

879--A

2011-2012 Regular Sessions

I N   S E N A T E

(PREFILED)

January 5, 2011

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Introduced by Sens. GOLDEN, GALLIVAN, VALESKY, YOUNG -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations -- recommitted to the Committee on Investigations and Government Operations in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the legislative law, in relation to establishing the New York state independent budget office

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. The legislative law is amended by adding a new article 4-B  
2     to read as follows:

3   ARTICLE 4-B

4                     NEW YORK STATE INDEPENDENT BUDGET OFFICE

5     SECTION 75. POWERS AND DUTIES OF THE NEW YORK STATE INDEPENDENT BUDGET  
6     OFFICE.

7             76. DIRECTOR OF THE NEW YORK STATE INDEPENDENT BUDGET OFFICE.

8     S 75. POWERS AND DUTIES OF THE NEW YORK STATE INDEPENDENT BUDGET  
9     OFFICE. THERE SHALL HEREBY BE ESTABLISHED AN OFFICE OF THE NEW YORK  
10    STATE LEGISLATURE TO BE KNOWN AS THE NEW YORK STATE INDEPENDENT BUDGET  
11    OFFICE. 1. IT SHALL BE THE PRIMARY DUTY AND FUNCTION OF THE NEW YORK  
12    STATE INDEPENDENT BUDGET OFFICE TO PROVIDE THE MEMBERS AND COMMITTEES OF  
13    THE LEGISLATURE WITH INFORMATION WHICH WILL ASSIST SUCH OFFICIALS AND  
14    BODIES IN THE DISCHARGE OF MATTERS WITHIN THEIR JURISDICTION PERTAINING  
15    TO THE BUDGETARY PROCESS INCLUDING:

16    (A) INFORMATION WITH RESPECT TO THE BUDGET, APPROPRIATIONS BILLS AND  
17    OTHER BILLS AUTHORIZING OR PROVIDING FOR EXPENDITURES FROM  
18    GOVERNMENT-WIDE FUNDS OR REVENUES TO THOSE FUNDS; INCLUDING ANY BILLS  
19    THAT HAVE A DIRECT OR INDIRECT FISCAL IMPACT IN TERMS OF SPENDING OR  
20    REVENUE;

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

LBD04274-02-2

1 (B) INFORMATION WITH RESPECT TO ESTIMATED REVENUES AND RECEIPTS, AND  
2 CHANGING REVENUE CONDITIONS;

3 (C) INFORMATION WITH RESPECT TO THE PERFORMANCE AND EFFECTIVENESS OF  
4 STATE AGENCIES AND PROGRAMS; AND

5 (D) TO THE EXTENT PRACTICABLE, SUCH OTHER INFORMATION OR ANALYSES AS  
6 MAY BE REQUESTED BY SUCH OFFICIALS AND BODIES, AND THE GENERAL PUBLIC.

7 REQUESTS MADE BY THE SPEAKER OF THE ASSEMBLY, THE TEMPORARY PRESIDENT  
8 OF THE SENATE, THE CHAIR OF THE ASSEMBLY WAYS AND MEANS COMMITTEE AND  
9 THE CHAIR OF THE SENATE FINANCE COMMITTEE REGARDING THE BUDGET, REVENUES  
10 AND EXPENDITURES SHALL RECEIVE PRIORITY ATTENTION.

11 2. THE INDEPENDENT BUDGET OFFICE SHALL COMPLETE A FISCAL IMPACT  
12 STATEMENT: (A) FOR ANY BILL BEING CONSIDERED ON AN ASSEMBLY WAYS AND  
13 MEANS COMMITTEE AGENDA OR A SENATE FINANCE COMMITTEE AGENDA, TO THE  
14 EXTENT POSSIBLE; (B) FOR ANY BILL AT THE REQUEST OF THE SPEAKER OR  
15 MINORITY LEADER OF THE ASSEMBLY OR THE TEMPORARY PRESIDENT OR MINORITY  
16 LEADER OF THE SENATE; AND (C) AT THE REQUEST OF A COMMITTEE CHAIR OR  
17 RANKING MEMBER OF A COMMITTEE FOR ANY BILL REFERRED TO THEIR RESPECTIVE  
18 COMMITTEE. FISCAL IMPACT STATEMENTS SHALL ESTIMATE THE IMPACT ON STATE  
19 REVENUES OR EXPENDITURES.

