

CACF

**NAVIGATING
NEW YORK
GOVERNMENT**

**CITY
AND
STATE**

INTRODUCTION

The Coalition for Asian American Children and Families (CACF) was first established to advocate for the issues that directly affected our most marginalized New Yorkers, including the fight to ensure more accessible and transparent government systems. For too long have our communities been neglected and obscured from the functionalities and processes that will ultimately affect the day to day lives of Asian American and Pacific Islander (AAPI) New Yorkers.

With this asset, we outline basic governmental terminology and the processes of the legislative and fiscal cycles on both the city and state levels.

As we work to unite and ground our diaspora in solidarity, we work to build a powerful collective of engaged advocates that will be rooted in intergenerational, transformative, liberational, and intersectional progress.

PURPOSE

To provide individuals, communities, and community based organizations the knowledge to best navigate New York City and State government systems. In creating this guide, we hope to ensure that each and every member of our community can develop a basic understanding of the infrastructure and processes that ultimately moves and affects quality of life.

The primary intent of this resource and asset is to make government more accessible to the AAPI Diaspora, as well as elevating our communities to become more informed advocates. and community members.

We hope that as we continue the fight to ensure our communities our heard through AAPI centered policy, advocacy, capacity building, and leadership, we lay foundations and build pathways to collectively shift power to the people.

NAVIGATING NEW YORK STATE GOVERNMENT

THE EXECUTIVE BRANCH

The Executive Branch is headed by the Governor, who is the State's Commander in Chief and Chief Executive.

The duties of the **Governor** include presiding over the State's National Guard, appointing Court Judges and other State Officials, and submitting a yearly budget to the Legislative Branch in which the Governor makes recommendations for legislation and appropriations of the funds to initiatives and departments.

The **Governor** must be 30 years old or older, and a resident of the State for at least five years. The Governor serves a four year term, with no term limit. The whole State votes for the **Governor**. When running for election, each **Governor** has a running mate on their ticket, who becomes the **Lieutenant Governor**.

The **Lieutenant Governor's** primary duty is to be the **President of the Senate** and cast a tie breaking vote. They also chair councils, and will take over the position of the **Governor** in case the previous **Governor** resigns, gets impeached, or dies in office.

As well as the Governor, the other positions in the Executive Branch are the State Comptroller and Attorney General. Both of these positions are elected at the same time as the Governor with the same stipulations of serving 4 year terms with no term limits.

The **New York State Comptroller** presides over the **Department of Audit and Control**, and is the chief fiscal officer for the State. One of the most important duties of the Comptroller is overseeing the **New York State Pension Fund** and the **New York State and Local Retirement System**. Other responsibilities include overseeing finances at both the State and local level, administering the State's payroll, reviewing State audits and payments, and managing the accounting system of the State.

The **Attorney General** presides over the **Department of Law**, and is the chief legal officer for the State. They administer legal action done on behalf of the State, and manage the legal affairs of **State Departments**.

The Executive Branch consists of different Agencies, Authorities, Departments, and Divisions, etc. These entities specialize in different tasks, which assists in the management of the State and allows for easier contact for citizens.

A list of Agencies can be found here: <https://www.ny.gov/agencies>

The interactions between the Executive Branch and Legislative Branch are seen in the budget, and law making processes, as well as with Governor appointments.

The Governor's budget must be approved by both houses of the Legislature, and in the lawmaking process the Governor must approve or veto any proposed bill from the Legislature. With the latter, a supermajority from both houses of the Legislature can override a veto. The Legislature, specifically the Senate also confirms or denies appointments from the Governor after a hearing. In this respect, the relationship between the two branches can be defined as one of checks and balances.

THE JUDICIAL BRANCH

The Judicial Branch is the body of government that analyzes laws passed by the Legislative Branch.

When analyzing the laws, the Judiciary makes sense of their application within situations, as well as looking at the constitutionality of the laws. Constitutionality in this sense is examining the purpose and rhetoric of the law, relative to the laws set forth in the New York State constitution.

