



MEMO OF SUPPORT

S820(Biaggi)/A1928 (Gottfried)

Amends Article VII of the New York State Constitution to give the legislature more equal powers to the governor in the budget process

April 2021

Title

Concurrent resolution of the Senate and Assembly proposing an amendment to article 7 of the constitution, relating to content of Article VII bills.

Summary

The amendment would amend Article VII of the State Constitution. Specifically, it would amend Section 2 to require statements be provided for any new legislation contained in the governor's budget. Section 3 would now require new legislation and amendments to legislation to be separately stated, allowing for legislative action. It would also amend Section 4 to allow the legislature to not only strike out appropriations, but also to modify or substitute appropriations. Changes to Section 5 would repeal the requirement that a message of necessity to be issued before the legislature can act on appropriation bills. Section 6 would be amended to clarify that the governor's vetoes on separate appropriation bills can be overridden by the legislature.

Statement of Support

We believe New York State's budget process has swung too far in favor of the executive and has become a vehicle for delivering the governor's biggest and most controversial non-budgetary policy priorities. In practice, New York State has two legislative sessions: the budget, during which the biggest issues of the day are decided, and the post-budget or "regular" legislative session.

This concurrent resolution helps restore a constitutional balance of power by allowing the legislature to add, delete and modify legislation in budget bills. The resolution will also help provide greater transparency of last-minute legislation by requiring that statements on any new provisions are provided by the Governor. Checks and balances are essential for good government, and we believe this amendment will help ensure the executive and legislative branches' powers are equally distributed.

We strongly support S820A (Biaggi)/A1928 (Gottfried) and urge the Senate and Assembly to pass the resolution this session and in the next session so it can be placed before the voters in 2023 or 2024.