20 3. THE INDEPENDENT BUDGET OFFICE SHALL SUBMIT AN ANALYSIS OF THE  
21 EXECUTIVE BUDGET BY MARCH FIRST OF EACH YEAR TO THE MEMBERS OF THE  
22 ASSEMBLY WAYS AND MEANS COMMITTEE AND THE SENATE FINANCE COMMITTEE, AND  
23 MAKE COPIES OF SUCH ANALYSIS AVAILABLE TO ALL OTHER MEMBERS OF THE  
24 LEGISLATURE AND ALL OTHER INDIVIDUALS, UPON REQUEST.

25 4. THE INDEPENDENT BUDGET OFFICE SHALL, TO THE EXTENT PRACTICABLE,  
26 DEVELOP PROPOSALS FOR COST EFFECTIVE ALTERNATIVE APPROACHES TO MEET THE  
27 FINANCIAL OBLIGATIONS OF THE STATE.

28 5. THE INDEPENDENT BUDGET OFFICE SHALL PUBLISH A REPORT WITH RESPECT  
29 TO THE EXPECTED LEVELS OF STATE REVENUES BY THE FIRST DAY OF JANUARY,  
30 THE FIRST DAY OF APRIL, THE FIRST DAY OF JULY AND THE FIRST DAY OF OCTO-  
31 BER OF EACH YEAR.

32 6. THE INDEPENDENT BUDGET OFFICE SHALL PUBLISH BY DECEMBER FIRST OF  
33 EACH YEAR A REPORT ANALYZING THE FISCAL OUTLOOK OF THE STATE FOR THE  
34 NEXT FIVE YEARS.

35 7. AT THE REQUEST OF ANY MEMBER OR COMMITTEE OF THE SENATE OR THE  
36 ASSEMBLY, THE INDEPENDENT BUDGET OFFICE SHALL, TO THE EXTENT PRACTICA-  
37 BLE, CONSULT WITH AND ASSIST SUCH COMMITTEE IN ANALYZING THE BUDGETARY  
38 OR FINANCIAL IMPACT OF ANY PROPOSED LEGISLATION THAT MAY HAVE:

39 (A) A SIGNIFICANT BUDGETARY IMPACT ON LOCAL OR TRIBAL GOVERNMENTS;

40 (B) A SIGNIFICANT FINANCIAL IMPACT ON THE PRIVATE SECTOR; OR

41 (C) A SIGNIFICANT EMPLOYMENT IMPACT ON THE PRIVATE SECTOR.

42 8. (A) THE DIRECTOR OF THE INDEPENDENT BUDGET OFFICE SHALL CONDUCT  
43 CONTINUING STUDIES ON FISCAL MATTERS INCLUDING WAYS TO ENHANCE COMPAR-  
44 ISONS OF BUDGET AUTHORITY AND OUTLAYS, DEBT AUTHORITY, AND TAX POLICY.

45 (B) (1) AT THE REQUEST OF ANY CHAIR OR RANKING MEMBER OF THE MINORITY  
46 OF A COMMITTEE OF THE SENATE OR THE ASSEMBLY, THE DIRECTOR SHALL, TO THE  
47 EXTENT PRACTICABLE, CONDUCT A STUDY OF A LEGISLATIVE PROPOSAL CONTAINING  
48 A STATE MANDATE.

49 (2) IN CONDUCTING A STUDY ON INTERGOVERNMENTAL MANDATES UNDER THIS  
50 PARAGRAPH, THE DIRECTOR SHALL:

51 (I) SOLICIT AND CONSIDER INFORMATION OR COMMENTS FROM ELECTED OFFI-  
52 CIALS (INCLUDING THEIR DESIGNATED REPRESENTATIVES) OF STATE, LOCAL, OR  
53 TRIBAL GOVERNMENTS AS MAY PROVIDE HELPFUL INFORMATION OR COMMENTS;