For more information on the Judicial Branch, visit: [The Courts – NYCOURTS.GOV – New York State Unified Court System](https://www.nycourts.gov)

THE LEGISLATIVE BRANCH

The Legislative Branch is tasked with creating laws for New York State, and serving as a check to the Governor and the Executive Branch.

The **Legislature** is bicameral, meaning that it is made up of two distinct houses; the **Assembly**, and **State Senate**. For any law to pass, it must pass both of these houses. Members of the Assembly and Senators must have lived in the State for at least five years, and live in their district for at least one year. Each Senator and Assembly member represents a district, with Senate districts and Assembly districts being different.

In order to locate your district, visit <https://www.elections.ny.gov/district-map.html> and

The Senate is the upper house of the legislature. It is currently made up of 63 Senators. 32 seats are needed for a majority. Senators are elected to 2 year terms with no term limits. The **Lieutenant Governor** is the **President of the Senate**, this position is primarily ceremonial and the main duty of the **Lieutenant Governor** in the **Senate** is to cast a tie breaking vote. The Senate also elects their own **Temporary President** or **Majority Leader**.

The **Majority Leader** serves a two year term and usually comes from the party that has a majority. The **Majority Leader** sets the fiscal and legislative agenda for the Senate, and assigns Senators to committees. As the upper-house, there are some duties that specifically the Senate has. The **Senate** confirms any appointments of the **Governor** for positions such as **Court Judges**, and **State Officials**.

The Assembly is the lower house of the legislature. It is currently made up of 150 Assembly Members. 76 seats are needed for a majority. Assembly Members are elected for 2 year terms. The Assembly is led by the Speaker, who is chosen within the Assembly for a 2 year term.

The **Speaker's** job is similar to that of the **Majority Leader** in the **Senate**, setting fiscal and legislative agendas, and assigning members to committees.

Both houses have the power to override a veto from the **Governor**. For a veto to be overridden, both houses must have a $\frac{2}{3}$ supermajority vote in favor of overriding the veto.

THE NEW YORK STATE LEGISLATIVE PROCESS

The New York State legislative process begins initially with the idea for a bill. The idea for a bill can either come from a member of the State Senate or Assembly, or it could come from an interest group, State agencies, or the Governor.

When the idea for a bill is created, the drafting process for the bill begins. Drafting is usually done by the **Legislative Bill Drafting Commission**, especially if the idea for the bill comes from a member of the **Legislature**. The **Legislative Bill Drafting Commission** is an agency that assists the **State Legislature** by drafting bills and legislation, conducting research, and managing documents. As mentioned previously; **interest groups, State Agencies**, and the **Governor** can also create an idea for a bill, if this is the case then these groups tend to draft a bill through their own legal teams.

Once a draft for a bill is made, it has to be introduced in the **Assembly** and **Senate** by a sponsor. A bill needs to pass through both houses of the Legislature to become law, and as such it needs a sponsor in both the **Assembly** and **Senate**. A sponsor can be acquired in numerous ways, either through communication between members of each house, or through petitioning of Senators and **Assemblymembers** from people in their district or from the originator of the bill (interest group, State Agency, or the Governor).

From this sponsorship and introduction, a bill is sent to the **Introduction and Revision Office**, an office tasked with revising the language of the bill and giving it a number. The bill is given a number for the **Assembly** and the **Senate**, as each house will discuss the bill separately.

The Legislative session is from January to June, and is when the actual legislative process occurs. Legislators from both houses will split their time between Albany and their district at this time.

The Legislature is out of session from outside of this timeslot, and the Legislators are in their districts fully at this time.

Bills are first discussed in each house through committees. Each house has their own committees, and members of the committee are assigned by the Speaker of the Assembly, or the Senate Majority Leader. Based on the purpose of the bill, it will be assigned to the appropriate committee. Committees hold public sessions to receive feedback and testimonies on the bill, from here they can approve it, or reject it.

