

7956

2015-2016 Regular Sessions

I N A S S E M B L Y

June 2, 2015

Introduced by M. of A. RA -- 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 office of policy research and analysis

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 article 4-B
2 to read as follows:

3 ARTICLE 4-B

4 NON-PARTISAN OFFICE OF POLICY RESEARCH AND ANALYSIS

5 SECTION 76. NON-PARTISAN OFFICE OF POLICY RESEARCH AND ANALYSIS.

6 77. POWERS AND DUTIES OF THE OFFICE; REPORT.

7 S 76. NON-PARTISAN OFFICE OF POLICY RESEARCH AND ANALYSIS. 1. FOR
8 PURPOSES OF THIS ARTICLE:

9 A. "OFFICE" MEANS THE NON-PARTISAN OFFICE OF POLICY RESEARCH AND ANAL-
10 YSIS ESTABLISHED IN THIS ARTICLE; AND

11 B. "DIRECTOR" MEANS THE DIRECTOR OF THE NON-PARTISAN OFFICE OF POLICY
12 RESEARCH AND ANALYSIS;

13 C. "SUPER-MAJORITY VOTE" MEANS A VOTE REQUIRING TWO-THIRDS OF THE
14 MEMBERS ELECTED TO EACH BRANCH OF THE LEGISLATURE.

15 2. THERE IS HEREBY CREATED A NON-PARTISAN OFFICE OF POLICY RESEARCH
16 AND ANALYSIS. THE HEAD OF SUCH OFFICE SHALL BE THE DIRECTOR WHO SHALL
17 BE APPOINTED BY A JOINT RESOLUTION REQUIRING A SUPER-MAJORITY VOTE OF
18 BOTH THE SENATE AND ASSEMBLY FOR A TERM OF SEVEN YEARS. THE TEMPORARY
19 PRESIDENT OF THE SENATE AND SPEAKER OF THE ASSEMBLY, IN CONSULTATION
20 WITH THE SENATE MINORITY LEADER AND ASSEMBLY MINORITY LEADER SHALL REACH
21 A CONSENSUS ON A CANDIDATE FOR THE DIRECTOR POSITION ON WHICH THE SENATE
22 AND ASSEMBLY SHALL VOTE. THE DIRECTOR OF THE OFFICE SHALL BE APPOINTED
23 WITHOUT REGARD TO POLITICAL AFFILIATION AND SOLELY ON THE BASIS OF
24 FITNESS TO PERFORM THE DUTIES ASSIGNED BY THIS ARTICLE.

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

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1 3. A DEPUTY DIRECTOR SHALL BE APPOINTED BY THE DIRECTOR. ANY INDIVID-
2 UAL APPOINTED AS DIRECTOR TO FILL A VACANCY PRIOR TO THE EXPIRATION OF A
3 TERM SHALL SERVE ONLY FOR THE UNEXPIRED PORTION OF THAT TERM. ANY INDI-
4 VIDUAL SERVING AS DIRECTOR AT THE EXPIRATION OF THE TERM MAY CONTINUE TO
5 SERVE UNTIL HIS OR HER SUCCESSOR IS APPOINTED. ANY DEPUTY DIRECTOR
6 SHALL SERVE UNTIL THE EXPIRATION OF THE TERM OF OFFICE OF THE DIRECTOR
7 WHO APPOINTED HIM OR HER, AND UNTIL HIS OR HER SUCCESSOR IS APPOINTED,
8 UNLESS SOONER REMOVED BY THE DIRECTOR.

9 4. THE DIRECTOR SHALL HOLD NO OTHER PUBLIC OFFICE WHILE SERVING AS
10 THE DIRECTOR. THE DIRECTOR SHALL RECEIVE SUCH COMPENSATION AS MAY BE
11 FIXED BY THE LEGISLATURE.

12 5. THE DIRECTOR MAY BE REMOVED BY EITHER THE ASSEMBLY OR THE SENATE BY
13 RESOLUTION REQUIRING A TWO-THIRDS VOTE OF THE MEMBERS ELECTED TO EITHER
14 BRANCH OF THE LEGISLATURE.