54 (II) CONSIDER ESTABLISHING ADVISORY PANELS OF ELECTED OFFICIALS OR  
55 THEIR DESIGNATED REPRESENTATIVES, OF LOCAL OR TRIBAL GOVERNMENTS IF THE

1 DIRECTOR DETERMINES THAT SUCH ADVISORY PANELS WOULD BE HELPFUL IN  
2 PERFORMING RESPONSIBILITIES OF THE DIRECTOR UNDER THIS SECTION; AND

3 (III) IF, AND TO THE EXTENT THAT THE DIRECTOR DETERMINES THAT ACCURATE  
4 ESTIMATES ARE REASONABLY FEASIBLE, INCLUDE ESTIMATES OF:

5 (A) THE FUTURE DIRECT COST OF THE STATE MANDATE TO THE EXTENT THAT  
6 SUCH COSTS SIGNIFICANTLY DIFFER FROM OR EXTEND BEYOND THE FIVE-YEAR  
7 PERIOD AFTER THE MANDATE IS FIRST EFFECTIVE; AND

8 (B) ANY DISPROPORTIONATE BUDGETARY EFFECTS OF STATE MANDATES UPON  
9 PARTICULAR INDUSTRIES OR SECTORS OF THE ECONOMY, REGIONS, AND URBAN OR  
10 RURAL OR OTHER TYPES OF COMMUNITIES, AS APPROPRIATE.

11 (3) IN CONDUCTING A STUDY ON STATE MANDATES UNDER SUBPARAGRAPH ONE OF  
12 THIS PARAGRAPH, THE DIRECTOR SHALL PROVIDE ESTIMATES, IF AND TO THE  
13 EXTENT THAT THE DIRECTOR DETERMINES THAT SUCH ESTIMATES ARE REASONABLY  
14 FEASIBLE, OF:

15 (I) FUTURE COSTS OF STATE MANDATES ON PRIVATE SECTOR ENTITIES AND  
16 LOCAL GOVERNMENTS TO THE EXTENT THAT SUCH MANDATES DIFFER SIGNIFICANTLY  
17 FROM OR EXTEND BEYOND THE FIVE-YEAR TIME PERIOD REFERRED TO IN ITEM (A)  
18 OF CLAUSE (III) OF SUBPARAGRAPH TWO OF THIS PARAGRAPH;

19 (II) ANY DISPROPORTIONATE FINANCIAL EFFECTS OF STATE PRIVATE SECTOR  
20 MANDATES AND OF ANY STATE FINANCIAL ASSISTANCE IN THE BILL OR JOINT  
21 RESOLUTION UPON ANY PARTICULAR INDUSTRIES OR SECTORS OF THE ECONOMY,  
22 REGIONS, AND URBAN OR RURAL OR OTHER TYPES OF COMMUNITIES; AND

23 (III) THE EFFECT OF STATE MANDATES IN THE BILL OR JOINT RESOLUTION ON  
24 THE ECONOMY OF THE STATE, INCLUDING THE EFFECT ON PRODUCTIVITY, ECONOMIC  
25 GROWTH, FULL EMPLOYMENT, CREATION OF PRODUCTIVE JOBS, AND COMPETITIVE-  
26 NESS OF GOODS AND SERVICES.

27 9. THE INDEPENDENT BUDGET OFFICE SHALL, FROM TIME TO TIME, PUBLISH  
28 SUCH REPORTS AS MAY BE APPROPRIATE TO ENHANCE THE OFFICIAL AND PUBLIC  
29 UNDERSTANDING OF THE BUDGETARY PROCESS AND OF THE BUDGET DOCUMENTS. SUCH  
30 OFFICE SHALL, FROM TIME TO TIME, PUBLISH SUCH REPORTS AS MAY BE NECES-  
31 SARY OR APPROPRIATE TO PROVIDE SUCH INFORMATION, DATA AND ANALYSIS AS  
32 WILL ENHANCE OFFICIAL AND PUBLIC UNDERSTANDING OF MATTERS RELATING TO  
33 STATE REVENUES, EXPENDITURES, MANAGEMENT PRACTICES AND RELATED MATTERS.

