

3939

2009-2010 Regular Sessions

I N S E N A T E

April 7, 2009

Introduced by Sen. OPPENHEIMER -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the legislative law, the state finance law and the public officers law, in relation to requiring disclosure of the manner in which public funds have been expended for personnel or property by the legislative and executive branches of state government

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

1 Section 1. Section 15 of the legislative law, as amended by chapter
2 118 of the laws of 1984, is amended to read as follows:
3 S 15. Duties of secretary and clerk. 1. The secretary of the senate
4 and the clerk of the assembly shall from time to time revise, and send
5 to the members of the legislature, the clerk's manual, and shall as soon
6 as practicable after the organization of the legislature, prepare a
7 directory of the members and elected officers, with their public office
8 addresses while in the city of Albany. Within the discretion of the
9 temporary president of the senate and the speaker of the assembly, such
10 directory may contain the names of other officers and employees of the
11 senate and assembly.
12 2. The respective secretary or clerk of each house shall, as soon as
13 practicable after the close of each session, prepare and deliver to the
14 legislative printer the indexes to the journals and bills of such house.
15 3. The respective secretary and clerk shall prepare a list of mailing
16 addresses of senators and members of the assembly which shall be submit-
17 ted to the state board of elections by February twentieth of each year.
18 4. A. COMMENCING WITH THE TWO THOUSAND TEN--TWO THOUSAND ELEVEN STATE
19 FISCAL YEAR AND FOR EACH QUARTERLY PERIOD THEREAFTER, COMMENCING WITH
20 THE QUARTERLY PERIOD BEGINNING APRIL FIRST, TWO THOUSAND ELEVEN AND
21 ENDING JUNE THIRTIETH, TWO THOUSAND ELEVEN, THE SECRETARY OF THE SENATE
22 AND THE CLERK OF THE ASSEMBLY SHALL SUBMIT TO THE TEMPORARY PRESIDENT OF

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

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1 THE SENATE, THE MINORITY LEADER OF THE SENATE, THE SPEAKER OF THE ASSEM-
2 BLY AND THE MINORITY LEADER OF THE ASSEMBLY AND MAKE AVAILABLE TO THE
3 PUBLIC, A REPORT CONTAINING A DETAILED STATEMENT OF THE MANNER IN WHICH
4 APPROPRIATIONS AND OTHER FUNDS AVAILABLE FOR DISBURSEMENT BY THE SECRE-
5 TARY OF THE SENATE OR THE CLERK OF THE ASSEMBLY, AS THE CASE MAY BE,
6 HAVE BEEN EXPENDED DURING THE PERIOD COVERED BY THE REPORT. SUCH REPORT
7 SHALL INCLUDE:

8 (I) THE NAME OF EVERY PERSON TO WHOM OR FOR WHOM ANY EXPENDITURE OR
9 DISBURSEMENT OF FUNDS HAS BEEN MADE;

10 (II) THE QUANTITY AND PRICE OF ANY ARTICLE FURNISHED FOR WHICH AN
11 EXPENDITURE OR DISBURSEMENT HAS BEEN MADE. FOR PURPOSES HEREOF THE TERM
12 "ARTICLE FURNISHED" SHALL MEAN AN ITEM FOR WHICH A DISBURSEMENT OR
13 EXPENDITURE HAS BEEN MADE OR FOR WHICH A LIABILITY HAS BEEN INCURRED AND
14 SHALL INCLUDE BUT NOT BE LIMITED TO THE PURCHASE, RENTAL OR LEASE OF
15 PROPERTY, REAL, PERSONAL OR OTHERWISE, TANGIBLE OR INTANGIBLE; AND

16 (III) THE NATURE OF THE SERVICES, THE PERIOD OF EMPLOYMENT, THE NAME
17 AND TITLE OF A PERSON, AND THE SPECIFIC AMOUNT PAID TO A PERSON WHERE
18 EXPENDITURES OR DISBURSEMENTS HAVE BEEN MADE FOR SERVICES RENDERED.

19 B. FOR THE TWO THOUSAND TEN--TWO THOUSAND ELEVEN STATE FISCAL YEAR,
20 SUCH REPORT SHALL BE SUBMITTED WITHIN SIXTY DAYS OF THE EFFECTIVE DATE
21 OF THIS SUBDIVISION, AND FOR EACH QUARTERLY PERIOD THEREAFTER, WITHIN
22 THIRTY DAYS OF THE END OF SUCH QUARTERLY PERIOD.

