



NEW YORK STATE SENATOR

James Tedisco

Tedisco Issues Secret Government Alert! “NYS Budget Transparency Act” Needed to Contain “Feasting Albany Alligators”

JAMES TEDISCO April 26, 2023

| ISSUE: 2023 STATE BUDGET, EMERGENCY POWERS OF THE GOVERNOR, LEGISLATIVE BUDGET PROCESS



Albany - - The New York State budget is now 26 days late and there’s still no transparency about what a final budget deal will look like and when bills will be available for lawmakers, the public and media to review before being debated and voted on. Senator Jim Tedisco today is urging the Governor, legislative leaders, and his colleagues to make government transparency a priority and ensure that when final legislation is agreed upon by the Majorities and Governor, it is allowed to be publicly reviewed for three days as the state constitution requires and that bills are not voted on in the dark of the night.

Tedisco is sponsoring the “NYS Budget Transparency Act” ([S.48/A.4723](#)), a constitutional amendment to stop the abuse of “messages of necessity” and prevent secret government from keeping many legislators, the public and media in the dark when significant legislation is being voted on. The bill would stop the clock on all legislative proceedings between midnight and 8 a.m., and limit messages of necessity except in the case of genuine emergencies such as a security threat, natural disaster, or dire fiscal situation. The bill requires a two-thirds majority vote to take up any message of necessity.

Sadly, it’s a time-honored tradition by governors to use messages of necessity to avoid the constitutionally required three-day aging period and push through a variety of controversial policy proposals by sweeping them into budget bills passed in the middle of the night while most New Yorkers are sleeping to avoid public scrutiny and thorough vetting by the media, public and legislators. This tactic has drawn widespread derision over the years.

“Alligators usually hunt at night. When alligators capture their prey, they drag it deep into the waters to drown it before devouring it much as the Governor and Majority Leaders feast on our tax dollars with bloated budget bills late into the night to suffocate debate and dissent like the alligator smothers its prey. This is no way to run a government. If they won’t police themselves when it comes to transparency, then we need the New York State Budget Transparency Act to keep them contained,” said Senator Jim Tedisco.

“As I’ve said before, if the Governor and Leaders think passing a state budget that’s projected to be billions of dollars above last year’s in darkness is so good for New York taxpayers, then why don’t my colleagues hold their press conferences at 3 a.m. instead of the light of day? Clearly, they don’t because they want a full airing of their ideas to the public through the media so they can be seen and heard. As the famed journalist Bob Woodward popularized, ‘Democracy dies in darkness.’ If an agreement hatched in the dark of night at 3 a.m. is so good for our state then it will still be a good one to be debated and voted on at 3 p.m.,” said Senator Tedisco.

RELATED LEGISLATION

2023-S48

- Introduced
- ◦ In Committee Assembly

- In Committee Senate

- ◦ On Floor Calendar Assembly
 - On Floor Calendar Senate

- ◦ Passed Assembly
 - Passed Senate

- Delivered to Governor

- Signed By Governor

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Prohibits the passage of bills by the legislature between the hours of midnight and eight o'clock a.m. unless two-thirds of the legislature is present and requires two-thirds approval for messages of necessity

December 27, 2022

In Senate Committee **Judiciary**

Sponsored by **James Tedisco**

Do you support this bill?