34 10. THE INDEPENDENT BUDGET OFFICE MAY PROCURE UP-TO-DATE COMPUTER  
35 EQUIPMENT, OBTAIN THE SERVICES OF EXPERTS AND CONSULTANTS IN COMPUTER  
36 TECHNOLOGY, AND DEVELOP TECHNIQUES FOR THE EVALUATION OF REVENUE PROJEC-  
37 TIONS AND BUDGETARY REQUIREMENTS.

38 11. ALL INFORMATION, DATA, ESTIMATES AND STATISTICS, AND ALL STUDIES  
39 AND REPORTS PREPARED BY THE INDEPENDENT BUDGET OFFICE SHALL BE MADE  
40 AVAILABLE TO THE PUBLIC AND SHALL ALSO BE MADE AVAILABLE BY ELECTRONIC  
41 MEANS OVER THE INTERNET.

42 S 76. DIRECTOR OF THE NEW YORK STATE INDEPENDENT BUDGET OFFICE. 1.  
43 THE NEW YORK STATE INDEPENDENT BUDGET OFFICE SHALL BE HEADED BY A DIREC-  
44 TOR WHO SHALL BE APPOINTED, FROM ONE OR MORE CANDIDATES RECOMMENDED BY  
45 THE INDEPENDENT BUDGET OFFICE BOARD OF DIRECTORS (ALSO REFERRED TO  
46 INTERCHANGEABLY AS THE "BOARD"), BY THE SPEAKER OF THE ASSEMBLY AND THE  
47 TEMPORARY PRESIDENT OF THE SENATE. THE RECOMMENDATIONS FOR THE INITIAL  
48 APPOINTMENT OF SUCH DIRECTOR SHALL BE MADE NO LATER THAN JANUARY  
49 FIFTEENTH, TWO THOUSAND THIRTEEN TO THE SPECIAL COMMITTEE. SUBSEQUENT  
50 RECOMMENDATIONS SHALL BE MADE BETWEEN JANUARY SECOND AND JANUARY  
51 FIFTEENTH EVERY SIXTH YEAR THEREAFTER. THE SPEAKER OF THE ASSEMBLY AND  
52 TEMPORARY PRESIDENT OF THE SENATE SHALL APPOINT THE INITIAL DIRECTOR NO  
53 LATER THAN FEBRUARY FIFTEENTH, TWO THOUSAND TWELVE AND SUCH INITIAL  
54 DIRECTOR SHALL TAKE OFFICE BEGINNING APRIL FIRST, TWO THOUSAND THIRTEEN.  
55 SUBSEQUENT APPOINTMENTS SHALL BE MADE NO LATER THAN FEBRUARY FIFTEENTH  
56 EVERY SIXTH YEAR THEREAFTER.

