S T A T E O F N E W Y O R K

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2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. CAHILL, COLTON, FINCH -- Multi-Sponsored by -- M. of A. DINOWITZ, PHEFFER -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the legislative law, in relation to establishing a New York state legislative research service

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

Section 1. The legislative law is amended by adding a new section 7-h to read as follows:

S 7-H. LEGISLATIVE RESEARCH SERVICE. 1. THERE SHALL HEREBY BE ESTABLISHED A NEW YORK STATE LEGISLATIVE RESEARCH SERVICE. IT SHALL BE THE DUTY OF THE LEGISLATIVE RESEARCH SERVICE, WITHOUT PARTISAN BIAS TO:

(A) UPON REQUEST, ADVISE AND ASSIST ANY COMMITTEE OF THE LEGISLATURE IN THE ANALYSIS, APPRAISAL, AND EVALUATION OF LEGISLATIVE PROPOSALS WITHIN SUCH COMMITTEE'S JURISDICTION, OR OF ANY RECOMMENDATIONS SUBMITTED TO THE LEGISLATURE BY THE GOVERNOR OR ANY EXECUTIVE AGENCY, SO AS TO ASSIST THE COMMITTEE IN:

(I) DETERMINING THE ADVISABILITY OF ENACTING SUCH PROPOSALS;

(II) ESTIMATING THE PROBABLE RESULTS OF SUCH PROPOSALS AND ALTERNATIVES THERETO; AND

(III) EVALUATING ALTERNATIVE METHODS FOR ACCOMPLISHING THOSE RESULTS; AND, BY PROVIDING SUCH OTHER RESEARCH AND ANALYTICAL SERVICES AS THE COMMITTEE CONSIDERS APPROPRIATE FOR THESE PURPOSES, OTHERWISE TO ASSIST IN FURNISHING A BASIS FOR THE PROPER EVALUATION AND DETERMINATION OF LEGISLATIVE PROPOSALS AND RECOMMENDATIONS GENERALLY; AND IN THE PERFORMANCE OF THIS DUTY THE SERVICE SHALL HAVE AUTHORITY, WHEN SO AUTHORIZED BY A COMMITTEE AND ACTING AS THE AGENT OF THAT COMMITTEE, TO REQUEST OF ANY DEPARTMENT OR AGENCY OF THE STATE THE PRODUCTION OF SUCH BOOKS, RECORDS, CORRESPONDENCE, MEMORANDA, PAPERS AND DOCUMENTS AS THE SERVICE CONSIDERS NECESSARY, AND SUCH DEPARTMENT OR AGENCY OF THE STATE SHALL

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

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COMPLY WITH SUCH REQUEST; AND FURTHER IN THE PERFORMANCE OF THIS AND ANY OTHER RELEVANT DUTY, THE SERVICE SHALL MAINTAIN CONTINUOUS LIAISON WITH ALL COMMITTEES;

(B) MAKE AVAILABLE TO EACH COMMITTEE OF THE LEGISLATURE AT THE OPENING OF A NEW SESSION, A LIST OF PROGRAMS AND ACTIVITIES UNDER EXISTING LAW SCHEDULED TO TERMINATE DURING THE CURRENT SESSION, WHICH ARE WITHIN THE JURISDICTION OF THE COMMITTEE;

(C) TO MAKE AVAILABLE TO EACH COMMITTEE OF THE LEGISLATURE AT THE OPENING OF A NEW SESSION, A LIST OF SUBJECTS AND POLICY AREAS WHICH THE COMMITTEE MIGHT PROFITABLY ANALYZE IN DEPTH;

(D) UPON REQUEST, OR UPON ITS OWN INITIATIVE IN ANTICIPATION OF REQUESTS, PREPARE AND PROVIDE INFORMATION, RESEARCH, AND REFERENCE MATERIALS AND SERVICES TO COMMITTEES AND MEMBERS OF THE LEGISLATURE TO ASSIST THEM IN LEGISLATIVE FUNCTIONS;

(E) UPON REQUEST, OR UPON ITS OWN INITIATIVE IN ANTICIPATION OF REQUESTS, COLLECT, CLASSIFY AND ANALYZE IN THE FORM OF STUDIES, REPORTS, COMPILATIONS, DIGESTS, BULLETINS, INDEXES, TRANSLATIONS, AND OTHERWISE, DATA HAVING A BEARING ON LEGISLATION, AND TO MAKE SUCH DATA AVAILABLE AND SERVICEABLE TO COMMITTEES AND MEMBERS OF THE LEGISLATURE;

(F) PREPARE SUMMARIES AND DIGESTS OF BILLS AND RESOLUTIONS OF PUBLIC, GENERAL NATURE INTRODUCED IN THE LEGISLATURE;

(G) UPON REQUEST MADE BY ANY COMMITTEE OR MEMBER OF THE LEGISLATURE, PREPARE AND TRANSMIT TO SUCH COMMITTEE OR MEMBER A CONCISE MEMORANDUM WITH RESPECT TO ONE OR MORE LEGISLATIVE MEASURES UPON WHICH HEARINGS BY ANY COMMITTEE OF THE LEGISLATURE HAVE BEEN ANNOUNCED, WHICH MEMORANDUM SHALL CONTAIN A STATEMENT OF THE PURPOSE AND EFFECT OF EACH SUCH MEASURE, A DESCRIPTION OF OTHER RELEVANT MEASURES OF SIMILAR PURPOSE OR EFFECT PREVIOUSLY INTRODUCED IN THE LEGISLATURE, AND A RECITATION OF ALL ACTION TAKEN THERETOFORE BY OR WITHIN THE LEGISLATURE WITH RESPECT TO EACH SUCH OTHER MEASURES; AND

(H) DEVELOP AND MAINTAIN AN INFORMATION AND RESEARCH CAPABILITY TO INCLUDE SENIOR SPECIALISTS, SPECIALISTS, OTHER EMPLOYEES AND CONSULTANTS, AS NECESSARY, TO PERFORM THE FUNCTIONS PROVIDED FOR IN THIS SUBDIVISION.