A bill rejected by the committee must be reintroduced the next session. The purpose of committees is for the large number of bills to be easier discussed, as only some bills make it past the committee stage. After being approved by the committees, they send it to their respective house. A bill goes through a 3 day process; the first 2 days allow the members of the Assembly or Senate to understand the bill, and on the 3rd day the bill is debated. On the 3rd day, each respective house can either approve or reject the bill, but to pass the bill needs to be approved by both.

A bill can be passed through a simple majority. If a bill is rejected by either of the houses, or both of them, it must be reintroduced next session. Keep in mind that this process can happen at different speeds for each house, for example the Senate could've already approved a bill meanwhile that same bill could still be in committee in the Assembly, this process takes time.

An approved bill is sent to the Governor. The Governor has 10 days, excluding Sundays, to either approve or veto the bill. If the bill is vetoed, then it is sent back to both houses where the veto can be overturned through a $\frac{2}{3}$ supermajority in both. If the veto is overridden, or if the bill is signed by the Governor, then it becomes law.

THE NEW YORK STATE BUDGET CYCLE

The State Budget Process lasts from August to April of the following year. From August to October, the Budget Director, who is appointed by the Governor, notified the different State agencies of the Budget Process.

Each agency presents a package detailing their recommendations for the budget, which is sent to the **Budget Director** and the **Division of the Budget**. By December, the **Division of the Budget** should compile the recommendations to the **Governor**. These recommendations are used by the Governor to create the preliminary budget, a process that occurs from November to January.

This is similar to the preliminary budget of the City, in which the **Governor** sets the agenda of the budget, but also with assistance with the recommendations from the **Division of the Budget**.

The **Legislature** through each house's committees, those being the Senate Finance committee and the **Assembly Ways and Means Committee**, analyze and hold public hearings on the **Governor's preliminary budget**. Through this process, individuals, activists, and lobbyists have the opportunity to discuss their concerns. Members of the legislature also hold forums on the budget in their districts.

By March, both houses use the information they've gained from their analyses and hearings to convene separately and then later together, in order to reach a consensus on proposed changes to the preliminary budget. This consensus in March also marks the beginning of negotiations between the Legislature and the Governor.

When the negotiations are complete and the Legislature and the Governor are in agreement, the Governor can sign off on the amended budget, leading it to become the Enacted Budget, or the official state budget for that fiscal year starting in April. The Division of the Budget will release a report detailing the Enacted Budget.

NAVIGATING NEW YORK CITY GOVERNMENT

THE EXECUTIVE BRANCH

The Mayor of the City of New York is the chief executive officer of the city.

The primary responsibilities of the Mayor include, but are not limited to, setting the initial budget and thus agenda for the City during their term, along with appointing Deputy Mayors and heads of agencies for the purpose of carrying out policies. The Mayor is elected in a city wide election and serves a term of 4 years, with a term limit of 2 years.

Departments, or Agencies, of the City, provide and oversee different essential services. Departments are headed by Commissioners, who are appointed by the Mayor. Examples of Departments are the Department of Transportation (DOT), and the Fire Department of New York (FDNY).

A full list of departments, and their respective commissioners, can be found here:

<https://www.nyc.gov/office-of-the-mayor/admin-officials.page>

THE LEGISLATIVE BRANCH

The New York City Council is the main legislative body of New York City.

The **City Council** votes on legislation, approves the budget, regulates land use, monitors agencies, and serves as a check on the authority of the **Mayor of New York**. The **City Council** is made up of **51 Councilmembers**, each representing a district, who take part in the activities of the Council and vote on decisions. Council Members are elected in district wide elections and serve for 4 year terms with a 2 term limit (8 consecutive years).

To locate your district and council member, visit this website: <https://council.nyc.gov/districts/>

The head of **City Council** is the **Speaker**, who is elected by the **City Council** and has the responsibility of setting the legislative and fiscal priorities for the year. The **Speaker** tends to be from the party that has a majority in the **City Council**.