1 2. (A) THERE SHALL BE AN INDEPENDENT BUDGET OFFICE BOARD OF DIRECTORS  
2 CONSISTING OF (1) ONE PERSON APPOINTED BY EACH OF THE FOLLOWING OFFI-  
3 CIALS AND WHO SHALL SERVE AT THE PLEASURE OF SUCH OFFICIALS; THE CHAIR  
4 AND RANKING MEMBER OF THE ASSEMBLY WAYS AND MEANS COMMITTEE AND THE  
5 CHAIR AND RANKING MEMBER OF THE SENATE FINANCE COMMITTEE, AND (2) SIX  
6 OTHER MEMBERS JOINTLY APPOINTED BY THE SPEAKER OF THE ASSEMBLY AND THE  
7 TEMPORARY PRESIDENT OF THE SENATE, WHO SHALL SERVE FOR SIX YEAR TERMS,  
8 PROVIDED, HOWEVER THAT OF THE MEMBERS FIRST APPOINTED, TWO SHALL SERVE  
9 FOR TERMS EXPIRING ON MARCH THIRTY-FIRST, TWO THOUSAND FIFTEEN; TWO  
10 SHALL SERVE FOR TERMS EXPIRING ON MARCH THIRTY-FIRST, TWO THOUSAND  
11 SEVENTEEN; AND TWO SHALL SERVE FOR TERMS EXPIRING ON MARCH THIRTY-FIRST,  
12 TWO THOUSAND NINETEEN. THE MEMBERS SHALL ALL BE INDIVIDUALS WITH EXTEN-  
13 SIVE EXPERIENCE AND KNOWLEDGE IN THE FIELDS OF FINANCE, ECONOMICS,  
14 ACCOUNTING, PUBLIC ADMINISTRATION AND PUBLIC POLICY ANALYSIS INCLUDING  
15 AT LEAST ONE NATIONALLY RECOGNIZED EXPERT IN THE FIELDS OF BUDGET THEORY  
16 AND THE BUDGET PROCESS; ONE DEAN OR DIRECTOR OR FORMER DEAN OR DIRECTOR  
17 OF A GRADUATE SCHOOL OF BUSINESS ADMINISTRATION, PUBLIC AFFAIRS OR  
18 PUBLIC ADMINISTRATION LOCATED IN NEW YORK STATE; ONE OFFICER OR FORMER  
19 OFFICER OR ECONOMIC ADVISOR OF A LABOR UNION; ONE OFFICER OR FORMER  
20 OFFICER OR ECONOMIC ADVISOR TO A BUSINESS CORPORATION; ONE OFFICER OR  
21 FORMER OFFICER OF A CITY WITH A POPULATION OF ONE MILLION OR MORE, ONE  
22 OFFICER OR FORMER OFFICER OF A COUNTY; AND ONE OFFICER OR FORMER OFFICER  
23 OF A CIVIC OR PUBLIC INTEREST ADVOCACY ORGANIZATION DIRECTLY INVOLVED IN  
24 BUDGET MATTERS. LOBBYING STATE OR LOCAL ENTITIES AS DEFINED BY SECTION  
25 ONE-C OF THIS CHAPTER SHALL NOT BE CONSTRUED AS DIRECT INVOLVEMENT FOR  
26 THE PURPOSE OF THIS PARAGRAPH. NO INDIVIDUAL SHALL SERVE CONSECUTIVE  
27 TERMS.

28 (B) THE INDEPENDENT BUDGET OFFICE BOARD OF DIRECTORS SHALL DEVELOP  
29 GUIDELINES FOR THE BEST PRACTICES OF THE INDEPENDENT BUDGET OFFICE. THE  
30 INDEPENDENT BUDGET OFFICE BOARD OF DIRECTORS SHALL MEET ANNUALLY WITH  
31 THE DIRECTOR TO REVIEW SUCH GUIDELINES AND TO MAKE COMMENTS AND  
32 SUGGESTIONS ON THE OVERALL PRACTICES OF THE OFFICE. IN DEVELOPING  
33 GUIDELINES FOR BEST PRACTICES, SUCH STANDARDS SHALL BE IN COMPLIANCE  
34 WITH STANDARDS PROMULGATED BY THE GOVERNMENTAL ACCOUNTING STANDARDS  
35 BOARD OR ANOTHER COMPARABLE STANDARD SETTING ENTITY WHEN PRACTICABLE.  
36 NOTHING IN THIS SECTION SHALL PRECLUDE THE BOARD FROM USING PRONOUNCE-  
37 MENTS; STANDARDS AND OTHER OTHER DOCUMENTS DEVELOPED AND PUBLISHED BY  
38 ORGANIZATIONS THAT ARE NATIONALLY RECOGNIZED AUTHORITIES IN MATTERS  
39 PERTAINING TO PUBLIC FINANCE EXCEPT THAT THE BOARD SHALL DEVELOP SUCH  
40 BEST PRACTICES WITH THE INTENT OF COMPLYING WITH THE GOVERNMENTAL  
41 ACCOUNTING STANDARDS BOARD WHERE PRACTICABLE AND APPLICABLE.

42 (C) MEMBERS OF THE BOARD OF DIRECTORS SHALL RECEIVE NO COMPENSATION  
43 BUT SHALL BE REIMBURSED FOR REASONABLE EXPENSES INCURRED IN CONNECTION  
44 WITH THEIR DUTIES.