23 S 2. The legislative law is amended by adding a new section 13 to read
24 as follows:

25 S 13. QUARTERLY PERSONNEL STATEMENTS. 1. AS USED IN THIS SECTION THE
26 FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:

27 A. "WORK LOCATION" SHALL MEAN THE ROOM NUMBER, BUILDING AND CITY OR
28 TOWN IN WHICH SUCH INDIVIDUAL REGULARLY AND CUSTOMARILY PERFORMS HIS OR
29 HER WORK DUTIES.

30 B. "ARTICLE FURNISHED" SHALL MEAN AN ITEM FOR WHICH A DISBURSEMENT OR
31 EXPENDITURE HAS BEEN OR WILL BE MADE AND SHALL INCLUDE BUT NOT BE LIMIT-
32 ED TO THE PURCHASE, RENTAL OR LEASE OF PROPERTY, REAL, PERSONAL OR
33 OTHERWISE, TANGIBLE OR INTANGIBLE.

34 2. COMMENCING WITH THE TWO THOUSAND TEN--TWO THOUSAND ELEVEN STATE
35 FISCAL YEAR AND FOR EACH QUARTERLY PERIOD THEREAFTER COMMENCING WITH THE
36 QUARTERLY PERIOD BEGINNING APRIL FIRST, TWO THOUSAND ELEVEN AND ENDING
37 JUNE THIRTIETH, TWO THOUSAND ELEVEN, ANY PERSON HAVING THE POWER TO
38 CERTIFY VOUCHERS TO THE TEMPORARY PRESIDENT OF THE SENATE OR THE SPEAKER
39 OF THE ASSEMBLY SHALL SUBMIT TO THE SECRETARY OF THE SENATE OR THE CLERK
40 OF THE ASSEMBLY, WHICHEVER IS RELEVANT, A REPORT CONTAINING A DETAILED
41 STATEMENT ITEMIZING THE NAME, SALARY AND WORK LOCATION OF EACH INDIVID-
42 UAL UNDER HIS OR HER AUTHORITY FOR WHOM HE OR SHE HAS THE POWER TO SO
43 CERTIFY, WHO HAS BEEN PAID FOR SERVICES RENDERED FROM APPROPRIATIONS
44 MADE TO THE LEGISLATURE AND WHO, AT ANY TIME DURING THE REPORTING YEAR
45 WHILE ON AN ANNUAL, SESSION OR TEMPORARY LEGISLATIVE PAYROLL, WAS NOT
46 REGULARLY AND CUSTOMARILY ASSIGNED TO A WORK LOCATION UNDER THE CONTROL
47 OF SUCH REPORTING PERSON. SUCH REPORT SHALL ALSO CONTAIN EACH AND EVERY
48 DISBURSEMENT OR EXPENDITURE INCURRED FOR SERVICES RENDERED OR ARTICLES
49 FURNISHED TO AN OFFICE OR ENTITY OTHER THAN THE LEGISLATIVE OFFICE OR
50 OFFICES MAINTAINED BY THE REPORTING PERSON.

51 3. SUCH REPORTS SHALL BE SUBMITTED WITHIN THIRTY DAYS OF THE END OF
52 SUCH QUARTERLY PERIOD.

53 4. THE SECRETARY OF THE SENATE AND THE CLERK OF THE ASSEMBLY SHALL
54 COMPILE THE REPORTS RECEIVED UNDER THIS SECTION AND SHALL, WITHIN THIRTY
55 DAYS OF THE END OF SUCH REPORTING PERIOD, SUBMIT A GENERAL REPORT OF
56 SUCH STATEMENTS TO THE TEMPORARY PRESIDENT OF THE SENATE, THE MINORITY

1 LEADER OF THE SENATE, THE SPEAKER OF THE ASSEMBLY AND THE MINORITY LEAD-
2 ER OF THE ASSEMBLY AND MAKE SUCH GENERAL REPORT AVAILABLE TO THE PUBLIC.

