

10052--A

I N A S S E M B L Y

February 26, 2010

Introduced by M. of A. PAULIN, FIELDS, MAGNARELLI, ROBINSON, SCHROEDER, STIRPE, SPANO, REILLY, MAISEL, LUPARDO, LANCMAN, KOON, JAFFEE, GALEF, GABRYSZAK, DelMONTE, CHRISTENSEN, CASTRO, BOYLAND, TITUS -- Multi-Sponsored by -- M. of A. COOK, GLICK, GUNTHER, JOHN, MENG, SCHIMEL, SKARTADOS, SWEENEY, THIELE, WEISENBERG -- read once and referred to the Committee on Governmental Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the executive law, in relation to information on state boards

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. The executive law is amended by adding a new section 100-a  
2 to read as follows:

3 S 100-A. INFORMATION ON STATE BOARDS. 1. AS USED IN THIS SECTION  
4 "BOARD" MEANS ANY BOARD, COMMISSION, COMMITTEE, COUNCIL, TASK FORCE OR  
5 ANY SIMILAR STATE PUBLIC ORGANIZATION, REQUIRED TO BE ESTABLISHED PURSU-  
6 ANT TO STATE STATUTES OR EXECUTIVE ORDER, FOR THE EXERCISE OF ANY FUNC-  
7 TION OF STATE GOVERNMENT AND TO WHICH MEMBERS ARE APPOINTED OR ELECTED.  
8 "BOARD" DOES NOT INCLUDE:

9 A. ANY INFORMAL ADVISORY ORGANIZATION ESTABLISHED EXCLUSIVELY BY A  
10 STATE AGENCY TO ADVISE THE COMMISSIONER, SECRETARY, OR DIRECTOR OF THAT  
11 AGENCY ON AN INFORMAL BASIS;

12 B. ANY JOINT STANDING COMMITTEE OF THE LEGISLATURE OR ANY COMMITTEE OF  
13 THE ASSEMBLY AND/OR SENATE COMPOSED ENTIRELY OF MEMBERS OF THE LEGISLA-  
14 TURE;

15 C. ANY COURT;

16 D. THE BOARD OF TRUSTEES OF ANY INSTITUTION OF HIGHER EDUCATION FINAN-  
17 CIALY SUPPORTED IN WHOLE OR IN PART BY THE STATE;

18 E. ANY ENTITY OF LOCAL GOVERNMENT;

19 F. ANY PUBLIC AUTHORITY OR PUBLIC BENEFIT CORPORATION, A MAJORITY OF  
20 WHOSE MEMBERS ARE APPOINTED BY THE GOVERNOR OR SERVE AS MEMBERS BY  
21 VIRTUE OF HOLDING STATE OFFICES TO WHICH THEY WERE APPOINTED BY THE  
22 GOVERNOR, OR ANY COMBINATION THEREOF; AND

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

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1 G. ANY BOARD OF ELECTIONS.

2 2. THE SECRETARY OF STATE SHALL MAINTAIN A COMPILATION OF THE MEMBER-  
3 SHIP AND MEETING INFORMATION OF ALL STATE BOARDS, INCLUDING STATE BOARDS  
4 ESTABLISHED AFTER THE EFFECTIVE DATE OF THIS SECTION. THE SECRETARY OF  
5 STATE MUST KEEP SUCH INVENTORY IN A PUBLIC RECORD AVAILABLE FOR  
6 INSPECTION, AND UPDATED ANNUALLY ON THE DEPARTMENT OF STATE WEBSITE.  
7 SUCH COMPILATION SHALL INCLUDE, BUT NOT BE LIMITED TO:

8 A. STATUTORY LANGUAGE, EXECUTIVE ORDER OR OTHER LEGAL BASIS FOR THE  
9 ESTABLISHMENT OF SUCH BOARD;

10 B. PUBLIC INFORMATION INCLUDING DEPARTMENTAL AFFILIATION, CONTACT  
11 ADDRESS, PHONE NUMBER, AND WEBSITE;

12 C. A BRIEF DESCRIPTION OF THE PURPOSE OF THE BOARD AND ITS STATUTORILY  
13 REQUIRED DUTIES, INCLUDING REQUIRED REPORTS OR OTHER PRODUCTS;