45 3. THE DIRECTOR OF THE INDEPENDENT BUDGET OFFICE SHALL BE APPOINTED  
46 WITHOUT REGARD TO POLITICAL AFFILIATION AND SOLELY ON THE BASIS OF  
47 FITNESS TO PERFORM THE DUTIES ASSIGNED BY THIS ARTICLE. THE TERM OF  
48 OFFICE OF THE DIRECTOR FIRST APPOINTED SHALL EXPIRE ON FEBRUARY  
49 FIFTEENTH, TWO THOUSAND NINETEEN, AND THE TERMS OF OFFICE OF DIRECTORS  
50 SUBSEQUENTLY APPOINTED SHALL EXPIRE ON SUCH DATE IN EACH SIXTH YEAR  
51 THEREAFTER. ANY INDIVIDUAL APPOINTED TO FILL A VACANCY PRIOR TO THE  
52 EXPIRATION OF A TERM SHALL SERVE ONLY FOR THE UNEXPIRED PORTION OF SUCH  
53 TERM. AN INDIVIDUAL SERVING AS DIRECTOR AT THE EXPIRATION OF THE TERM  
54 MAY CONTINUE TO SERVE UNTIL A SUCCESSOR IS APPOINTED. ANY DIRECTOR  
55 SERVING CONSECUTIVE TERMS SHALL BE RECOMMENDED BY THE INDEPENDENT BUDGET  
56 OFFICE BOARD OF DIRECTORS AND APPOINTED BY THE SPEAKER OF THE ASSEMBLY

1 AND THE TEMPORARY PRESIDENT OF THE SENATE FOR THE SECOND TERM. NO DIREC-  
2 TOR SHALL SERVE MORE THAN TWO TERMS CONSECUTIVELY.

3 4. TWENTY PERCENT OF THE APPROPRIATIONS MADE TO THE DIVISION OF THE  
4 BUDGET SHALL BE AVAILABLE TO PAY FOR THE EXPENSES OF THE INDEPENDENT  
5 BUDGET OFFICE DURING EACH FISCAL YEAR BEGINNING WITH THE FIRST DAY OF  
6 APRIL AFTER THIS SECTION SHALL HAVE BECOME A LAW. THE DIRECTOR OF THE  
7 INDEPENDENT BUDGET OFFICE SHALL APPOINT SUCH PERSONNEL AND PROCURE THE  
8 SERVICES OF SUCH EXPERTS AND CONSULTANTS, WITHIN THE APPROPRIATIONS  
9 AVAILABLE THEREFOR, AS MAY BE NECESSARY FOR SUCH DIRECTOR TO CARRY OUT  
10 THE DUTIES AND FUNCTIONS ASSIGNED PURSUANT TO THIS ARTICLE. SUCH  
11 PERSONNEL AND EXPERTS SHALL PERFORM SUCH DUTIES AS MAY BE ASSIGNED TO  
12 THEM BY THE DIRECTOR.

13 5. THE DIRECTOR MAY BE REMOVED BY EITHER THE SENATE OR ASSEMBLY BY  
14 RESOLUTION.

15 6. (A) THE DIRECTOR SHALL RECEIVE COMPENSATION AT AN ANNUAL RATE OF  
16 PAY THAT IS EQUAL TO THE LOWER OF:

17 (1) THE HIGHEST ANNUAL RATE OF COMPENSATION OF ANY OFFICER OF THE  
18 SENATE; OR

19 (2) THE HIGHEST ANNUAL RATE OF COMPENSATION OF ANY OFFICER OF THE  
20 ASSEMBLY.

21 (B) THE DEPUTY DIRECTOR SHALL RECEIVE COMPENSATION AT AN ANNUAL RATE  
22 OF PAY THAT IS ONE THOUSAND DOLLARS LESS THAN THE ANNUAL RATE OF PAY  
23 RECEIVED BY THE DIRECTOR, AS DETERMINED UNDER PARAGRAPH (A) OF THIS  
24 SUBDIVISION.