3 S 3. The state finance law is amended by adding a new section 14-c to
4 read as follows:

5 S 14-C. STATEMENT CONCERNING WORK LOCATION. 1. AS USED IN THIS
6 SECTION THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:

7 A. "GOVERNMENTAL ENTITY" SHALL MEAN EACH AND EVERY AGENCY, DIVISION,
8 BUREAU, SECTION, UNIT, BOARD, COUNCIL, COMMITTEE, AND COMMISSION OF THE
9 OFFICE OF THE GOVERNOR, THE EXECUTIVE DEPARTMENT, THE DEPARTMENT OF
10 AUDIT AND CONTROL, THE DEPARTMENT OF LAW AND THE DEPARTMENT OF STATE.

11 B. "WORK LOCATION" SHALL MEAN THE ROOM NUMBER, BUILDING AND CITY OR
12 TOWN IN WHICH SUCH INDIVIDUAL REGULARLY AND CUSTOMARILY PERFORMS HIS OR
13 HER WORK DUTIES.

14 C. "ARTICLE FURNISHED" SHALL MEAN AN ITEM FOR WHICH A DISBURSEMENT OR
15 EXPENDITURE HAS BEEN OR WILL BE MADE AND SHALL INCLUDE BUT NOT BE LIMIT-
16 ED TO THE PURCHASE, RENTAL OR LEASE OF PROPERTY, REAL, PERSONAL OR
17 OTHERWISE, TANGIBLE OR INTANGIBLE.

18 2. COMMENCING WITH THE TWO THOUSAND TEN--TWO THOUSAND ELEVEN STATE
19 FISCAL YEAR AND FOR EACH QUARTERLY PERIOD THEREAFTER COMMENCING WITH THE
20 QUARTERLY PERIOD BEGINNING APRIL FIRST, TWO THOUSAND ELEVEN AND ENDING
21 JUNE THIRTIETH, TWO THOUSAND ELEVEN, EACH GOVERNMENTAL ENTITY SHALL
22 ISSUE A REPORT TO THE STATE COMPTROLLER, CONTAINING A DETAILED STATEMENT
23 ITEMIZING THE NAME, SALARY AND WORK LOCATION OF EACH INDIVIDUAL WHO HAS
24 BEEN PAID FOR SERVICES RENDERED FROM THE APPROPRIATIONS OF SUCH GOVERN-
25 MENTAL ENTITY AND WHO, AT ANY TIME DURING THE REPORTING YEAR, REGULARLY
26 AND CUSTOMARILY WAS NOT ASSIGNED TO A WORK LOCATION UNDER THE CONTROL OF
27 THE REPORTING GOVERNMENTAL ENTITY. SUCH REPORT SHALL ALSO CONTAIN EACH
28 AND EVERY DISBURSEMENT OR EXPENDITURE INCURRED BY THE GOVERNMENTAL ENTI-
29 TY FOR SERVICES RENDERED OR ARTICLES FURNISHED TO ANOTHER ENTITY.

30 3. COMMENCING WITH THE TWO THOUSAND TEN--TWO THOUSAND ELEVEN STATE
31 FISCAL YEAR AND FOR EACH QUARTERLY PERIOD THEREAFTER COMMENCING WITH THE
32 QUARTERLY PERIOD BEGINNING APRIL FIRST, TWO THOUSAND ELEVEN AND ENDING
33 JUNE THIRTIETH, TWO THOUSAND ELEVEN, EACH GOVERNMENTAL ENTITY SHALL
34 ISSUE A REPORT TO THE STATE COMPTROLLER CONTAINING A DETAILED STATEMENT
35 ITEMIZING THE NAME AND WORK LOCATION OF EACH INDIVIDUAL WHO HAS NOT BEEN
36 PAID FOR SERVICES RENDERED FROM THE APPROPRIATIONS OF SUCH GOVERNMENTAL
37 ENTITY AND WHO, AT ANY TIME DURING THE REPORTING YEAR, REGULARLY AND
38 CUSTOMARILY WAS OR IS ASSIGNED TO A WORK LOCATION UNDER THE CONTROL OF
39 THE REPORTING GOVERNMENTAL ENTITY.

40 4. SUCH REPORTS SHALL BE ISSUED WITHIN THIRTY DAYS OF THE END OF SUCH
41 QUARTERLY PERIOD.

42 5. THE STATE COMPTROLLER SHALL COMPILE THE REPORTS RECEIVED UNDER
43 THIS SECTION AND SHALL, AND WITHIN THIRTY DAYS OF THE END OF SUCH
44 REPORTING PERIOD, SUBMIT A GENERAL REPORT OF SUCH STATEMENTS TO THE
45 TEMPORARY PRESIDENT OF THE SENATE, THE MINORITY LEADER OF THE SENATE,
46 THE SPEAKER OF THE ASSEMBLY AND THE MINORITY LEADER OF THE ASSEMBLY AND
47 MAKE SUCH GENERAL REPORT AVAILABLE TO THE PUBLIC.

