# STATE OF NEW YORK

4127

2019-2020 Regular Sessions

# IN ASSEMBLY

February 1, 2019

Introduced by M. of A. RA, McDONOUGH, BARCLAY, FRIEND, PALMESANO, GIGLIO, RAIA, BRABENEC, SMITH, MIKULIN -- Multi-Sponsored by -- M. of A. CROUCH, DiPIETRO, M. L. MILLER, SIMON -- 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 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 OFFICE OF POLICY RESEARCH AND ANALYSIS**

**Section 76. Non-partisan office of policy research and analysis.**
**77. Powers and duties of the office; report.**

**§ 76. Non-partisan office of policy research and analysis. 1. For purposes of this article:**

**a. "Office" means the non-partisan office of policy research and analysis established in this article; and**

**b. "Director" means the director of the non-partisan office of policy research and analysis;**

**c. "Super-majority vote" means a vote requiring two-thirds of the members elected to each branch of the legislature.**

**2. There is hereby created a non-partisan office of policy research and analysis. The head of such office shall be the director who shall be appointed by a joint resolution requiring a super-majority vote of both the senate and assembly for a term of seven years. The temporary president of the senate and speaker of the assembly, in consultation with the senate minority leader and assembly minority leader shall reach a consensus on a candidate for the director position on which the senate and assembly shall vote. The director of the office shall be appointed**

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

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without regard to political affiliation and solely on the basis of fitness to perform the duties assigned by this article.

3. A deputy director shall be appointed by the director. Any individual appointed as director to fill a vacancy prior to the expiration of a term shall serve only for the unexpired portion of that term. Any individual serving as director at the expiration of the term may continue to serve until his or her successor is appointed. Any deputy director shall serve until the expiration of the term of office of the director who appointed him or her, and until his or her successor is appointed, unless sooner removed by the director.

4. 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.

5. The director may be removed by either the assembly or the senate by resolution requiring a two-thirds vote of the members elected to either branch of the legislature.

§ 77. Powers and duties of the office; report. 1. The office shall:

a. provide assistance in determining the impact of proposed legislation or current policy at the request of a member of the senate and assembly;

b. provide confidential memoranda, briefings and consultations on current policy, proposed legislation, and other policy issues facing the state to senate and assembly members upon request;

c. deliver expert testimony and identify prospective speakers for hearings held by senate and assembly committees;

d. hold seminars and workshops on policy issues, the legislative process, and other topics upon request of members of the senate and assembly or at the discretion of the director of the office;

e. identify pertinent source materials on state policy issues upon requests of members of the senate and assembly; and

f. conduct long-term analysis and research projects on state policy issues at the discretion of the director or upon the request of the members of the assembly and senate.

2. The director may appoint 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.

3. a. The office shall submit a report to the temporary president of the senate, senate minority leader, the speaker of the assembly and assembly minority leader, which shall include information on requests received, services provided and a description of all non-confidential products produced by the office.

b. 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, senate minority leader, the speaker of the assembly and assembly minority leader, such report shall be made available to the public, upon request.

4. a. The office shall be funded from legislative appropriations provided annually, with equal allocations provided by the senate and the assembly as each house deems appropriate.

b. The director may procure, within the amounts appropriated and made available therefor, up-to-date computer equipment, obtain the services of experts and consultants in computer technology.

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

§ 30. Duties of finance and ways and means committees and secretaries **and of the non-partisan office of policy research and analysis and its director**. The committees and their secretaries **and of the non-partisan office of policy research and analysis and its director** shall have access at all reasonable times to offices of state departments, commissions, boards, bureaus and offices, to institutions and to all state authorities and public works of the state and they may, for the purpose of obtaining information as to the method of operation, general condition, management and needs thereof, examine the books, papers and public records therein. Notwithstanding any other provision of law such state departments, commissions, boards, bureaus, offices, state authorities and institutions shall through their proper officers or deputies furnish to such committees **and the non-partisan office of policy research and analysis** such data, information or statements as may be necessary for the proper exercise of their powers and duties and for the purpose of carrying into effect the provisions of this article. The finance and ways and means committee in exercising the powers and performing the duties prescribed by this article may act jointly, or separately, as they deem advisable.

§ 3. This act shall take effect immediately.