14 D. THE SIZE OF BOARD MEMBERSHIP, CURRENT MEMBER NAMES, AND ANY QUALI-  
15 FICATIONS;

16 E. WHETHER MEMBERS OF A BOARD ARE ELIGIBLE FOR PAYMENT OF EXPENSES OR  
17 OTHER COMPENSATION IN THE PERFORMANCE OF THEIR DUTIES AS MEMBERS OF THAT  
18 BOARD;

19 F. DATES AND LOCATIONS OF ALL MEETINGS HELD, AND TO BE HELD WITHIN SIX  
20 MONTHS; AND

21 G. ANY OTHER INFORMATION THE SECRETARY OF STATE MAY REQUIRE.

22 3. THE SECRETARY OF STATE SHALL UPDATE ON AN ANNUAL BASIS BEGINNING  
23 APRIL FIRST, TWO THOUSAND TWELVE ON THE DEPARTMENT OF STATE WEBSITE, ALL  
24 VACANCIES, EXPIRED TERMS, THOSE TERMS EXPIRING WITHIN ONE YEAR, AND THE  
25 PROCESS FOR FILLING SUCH VACANCIES ON SUCH BOARDS.

26 4. EACH BOARD OR THE STATE AGENCY THAT PROVIDES ADMINISTRATIVE SUPPORT  
27 OR IS OTHERWISE AFFILIATED WITH A BOARD SHALL ANNUALLY ON OR BEFORE  
28 JANUARY FIRST, SUBMIT TO THE SECRETARY OF STATE ALL INFORMATION PURSUANT  
29 TO THIS SECTION IN A MANNER SPECIFIED BY THE SECRETARY OF STATE TO  
30 FACILITATE THE PUBLICATION REQUIREMENTS OF THIS SECTION. EACH  
31 SUBMISSION SHALL ALSO INCLUDE INFORMATION ON COMPENSATION AND EXPENSES  
32 INCURRED IN THE PRIOR AND CURRENT FISCAL YEARS, AS WELL AS PROJECTED  
33 COSTS FOR THE COMING FISCAL YEAR.

34 5. THE SECRETARY OF STATE SHALL RECEIVE FROM ANY DEPARTMENT, DIVISION,  
35 BOARD, BUREAU, COMMISSION OR OTHER AGENCY OF THE STATE ANY INFORMATION  
36 AND RESOURCES AS WILL ENABLE HIM OR HER TO PROPERLY CARRY OUT THE  
37 PURPOSES OF THIS SECTION.

38 6. ON OR BEFORE JUNE FIRST, TWO THOUSAND TWELVE, THE SECRETARY OF  
39 STATE SHALL REPORT TO THE GOVERNOR, THE SPEAKER OF THE ASSEMBLY, THE  
40 TEMPORARY PRESIDENT OF THE SENATE, THE CHAIR OF THE ASSEMBLY OVERSIGHT,  
41 ANALYSIS AND INVESTIGATION COMMITTEE AND THE CHAIR OF THE SENATE INVES-  
42 TIGATIONS AND GOVERNMENT OPERATIONS COMMITTEE ON THE STATUS OF THE  
43 INVENTORY INCLUDING BUT NOT LIMITED TO THE NUMBER OF BOARDS REPORTED AND  
44 VERIFIED; AND THE CONTENT AND COMPLETENESS OF THE INFORMATION GATHERED  
45 IN ACCORDANCE WITH THE REQUIREMENTS OF THIS SECTION. THE SECRETARY SHALL  
46 ALSO REPORT ON ANY IMPEDIMENTS TO OBTAINING INFORMATION.

47 S 2. This act shall take effect April 1, 2011.