, any appropriation,
22 or portion thereof, for any object or purpose to another object or
23 purpose to meet contractual requirements for which appropriations
24 contained in the budget enacted by the legislature are not sufficient to
25 meet such requirements; (ii) reduce by a uniform percentage all appro-
26 priations and spending from the general fund, or portions thereof, not
27 necessary to meet contractual requirements or other requirements estab-
28 lished by state or federal law; and (iii) modify the operation of any

1 law governing the apportionment and the allocation of appropriations, or
2 part thereof, if the operation of such law, or part thereof, is required
3 to be amended to ensure a uniform percentage reduction in spending.

4 § 4. Resolved (if the ^{Assembly} concur), That section 17 of article 7 of
5 the constitution be amended to read as follows:

6 § 17. [The legislature may establish] There is hereby established a
7 fund or funds to aid in the stabilization of the tax revenues of the
8 state available for expenditure or distribution. [Any law creating such
9 a fund] The legislature shall specify the tax or taxes to which such
10 fund relates, and shall prescribe the method of determining the amount
11 of revenue from any such tax or taxes which shall constitute a norm of
12 each fiscal year. Such part as shall be prescribed by law of any revenue
13 derived from such tax or taxes during a fiscal year in excess of such
14 norm shall be paid into such fund, and shall be authorized in an amount
15 not less than five percent of such norm. No moneys shall at any time be
16 withdrawn from such fund unless the revenue derived from such tax or
17 taxes during a fiscal year shall fall below the norm for such year; in
18 which event such amount as may be prescribed by law, but in no event an
19 amount exceeding the difference between such revenue and such norm,
20 shall be paid from such fund into the general fund.

21 No law changing the method of determining a norm or prescribing the
22 amount to be paid into such a fund or to be paid from such a fund into
23 the general fund may become effective until three years from the date of
24 its enactment.

25 § 5. Resolved (if the ^{Assembly} concur), That the foregoing amendment be
26 referred to the first regular legislative session convening after the
27 next succeeding general election of members of the assembly, and, in

1 conformity with section 1 of article 19 of the constitution, be
2 published for 3 months previous to the time of such election.