48 S 4. Section 8 of the state finance law is amended by adding a new
49 subdivision 9-c to read as follows:

50 9-C. A. FOR THE TWO THOUSAND TEN--TWO THOUSAND ELEVEN STATE FISCAL
51 YEAR AND FOR EACH QUARTERLY PERIOD THEREAFTER COMMENCING WITH THE QUAR-
52 TERLY PERIOD BEGINNING APRIL FIRST, TWO THOUSAND ELEVEN AND ENDING JUNE
53 THIRTIETH, TWO THOUSAND ELEVEN, MAKE A REPORT TO THE TEMPORARY PRESIDENT
54 OF THE SENATE, THE MINORITY LEADER OF THE SENATE, THE SPEAKER OF THE
55 ASSEMBLY AND THE MINORITY LEADER OF THE ASSEMBLY, WHICH REPORT SHALL BE
56 MADE AVAILABLE TO THE PUBLIC, CONTAINING A COMPLETE AND DETAILED STATE-

1 MENT FOR EACH GOVERNMENTAL ENTITY, BY GOVERNMENTAL ENTITY, OF EACH AND
2 EVERY VOUCHER AND EVERY PAYROLL CERTIFICATION, VOUCHER OR SHEET WHICH
3 RESULTS IN AN EXPENDITURE OR DISBURSEMENT OF MONEY. SUCH REPORT SHALL
4 INCLUDE:

5 (I) THE NAME OF EVERY PERSON TO WHOM OR FOR WHOM ANY EXPENDITURE OR
6 DISBURSEMENT HAS BEEN MADE;

7 (II) THE QUANTITY AND PRICE OF ANY ARTICLE FURNISHED FOR WHICH AN
8 EXPENDITURE OR DISBURSEMENT HAS BEEN MADE;

9 (III) THE NATURE OF THE SERVICES, THE PERIOD OF EMPLOYMENT, THE NAME
10 AND TITLE OF A PERSON, AND THE SPECIFIC AMOUNT PAID TO A PERSON AND
11 WHERE EXPENDITURES OR DISBURSEMENTS HAVE BEEN MADE FOR SERVICES
12 RENDERED; AND

13 (IV) SUCH ADDITIONAL INFORMATION AS REQUIRED BY SECTION ONE HUNDRED
14 NINE OF THIS CHAPTER.

15 B. FOR THE TWO THOUSAND TEN--TWO THOUSAND ELEVEN STATE FISCAL YEAR
16 SUCH REPORT SHALL BE ISSUED WITHIN SIXTY DAYS OF THE EFFECTIVE DATE OF
17 THIS SUBDIVISION AND FOR EACH QUARTERLY PERIOD THEREAFTER, WITHIN THIRTY
18 DAYS OF THE END OF SUCH QUARTERLY PERIOD.

19 C. AS USED IN THIS SUBDIVISION THE FOLLOWING TERMS SHALL HAVE THE
20 FOLLOWING MEANINGS:

21 (I) "GOVERNMENTAL ENTITY" SHALL MEAN EACH AND EVERY AGENCY, DIVISION,
22 BUREAU, SECTION, UNIT, BOARD, COUNCIL, COMMITTEE, AND COMMISSION OF THE
23 OFFICE OF THE GOVERNOR, THE EXECUTIVE DEPARTMENT, THE DEPARTMENT OF
24 AUDIT AND CONTROL, THE DEPARTMENT OF LAW AND THE DEPARTMENT OF STATE.

25 (II) "ARTICLE FURNISHED" SHALL MEAN AN ITEM FOR WHICH A DISBURSEMENT
26 OR EXPENDITURE HAS BEEN OR WILL BE MADE AND SHALL INCLUDE BUT NOT BE
27 LIMITED TO PURCHASE, RENTAL OR LEASE OF PROPERTY, REAL, PERSONAL OR
28 OTHERWISE, TANGIBLE OR INTANGIBLE.

