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

February 23, 2009

Introduced by M. of A. GALEF, KAVANAGH, LAVINE, P. RIVERA, ROSENTHAL, BURLING, CALHOUN, CORWIN, KOLB, SCOZZAFAVA, BACALLES, WALKER, GIGLIO, P. LOPEZ, FINCH, RAIA -- Multi-Sponsored by -- M. of A. BARCLAY, CONTE, CROUCH, DUPREY, ERRIGO, HAWLEY, LANCMAN, MILLER, SAYWARD, SCHIMEL, THIELE, TOWNS, TOWNSEND -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the legislative law, in relation to apportionment of resources for members of the state legislature

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

Section 1. Section 10 of the legislative law, as amended by chapter 230 of the laws of 1949, is amended to read as follows:

S 10. Compensation of officers and employees. The secretary of the senate, the clerk of the assembly, and all other officers and employees of the senate and assembly, shall be paid the compensation fixed by the appointing officer within the amount provided by appropriation AND PURSUANT TO THE PROVISIONS OF SECTION FIVE-B OF THIS ARTICLE.

S 2. The legislative law is amended by adding a new section 5-b to read as follows:

S 5-B. STAFF ALLOCATION. 1. EXCEPT AS PROVIDED IN THIS SECTION, EVERY MEMBER OF THE STATE SENATE SHALL HAVE THE SAME STAFF ALLOCATION AS EVERY OTHER MEMBER OF THE STATE SENATE AND EVERY MEMBER OF THE ASSEMBLY SHALL HAVE THE SAME STAFF ALLOCATION AS EVERY OTHER MEMBER OF THE ASSEMBLY.

2. EVERY STATE SENATOR OR MEMBER OF THE ASSEMBLY WHO IS ASSIGNED TO SERVE AS CHAIRPERSON OF A STANDING COMMITTEE SHALL ALSO RECEIVE AN ADDITIONAL ALLOCATION DESIGNED TO REASONABLY ALLOW SUCH CHAIRPERSON TO HIRE A COMMITTEE DIRECTOR AND COMMITTEE CLERK DEDICATED TO COMMITTEE RELATED WORK. SUCH ALLOCATION SHALL BE NINETY THOUSAND DOLLARS FOR ALL COMMITTEES EXCEPT THE CODES, EDUCATION, HEALTH, AND HIGHER EDUCATION COMMITTEES IN BOTH THE SENATE AND ASSEMBLY, IN WHICH CASE SUCH ALLOCATION SHALL BE ONE HUNDRED FORTY-FIVE THOUSAND DOLLARS; AND TWO HUNDRED THOU-

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

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SAND DOLLARS FOR THE CHAIRPERSON OF THE FINANCE COMMITTEE IN THE SENATE AND THE WAYS AND MEANS COMMITTEE IN THE ASSEMBLY.

3. EVERY STATE SENATOR OR MEMBER OF THE ASSEMBLY WHO SERVES IN THE CAPACITY AS RANKING MEMBER OF A STANDING COMMITTEE SHALL ALSO RECEIVE AN ADDITIONAL ALLOCATION DESIGNED TO REASONABLY ALLOW SUCH RANKING MEMBER TO HIRE STAFF DEDICATED TO COMMITTEE RELATED WORK. SUCH ALLOCATION SHALL BE THIRTY THOUSAND DOLLARS EXCEPT IN THE CASE OF THE CODES, EDUCATION, HEALTH, AND HIGHER EDUCATION COMMITTEES SUCH AMOUNT SHALL BE FIFTY-FIVE THOUSAND DOLLARS; AND IN THE CASE OF THE RANKING MEMBER OF THE SENATE FINANCE COMMITTEE OR RANKING MEMBER OF THE ASSEMBLY WAYS AND MEANS COMMITTEE, NINETY-FIVE THOUSAND DOLLARS.

