



# MEMO OF SUPPORT

## [A7185 \(Lavine\)](#)

*Amends Article VII of the NYS Constitution to Give the Legislature  
Equal Powers to the Governor in the Budget Process*

February 2, 2024

### **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 OF PROVISIONS**

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 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 A7185 (Lavine) and urge the Senate and Assembly to pass the resolution this year and in the next session so it can be placed before the voters in 2025.