

Note: This Statistical and Narrative Summary analyzes all of the budget bills submitted by the Governor, both multiple appropriation bills and the non-appropriation bills. Many provisions within the submitted appropriation bills would amend or circumvent existing State law. In delineating the authority of the Governor and the Legislature in the budget-making process, the New York Court of Appeals, in its opinion in Pataki v. Assembly and Silver v. Pataki (4 N.Y.3d 75, 94 (2004)) has said “that a Governor should not put into [an appropriation] bill essentially non-fiscal or non-budgetary legislation. . .”

Our analysis of such provisions as contained herein, does not indicate acquiescence by the Ways and Means Committee of the New York State Assembly that such provisions are “essentially” fiscal or budgetary. The Committee does not, via its analysis of the entire gubernatorial budget submission, concede that each provision submitted as an “item of appropriation” has been crafted and proposed in accordance with the requirements of the New York State Constitution.