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

16 A. PROVIDE ASSISTANCE IN DETERMINING THE IMPACT OF PROPOSED LEGIS-
17 LATION OR CURRENT POLICY AT THE REQUEST OF A MEMBER OF THE SENATE AND
18 ASSEMBLY;

19 B. PROVIDE CONFIDENTIAL MEMORANDA, BRIEFINGS AND CONSULTATIONS ON
20 CURRENT POLICY, PROPOSED LEGISLATION, AND OTHER POLICY ISSUES FACING THE
21 STATE TO SENATE AND ASSEMBLY MEMBERS UPON REQUEST;

22 C. DELIVER EXPERT TESTIMONY AND IDENTIFY PROSPECTIVE SPEAKERS FOR
23 HEARINGS HELD BY SENATE AND ASSEMBLY COMMITTEES;

24 D. HOLD SEMINARS AND WORKSHOPS ON POLICY ISSUES, THE LEGISLATIVE PROC-
25 ESS, AND OTHER TOPICS UPON REQUEST OF MEMBERS OF THE SENATE AND ASSEMBLY
26 OR AT THE DISCRETION OF THE DIRECTOR OF THE OFFICE;

27 E. IDENTIFY PERTINENT SOURCE MATERIALS ON STATE POLICY ISSUES UPON
28 REQUESTS OF MEMBERS OF THE SENATE AND ASSEMBLY; AND

29 F. CONDUCT LONG-TERM ANALYSIS AND RESEARCH PROJECTS ON STATE POLICY
30 ISSUES AT THE DISCRETION OF THE DIRECTOR OR UPON THE REQUEST OF THE
31 MEMBERS OF THE ASSEMBLY AND SENATE.

32 2. THE DIRECTOR MAY APPOINT ANALYSTS, ASSISTANTS AND SUCH OTHER
33 EMPLOYEES AS HE OR SHE MAY DEEM NECESSARY OR DESIRABLE, PRESCRIBE SUCH
34 EMPLOYEE'S DUTIES AND FIX SUCH EMPLOYEE'S COMPENSATION WITHIN THE
35 AMOUNTS APPROPRIATED AND MADE AVAILABLE THEREFOR.

36 3. A. THE OFFICE SHALL SUBMIT A REPORT TO THE TEMPORARY PRESIDENT OF
37 THE SENATE, SENATE MINORITY LEADER, THE SPEAKER OF THE ASSEMBLY AND
38 ASSEMBLY MINORITY LEADER, WHICH SHALL INCLUDE INFORMATION ON REQUESTS
39 RECEIVED, SERVICES PROVIDED AND A DESCRIPTION OF ALL NON-CONFIDENTIAL
40 PRODUCTS PRODUCED BY THE OFFICE.

41 B. SUCH REPORT SHALL BE SUBMITTED ON THE FIRST OF MARCH EACH YEAR FOR
42 THE NEXT SUCCEEDING FISCAL YEAR. AFTER SUBMISSION TO THE TEMPORARY PRES-
43 IDENT OF THE SENATE, SENATE MINORITY LEADER, THE SPEAKER OF THE ASSEMBLY
44 AND ASSEMBLY MINORITY LEADER, SUCH REPORT SHALL BE MADE AVAILABLE TO THE
45 PUBLIC, UPON REQUEST.

46 4. A. THE OFFICE SHALL BE FUNDED FROM LEGISLATIVE APPROPRIATIONS
47 PROVIDED ANNUALLY, WITH EQUAL ALLOCATIONS PROVIDED BY THE SENATE AND THE
48 ASSEMBLY AS EACH HOUSE DEEMS APPROPRIATE.

49 B. THE DIRECTOR MAY PROCURE, WITHIN THE AMOUNTS APPROPRIATED AND MADE
50 AVAILABLE THEREFOR, UP-TO-DATE COMPUTER EQUIPMENT, OBTAIN THE SERVICES
51 OF EXPERTS AND CONSULTANTS IN COMPUTER TECHNOLOGY.

52 S 2. Section 30 of the legislative law, as amended by chapter 766 of
53 the laws of 2005, is amended to read as follows:

54 S 30. Duties of finance and ways and means committees and secretaries
55 AND OF THE NON-PARTISAN OFFICE OF POLICY RESEARCH AND ANALYSIS AND ITS
56 DIRECTOR. The committees and their secretaries AND OF THE NON-PARTISAN

1 OFFICE OF POLICY RESEARCH AND ANALYSIS AND ITS DIRECTOR shall have
2 access at all reasonable times to offices of state departments, commis-
3 sions, boards, bureaus and offices, to institutions and to all state
4 authorities and public works of the state and they may, for the purpose
5 of obtaining information as to the method of operation, general condi-
6 tion, management and needs thereof, examine the books, papers and public
7 records therein. Notwithstanding any other provision of law such state
8 departments, commissions, boards, bureaus, offices, state authorities
9 and institutions shall through their proper officers or deputies furnish
10 to such committees AND THE NON-PARTISAN OFFICE OF POLICY RESEARCH AND
11 ANALYSIS such data, information or statements as may be necessary for
12 the proper exercise of their powers and duties and for the purpose of
13 carrying into effect the provisions of this article. The finance and
14 ways and means committee in exercising the powers and performing the
15 duties prescribed by this article may act jointly, or separately, as
16 they deem advisable.
17 S 3. This act shall take effect immediately.