

2011-2012 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 5, 2011

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 ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. The legislative law is amended by adding a new section 7-h
2 to read as follows:
3 S 7-H. LEGISLATIVE RESEARCH SERVICE. 1. THERE SHALL HEREBY BE ESTAB-
4 LISHED A NEW YORK STATE LEGISLATIVE RESEARCH SERVICE. IT SHALL BE THE
5 DUTY OF THE LEGISLATIVE RESEARCH SERVICE, WITHOUT PARTISAN BIAS TO:
6 (A) UPON REQUEST, ADVISE AND ASSIST ANY COMMITTEE OF THE LEGISLATURE
7 IN THE ANALYSIS, APPRAISAL, AND EVALUATION OF LEGISLATIVE PROPOSALS
8 WITHIN SUCH COMMITTEE'S JURISDICTION, OR OF ANY RECOMMENDATIONS SUBMIT-
9 TED TO THE LEGISLATURE BY THE GOVERNOR OR ANY EXECUTIVE AGENCY, SO AS TO
10 ASSIST THE COMMITTEE IN:
11 (I) DETERMINING THE ADVISABILITY OF ENACTING SUCH PROPOSALS;
12 (II) ESTIMATING THE PROBABLE RESULTS OF SUCH PROPOSALS AND ALTERNA-
13 TIVES THERETO; AND
14 (III) EVALUATING ALTERNATIVE METHODS FOR ACCOMPLISHING THOSE RESULTS;
15 AND, BY PROVIDING SUCH OTHER RESEARCH AND ANALYTICAL SERVICES AS THE
16 COMMITTEE CONSIDERS APPROPRIATE FOR THESE PURPOSES, OTHERWISE TO ASSIST
17 IN FURNISHING A BASIS FOR THE PROPER EVALUATION AND DETERMINATION OF
18 LEGISLATIVE PROPOSALS AND RECOMMENDATIONS GENERALLY; AND IN THE PERFORM-
19 ANCE OF THIS DUTY THE SERVICE SHALL HAVE AUTHORITY, WHEN SO AUTHORIZED
20 BY A COMMITTEE AND ACTING AS THE AGENT OF THAT COMMITTEE, TO REQUEST OF
21 ANY DEPARTMENT OR AGENCY OF THE STATE THE PRODUCTION OF SUCH BOOKS,
22 RECORDS, CORRESPONDENCE, MEMORANDA, PAPERS AND DOCUMENTS AS THE SERVICE
23 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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1 COMPLY WITH SUCH REQUEST; AND FURTHER IN THE PERFORMANCE OF THIS AND ANY
2 OTHER RELEVANT DUTY, THE SERVICE SHALL MAINTAIN CONTINUOUS LIAISON WITH
3 ALL COMMITTEES;

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

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

11 (D) UPON REQUEST, OR UPON ITS OWN INITIATIVE IN ANTICIPATION OF
12 REQUESTS, PREPARE AND PROVIDE INFORMATION, RESEARCH, AND REFERENCE MATE-
13 RIALS AND SERVICES TO COMMITTEES AND MEMBERS OF THE LEGISLATURE TO
14 ASSIST THEM IN LEGISLATIVE FUNCTIONS;

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

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

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

31 (H) DEVELOP AND MAINTAIN AN INFORMATION AND RESEARCH CAPABILITY TO
32 INCLUDE SENIOR SPECIALISTS, SPECIALISTS, OTHER EMPLOYEES AND CONSULT-
33 ANTS, AS NECESSARY, TO PERFORM THE FUNCTIONS PROVIDED FOR IN THIS SUBDI-
34 VISION.

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

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

42 (A) AGING;

43 (B) AGRICULTURE;

44 (C) ALCOHOLISM AND DRUG ABUSE;

45 (D) CONSUMER AFFAIRS AND PROTECTION;

46 (E) CRIME VICTIMS AND CORRECTIONS;

47 (F) ECONOMIC DEVELOPMENT AND JOB CREATION;

48 (G) EDUCATION;

49 (H) ENGINEERING AND PUBLIC WORKS;

50 (I) ENVIRONMENTAL CONSERVATION AND SUSTAINABILITY;

51 (J) GOVERNMENTAL OPERATIONS;

52 (K) HEALTH;

53 (L) HOUSING AND COMMUNITY DEVELOPMENT;

54 (M) INSURANCE;

55 (N) LABOR AND EMPLOYMENT;

56 (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.