The New York City Comptroller is the City's chief financial officer. The **Comptroller** manages and audits the finances of the City and City agencies, as well as informing the **Mayor** and **City Council** on financial matters of the City. The **Comptroller** also manages 5 public pension funds of the City. **The Comptroller** is elected in a city wide election, serving a term of 4 years with a term limit of 2.

The Borough Presidents are executive officers representing each Borough. They advise the **Mayor** in many ways, particularly within the budget process as they represent the needs and priorities of their Borough throughout the affair. The **Borough presidents** also interact with the **Mayor's office** when dealing with land use issues in their Borough, as well as assisting in managing city planning and city services in their Borough. The **Borough President** is elected in a Borough-wide election, serving a term of four years with a term limit of two.

The Public Advocate acts as a watchdog over City services and activities, analyzing how such services and activities affect average New Yorkers. The **Public Advocate** works closely with New Yorkers by investigating claims and problems they have with City services, and relaying calls for changes to departments that are being confronted. The **Public Advocate** is elected in a city-wide election, serving a term of four years with a term limit of two.

The District Attorneys act as the top prosecutor in regards to criminal cases for the Borough they represent. District Attorneys hold power in choosing what cases can get prosecuted, how a case gets prosecuted, and how plea bargains and bail function. The **District Attorneys** serve a term of four years with no term limit. Each borough elects their own District Attorney.

The Chancellor of Education is a position appointed by the Mayor, and serves as the chief executive of the Department of Education. The Chancellor overlooks the Department's tasks and also oversees the management of the New York City public school system. The **Chancellor** serves for a term of four years, and the position can be renewed by the **Mayor** if they choose.

THE NEW YORK CITY LEGISLATIVE PROCESS

The New York City legislative process begins with a bill being filed by either a City Councilmember or the Mayor.

If done through the latter, a **City Councilmember** still has to sponsor the bill, which is coordinated through the **City Council Speaker**. The bill is then introduced in what is called a stated meeting, a meeting which serves the purpose of discussing legislation. In the stated meeting the bill is introduced and assigning it to the proper committees.

The assigned committee will hold a public hearing on the bill which results in amendments from the given feedback and testimonies. From here the committee votes on the bill, and if the bill is passed through a majority, it gets sent before the whole **City Council** who then vote. The purpose of the committees is to allow a large number of bills to be processed and heard, and from that large number a few bills are brought before the **City Council**.

A list of all committees can be found here <https://council.nyc.gov/committees/>.

If the **City Council** votes no, then the bill is reintroduced in the next stated meeting to try again, but if the **City Council** votes yes through a simple majority the bill gets sent to the **Mayor**. The **Mayor** has a 30-day window to do three options; sign the bill, veto the bill, or do nothing. If the Mayor signs the bill then it gets turned into law. If the **Mayor** vetoes the bill, then the **City Council** has an opportunity to override the veto with a $\frac{2}{3}$ super majority.

If the **Mayor's** 30-day window has passed and they don't sign the bill, or don't veto the bill, then the bill passes and becomes a law by default. Laws are added to the **New York City Charter or Administrative Code**.

THE NEW YORK CITY BUDGET CYCLE

The City Budget Process lasts from January–July, and begins with the Mayor. One of the primary duties of the Mayor is to set the preliminary budget for the City in January.

The **preliminary budget** acts as an outline of what the **Mayor** seeks to prioritize in the budget.

The **City Council** is then tasked with working with this preliminary budget from March to April. The **City Council** analyzes the budget, and holds public hearings to hear out concerns from citizens, advocates, and City agencies. The **City Council** will then release an official preliminary budget response based on their analysis and the hearings. This response details the concerns brought up by individuals, as well ways of amending them.

The **Mayor** will use the response to then set the **Executive Budget**, an amended version of the preliminary budget based on the concerns of **City Council**. **City Council** will then analyze this **Executive Budget** and hold another round of hearings, to get an informed opinion on how the **Executive Budget** reflected the changes they requested.

From May to June, the Mayor and City Council negotiate the Executive Budget in order to create the Adopted Budget, which would be the official budget for the City. The agreement must be reached by the deadline of July 1st, the end of the City Budget Process.