29 S 5. The public officers law is amended by adding a new section 73-c
30 to read as follows:

31 S 73-C. STATEMENT CONCERNING WORK LOCATION. 1. AS USED IN THIS SECTION
32 THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:

33 (A) "STATE AGENCY" SHALL MEAN ANY STATE DEPARTMENT, INCLUDING THE
34 OFFICE OF THE GOVERNOR, DIVISION, BOARD, COMMISSION, OR BUREAU OF ANY
35 STATE DEPARTMENT, ANY PUBLIC BENEFIT CORPORATION, PUBLIC AUTHORITY OR
36 COMMISSION AT LEAST ONE OF WHOSE MEMBERS IS APPOINTED BY THE GOVERNOR.

37 (B) "STATE OFFICER OR EMPLOYEE" SHALL MEAN:

38 (I) HEADS OF STATE DEPARTMENTS AND THEIR DEPUTIES AND ASSISTANTS;

39 (II) OFFICERS AND EMPLOYEES OF STATEWIDE ELECTED OFFICIALS;

40 (III) OFFICERS AND EMPLOYEES OF STATE DEPARTMENTS, BOARDS, BUREAUS,
41 DIVISIONS, COMMISSIONS, COUNCILS OR OTHER STATE AGENCIES; AND

42 (IV) MEMBERS OR DIRECTORS OF PUBLIC AUTHORITIES OTHER THAN MULTI-STATE
43 AUTHORITIES, PUBLIC BENEFIT CORPORATIONS AND COMMISSIONS AT LEAST ONE OF
44 WHOSE MEMBERS IS APPOINTED BY THE GOVERNOR, WHO RECEIVE COMPENSATION,
45 AND EMPLOYEES OF SUCH AUTHORITIES, CORPORATIONS AND COMMISSIONS.

46 (C) "LEGISLATIVE EMPLOYEE" SHALL MEAN ANY OFFICER OR EMPLOYEE OF THE
47 LEGISLATURE BUT IT SHALL NOT INCLUDE MEMBERS OF THE LEGISLATURE.

48 (D) "WORK LOCATION" SHALL MEAN THE ROOM NUMBER, BUILDING AND CITY OR
49 TOWN IN WHICH SUCH INDIVIDUAL REGULARLY AND CUSTOMARILY PERFORMS HIS OR
50 HER WORK DUTIES.

51 2. COMMENCING WITH THE QUARTERLY PERIOD BEGINNING JULY FIRST, TWO
52 THOUSAND ELEVEN AND ENDING SEPTEMBER THIRTIETH, TWO THOUSAND ELEVEN, AND
53 FOR EACH QUARTERLY PERIOD THEREAFTER, EVERY STATE OFFICER OR EMPLOYEE
54 AND EVERY LEGISLATIVE EMPLOYEE WHO, AT ANY TIME DURING THE REPORTING
55 PERIOD, REGULARLY AND CUSTOMARILY WAS ASSIGNED TO A WORK LOCATION OTHER
56 THAN A WORK LOCATION UNDER THE CONTROL OF THE STATE AGENCY OR LEGISLA-

1 TIVE OFFICE FROM WHICH HE RECEIVED COMPENSATION OR REIMBURSEMENT SHALL
2 SUBMIT A STATEMENT TO THE STATE COMPTROLLER, WHICH STATEMENT SHALL
3 CONTAIN HIS OR HER NAME, SALARY, WORK LOCATION AND THE STATE AGENCY OR
4 LEGISLATIVE OFFICE FROM WHICH COMPENSATION OR REIMBURSEMENT WAS RECEIVED
5 OR IS OWING. SUCH STATEMENT SHALL BE SUBMITTED WITHIN THIRTY DAYS OF THE
6 END OF SUCH QUARTERLY PERIOD.

7 3. THE STATE COMPTROLLER SHALL COMPILE THE REPORTS RECEIVED UNDER THIS
8 SECTION AND SHALL, AND WITHIN THIRTY DAYS OF THE END OF SUCH REPORTING
9 PERIOD, SUBMIT A GENERAL REPORT OF SUCH STATEMENTS TO THE TEMPORARY
10 PRESIDENT OF THE SENATE, THE MINORITY LEADER OF THE SENATE, THE SPEAKER
11 OF THE ASSEMBLY AND THE MINORITY LEADER OF THE ASSEMBLY AND MAKE SUCH
12 GENERAL REPORT AVAILABLE TO THE PUBLIC.

13 S 6. This act shall take effect immediately.