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

653

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. KAVANAGH -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the legislative law, in relation to creation of the non-partisan legislative budget office

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 article 4-B to read as follows:

ARTICLE 4-B

NON-PARTISAN LEGISLATIVE BUDGET OFFICE

SECTION 76. NON-PARTISAN LEGISLATIVE BUDGET OFFICE.

77. POWERS AND DUTIES OF THE OFFICE; REPORT.

S 76. NON-PARTISAN LEGISLATIVE BUDGET OFFICE. 1. FOR PURPOSES OF THIS ARTICLE:

A. "OFFICE" MEANS THE NON-PARTISAN LEGISLATIVE BUDGET OFFICE ESTABLISHED IN THIS ARTICLE; AND

B. "DIRECTOR" MEANS THE DIRECTOR OF THE NON-PARTISAN LEGISLATIVE BUDGET OFFICE.

2. THERE IS HEREBY CREATED A NON-PARTISAN LEGISLATIVE BUDGET OFFICE. THE HEAD OF SUCH OFFICE SHALL BE THE DIRECTOR WHO SHALL BE APPOINTED BY A JOINT RESOLUTION OF THE SENATE AND ASSEMBLY FOR A TERM OF SEVEN YEARS. THE DIRECTOR SHALL HOLD NO OTHER PUBLIC OFFICE WHILE SERVING AS THE DIRECTOR. THE DIRECTOR SHALL RECEIVE SUCH COMPENSATION AS MAY BE FIXED BY THE LEGISLATURE.

S 77. POWERS AND DUTIES OF THE OFFICE; REPORT. 1. THE OFFICE SHALL:

A. PROVIDE INFORMATION TO THE LEGISLATIVE COMMITTEES OF THE SENATE AND ASSEMBLY WITH RESPECT TO THE STATE BUDGET, APPROPRIATION BILLS AND OTHER BILLS PROVIDING BUDGET AUTHORITY OR TAX EXPENDITURES;

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

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B. EXAMINE AND REVIEW ALL FINANCIAL INFORMATION OF THE STATE FOR THE PURPOSE OF RENDERING REVENUE ESTIMATES USED IN DETERMINING WHETHER ANY PROPOSED STATE BUDGET IS BALANCED;

C. BE CHARGED WITH THE DUTY OF RENDERING ANTICIPATED REVENUE FORECAST REPORTS TO THE LEGISLATURE AND THE GOVERNOR FOR THE PURPOSES OF FACILITATING PASSAGE OF THE STATE BUDGET IN A TIMELY MANNER; AND

D. PROVIDE ASSISTANCE IN DETERMINING THE FISCAL IMPACT OF PROPOSED LEGISLATION.

2. THE DIRECTOR MAY APPOINT BUDGET ANALYSTS, ASSISTANTS AND SUCH OTHER EMPLOYEES AS HE OR SHE MAY DEEM NECESSARY OR DESIRABLE, PRESCRIBE SUCH EMPLOYEE'S DUTIES AND FIX SUCH EMPLOYEE'S COMPENSATION WITHIN THE AMOUNTS APPROPRIATED AND MADE AVAILABLE THEREFOR. THE DIRECTOR MAY REQUEST AND SHALL RECEIVE FROM ALL PUBLIC OFFICERS, DEPARTMENTS, AGENCIES AND AUTHORITIES OF THE STATE AND ITS POLITICAL SUBDIVISIONS, SUCH ASSISTANCE AND DATA AS SHALL BE NECESSARY TO PROJECT ANTICIPATED STATE REVENUES FOR BUDGETARY PURPOSES.

3. THE OFFICE SHALL SUBMIT A REPORT TO THE TEMPORARY PRESIDENT OF THE SENATE AND THE SPEAKER OF THE ASSEMBLY WHICH SHALL INCLUDE:

A. DOCUMENTATION OF FISCAL POLICIES OF THE STATE, INCLUDING BUDGET AUTHORITY;

B. WRITTEN ESTIMATES OF ANTICIPATED STATE REVENUES FOR BUDGETARY PURPOSES;

C. PROJECTED ECONOMIC FACTORS AND FORECASTS; AND

D. SUMMARIZATION OF THE BUDGET PROPOSED BY THE GOVERNOR PURSUANT TO ARTICLE SEVEN OF THE CONSTITUTION.

SUCH REPORT SHALL BE SUBMITTED ON THE FIRST OF MARCH EACH YEAR FOR THE NEXT SUCCEEDING FISCAL YEAR. AFTER SUBMISSION TO THE TEMPORARY PRESIDENT OF THE SENATE AND THE SPEAKER OF THE ASSEMBLY, SUCH REPORT SHALL BE MADE AVAILABLE TO THE PUBLIC, UPON REQUEST.

S 2. This act shall take effect immediately.