

Proposed Policy Regarding the Forecast Office's Work for the Legislative and Executive Branches

October 17, 2023

Office of Economic and Revenue Forecasts

Why is Such a Policy Needed?

- The Forecast Office’s enabling legislation anticipates that the Office will “provide ad hoc analytical support on economic and revenue estimation for legislative and executive staff . . .”, with the expectation that this work could be conducted in confidence from the other branch.
- The Forecast Office’s effectiveness depends on both branches maintaining complete trust in the integrity of the Office’s work. Accordingly, the Office cannot afford any perception that the is somehow favoring one branch at the expense of the other.
- If there are is not a clear, mutual understanding of when and how analyses done in confidence for one branch will be shared with the other, there is a risk of either branch being “surprised” by a policy proposal that relies upon the work of the Forecast Council. Such surprises, in turn, could undermine the trust and independence that are essential for protecting the value of the revenue forecasting work that is primary duty of the Forecast Office.

Key Points of Proposed Policy

1. **Public Disclosure Obligations.** No element of this policy supersedes the legal obligations of the Forecast Office under the State Public Records Act (nor could it).
2. **Working Materials.** If work completed by the Forecast Office is NOT used as part of policy proposal or cited publicly, the work can be held in confidence from the other branch. In other words, tasks that don't evolve beyond the research stage, do not have to be shared.
3. **Transparency about the Source of Information.** When part of any public proposal or discussion, the work of the Forecast Office must be directly attributed to the Office
4. **No Surprises.** If work completed by the Forecast Office IS to be used in support of a policy proposal, legislation, or cited as part of a public discussion or presentation, then the Forecast Office must be given an opportunity to brief the other branch in advance of any public release. The general standard for notice is to 2-3 business days, but the Forecast Office director has the discretion to determine when additional time is needed.
5. **Fiscal Notes – an Exception of Sorts.** If the work completed by the Forecast Office is to be used cited narrowly as part of Fiscal Note to document the revenue impacts of proposed legislation, then the Forecast Office is not required to notify the other branch in advance, but rather to be available immediately after the Fiscal Note is made public to provide any necessary explanation.
6. **Scope of What is to be Shared.** In sharing its analyses and results, the Forecast Office will provide the information needed to understand the methodology and results, and will not share legally privileged information except with those that share the privilege and will not share details of either branches policy deliberations, except as needed to document the work of the Forecast Office.



Next Steps: Proposed Procedure for Establishing this New Policy

1. Forecast Council approves policy
2. Forecast Office will post policy to our official website
3. Director will work with Central Staff and the City Budget Office to implement the approved policy

Questions?