2. THE LIBRARIAN OF THE LEGISLATIVE LIBRARY SHALL APPOINT THE DIRECTOR OF THE LEGISLATIVE RESEARCH SERVICE. THE DIRECTOR SHALL RECEIVE A SALARY EQUAL TO THAT OF A MEMBER OF THE LEGISLATURE AS SET FORTH IN SUBDIVISION ONE OF SECTION FIVE OF THIS ARTICLE.

3. THE DIRECTOR IS AUTHORIZED TO APPOINT IN THE LEGISLATIVE RESEARCH SERVICE, SPECIALISTS AND SENIOR SPECIALISTS IN THE FOLLOWING BROAD FIELDS:

(A) AGING;
(B) AGRICULTURE;
(C) ALCOHOLISM AND DRUG ABUSE;
(D) CONSUMER AFFAIRS AND PROTECTION;
(E) CRIME VICTIMS AND CORRECTIONS;
(F) ECONOMIC DEVELOPMENT AND JOB CREATION;
(G) EDUCATION;
(H) ENGINEERING AND PUBLIC WORKS;
(I) ENVIRONMENTAL CONSERVATION AND SUSTAINABILITY;
(J) GOVERNMENTAL OPERATIONS;
(K) HEALTH;
(L) HOUSING AND COMMUNITY DEVELOPMENT;
(M) INSURANCE;
(N) LABOR AND EMPLOYMENT;
(O) MONEY AND BANKING;

(P) SCIENCE AND TECHNOLOGY;
(Q) SOCIAL WELFARE;
(R) TAXATION AND FISCAL POLICY;
(S) TRANSPORTATION;
(T) URBAN AFFAIRS;
(U) VETERANS AFFAIRS; AND
(V) SUCH OTHER FIELDS, AS THE DIRECTOR MAY CONSIDER APPROPRIATE.

SUCH SPECIALISTS AND SENIOR SPECIALISTS, TOGETHER WITH SUCH OTHER EMPLOYEES OF THE LEGISLATIVE RESEARCH SERVICE AS MAY BE NECESSARY, SHALL BE AVAILABLE FOR SPECIAL WORK WITH THE COMMITTEES AND MEMBERS OF THE LEGISLATURE FOR THE PURPOSES STATED IN THIS SECTION.

4. THE DIRECTOR IS AUTHORIZED:

(A) TO CLASSIFY, ORGANIZE, ARRANGE, GROUP AND DIVIDE, FROM TIME TO TIME, AS THE DIRECTOR CONSIDERS ADVISABLE, THE REQUESTS FOR ADVICE, ASSISTANCE, AND OTHER SERVICES SUBMITTED TO THE LEGISLATIVE RESEARCH SERVICE BY COMMITTEES AND MEMBERS OF THE LEGISLATURE INTO SUCH CLASSES AND CATEGORIES AS THE DIRECTOR CONSIDERS NECESSARY TO:

(I) EXPEDITE AND FACILITATE THE HANDLING OF THE INDIVIDUAL REQUESTS SUBMITTED BY MEMBERS OF THE LEGISLATURE;

(II) PROMOTE EFFICIENCY IN THE PERFORMANCE OF SERVICES FOR THE COMMITTEES OF THE LEGISLATURE; AND

(III) PROVIDE A BASIS FOR THE EFFICIENT PERFORMANCE BY THE LEGISLATIVE RESEARCH SERVICE OF ITS LEGISLATIVE RESEARCH AND RELATED FUNCTIONS GENERALLY;

(B) TO ESTABLISH AND CHANGE, FROM TIME TO TIME, AS THE DIRECTOR CONSIDERS ADVISABLE, WITHIN THE LEGISLATIVE RESEARCH SERVICE, SUCH RESEARCH AND REFERENCE DIVISIONS OR OTHER ORGANIZATIONAL UNITS, OR BOTH, AS SUCH DIRECTOR CONSIDERS NECESSARY TO ACCOMPLISH THE PURPOSES OF THIS SECTION; AND

(C) TO PROCURE BY CONTRACT, WITHOUT REGARD TO ANY PROVISION OF LAW REQUIRING ADVERTISING FOR CONTRACT BIDS, THE TEMPORARY (FOR RESPECTIVE PERIODS NOT IN EXCESS OF ONE YEAR) OR INTERMITTENT ASSISTANCE OF EDUCATIONAL, RESEARCH, OR OTHER ORGANIZATIONS OF EXPERTS AND CONSULTANTS (INCLUDING STENOGRAPHIC REPORTERS) AND OF EDUCATIONAL, RESEARCH, AND OTHER ORGANIZATIONS OF PERSONS LEARNED IN PARTICULAR OR SPECIALIZED FIELDS OF KNOWLEDGE.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.