4. ALL EMPLOYEES WHOSE SALARY IS NOT CHARGED AGAINST THE STAFF ALLOCATION OF AN INDIVIDUAL MEMBER OF THE LEGISLATURE SHALL BE DEEMED EMPLOYEES OF THE CENTRAL STAFF OF THE SENATE OR CENTRAL STAFF OF THE ASSEMBLY, AS THE CASE MAY BE. THERE SHALL BE A CENTRAL STAFF ALLOCATION WHICH SHALL ALLOW FOR THE HIRING OF INDIVIDUALS PURSUANT TO THE RECOMMENDATION OF THE TEMPORARY PRESIDENT OF THE SENATE, THE MINORITY LEADER OF THE SENATE, THE SPEAKER OF THE ASSEMBLY, AND THE MINORITY LEADER OF THE ASSEMBLY. THE PERCENTAGE OF DOLLARS TO BE ALLOCATED TO THE TEMPORARY PRESIDENT OF THE SENATE, THE MINORITY LEADER OF THE SENATE, THE SPEAKER OF THE ASSEMBLY, AND THE MINORITY LEADER OF THE ASSEMBLY SHALL BE BASED UPON THE NUMBER OF MEMBERS OF THE SENATE AND NUMBER OF MEMBERS OF THE ASSEMBLY IN THE MAJORITY AND MINORITY POLITICAL PARTY OF EACH HOUSE. IN THE EVENT A MEMBER OF THE LEGISLATURE IS NOT ENROLLED IN EITHER THE MAJORITY POLITICAL PARTY IN HIS OR HER HOUSE OR THE SECOND MOST POPULATED POLITICAL PARTY IN HIS OR HER HOUSE, SUCH MEMBER MAY DECLARE THAT HE OR SHE WISHES TO HAVE HIS OR HER MEMBERSHIP COUNTED IN ONE OF THE TWO POLITICAL PARTIES SOLELY FOR THE PURPOSE OF STAFF ALLOCATION RATIOS. SUCH DECLARATION SHALL BE GIVEN IN WRITING TO THE SECRETARY OF THE SENATE OR CLERK OF THE ASSEMBLY WITHIN SEVENTY DAYS OF HIS OR HER ELECTION. THE ALLOCATION FOR CENTRAL STAFF SHALL NOT CHANGE DURING THE TWO YEAR TERM OF OFFICE WHICH COMMENCES EVERY JANUARY FIRST OF ODD NUMBERED YEARS AND ENDS AT THE END OF DECEMBER THE FOLLOWING YEAR. IN ANY EVENT, THE MINORITY LEADER OF THE SENATE AND THE MINORITY LEADER OF THE ASSEMBLY SHALL HAVE A MINIMUM OF THIRTY-FIVE PERCENT OF THE CENTRAL STAFF ALLOCATION AUTHORITY.

5. NOT LATER THAN THE FIRST OF JANUARY FOLLOWING THE EFFECTIVE DATE OF THIS SECTION, THE SPEAKER OF THE ASSEMBLY AND TEMPORARY PRESIDENT OF THE SENATE SHALL ALLOCATE TO EACH MEMBER OF THE LEGISLATURE HIS OR HER STAFF ALLOCATION PURSUANT TO THIS SECTION.

6. THERE SHALL BE A CENTRALIZED RESEARCH SERVICE FOR THE SENATE AND ASSEMBLY BASED ON ASSIGNED AREAS OF RESEARCH AND EXPERTISE WHICH SHALL BE JOINTLY ADMINISTERED BY THE SECRETARY OF THE SENATE AND THE CLERK OF THE ASSEMBLY. INDIVIDUALS EMPLOYED BY SUCH CENTRALIZED RESEARCH SERVICE SHALL BE HIRED UPON THE UNANIMOUS RECOMMENDATION OF THE TEMPORARY PRESIDENT OF THE SENATE, MINORITY LEADER OF THE SENATE, SPEAKER OF THE ASSEMBLY AND THE MINORITY LEADER OF THE ASSEMBLY.

S 3. This act shall take effect immediately.