25 (C) THE DIRECTOR SHALL APPOINT AND FIX THE COMPENSATION OF SUCH  
26 PERSONNEL AS MAY BE NECESSARY TO CARRY OUT THE DUTIES AND FUNCTIONS OF  
27 THE OFFICE. ALL PERSONNEL OF THE OFFICE SHALL BE APPOINTED WITHOUT  
28 REGARD TO POLITICAL AFFILIATION AND SOLELY ON THE BASIS OF THEIR FITNESS  
29 TO PERFORM THEIR DUTIES. THE DIRECTOR MAY PRESCRIBE THE DUTIES AND  
30 RESPONSIBILITIES OF THE PERSONNEL OF THE OFFICE, AND DELEGATE TO THEM  
31 AUTHORITY TO PERFORM ANY OF THE DUTIES, POWERS, AND FUNCTIONS IMPOSED ON  
32 THE OFFICE OR ON THE DIRECTOR. FOR PURPOSES OF PAY (OTHER THAN PAY OF  
33 THE DIRECTOR AND DEPUTY DIRECTOR) AND EMPLOYMENT BENEFITS, RIGHTS, AND  
34 PRIVILEGES, ALL PERSONNEL OF THE OFFICE SHALL BE TREATED AS IF THEY WERE  
35 EMPLOYEES OF NEW YORK STATE.

36 7. THE DIRECTOR OF THE INDEPENDENT BUDGET OFFICE SHALL HAVE ACCESS AT  
37 ALL REASONABLE TIMES TO OFFICES OF STATE DEPARTMENTS, COMMISSIONS,  
38 BOARDS, BUREAUS AND OFFICES, TO INSTITUTIONS AND TO ALL STATE AUTHORI-  
39 TIES AND PUBLIC WORKS OF THE STATE AND THEY MAY, FOR THE PURPOSE OF  
40 OBTAINING INFORMATION AS TO THE METHOD OF OPERATION, GENERAL CONDITION,  
41 MANAGEMENT AND NEEDS THEREOF, EXAMINE THE BOOKS, PAPERS AND PUBLIC  
42 RECORDS THEREIN. NOTWITHSTANDING ANY OTHER PROVISION OF LAW SUCH STATE  
43 DEPARTMENTS, COMMISSIONS, BOARDS, BUREAUS, DIVISIONS, OFFICES, STATE  
44 AUTHORITIES AND OTHER INSTITUTIONS SHALL, THROUGH THEIR PROPER OFFICERS  
45 OR DEPUTIES, FURNISH TO THE DIRECTOR SUCH DATA, INFORMATION OR STATE-  
46 MENTS AS MAY BE NECESSARY FOR THE PROPER EXERCISE OF HIS OR HER POWERS  
47 AND DUTIES AND FOR THE PURPOSE OF CARRYING INTO EFFECT THE PROVISIONS OF  
48 THIS ARTICLE.

49 8. FOR THE PURPOSES OF REVENUE LEGISLATION WHICH IS INCOME, ESTATE AND  
50 GIFT, EXCISE, AND PAYROLL TAXES, CONSIDERED OR ENACTED IN ANY SESSION OF  
51 THE LEGISLATURE, THE INDEPENDENT BUDGET OFFICE SHALL USE EXCLUSIVELY  
52 DURING THAT LEGISLATIVE SESSION REVENUE ESTIMATES PROVIDED TO IT BY THE  
53 OFFICE OF THE STATE COMPTROLLER. DURING THAT SESSION OF THE LEGISLATURE  
54 SUCH REVENUE ESTIMATES SHALL BE TRANSMITTED BY THE INDEPENDENT BUDGET  
55 OFFICE TO ANY COMMITTEE OF THE ASSEMBLY OR THE SENATE REQUESTING SUCH  
56 ESTIMATES, AND SHALL BE USED BY SUCH COMMITTEES IN DETERMINING SUCH

1 ESTIMATES. THE FISCAL COMMITTEES OF THE SENATE AND ASSEMBLY SHALL DETER-  
2 MINE ALL ESTIMATES WITH RESPECT TO THE EXECUTION OF THE PURPOSES OF THIS  
3 ARTICLE. THIS SUBDIVISION SHALL NOT REQUIRE NOR PRECLUDE THE INDEPEND-  
4 ENT BUDGET OFFICE FROM USING ESTIMATES OF THE STATE COMPTROLLER IN THE  
5 CALCULATION OF THE REVENUE FORECAST AS STIPULATED IN SUBDIVISION FIVE OF  
6 SECTION SEVENTY-FIVE OF THIS ARTICLE.

7 S 2. This act shall take effect immediately.