

10052

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 -- 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

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 CIALLY 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

23 G. ANY BOARD OF ELECTIONS.

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

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

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

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

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

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

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

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

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

21 3. THE SECRETARY OF STATE SHALL UPDATE ON AN ANNUAL BASIS ON THE
22 DEPARTMENT OF STATE WEBSITE, ALL VACANCIES, EXPIRED TERMS, THOSE TERMS
23 EXPIRING WITHIN ONE YEAR, AND GUBERNATORIAL APPOINTMENT APPLICATION
24 PROCEDURES. THE SECRETARY OF STATE SHALL ALSO VERIFY THE EXISTENCE OF
25 ALL BOARDS LISTED IN LAW, AND, WHEN APPROPRIATE, MAKE RECOMMENDATIONS TO
26 THE GOVERNOR AND LEGISLATURE CONCERNING OPPORTUNITIES TO MERGE BOARDS
27 WITH DUPLICATIVE DUTIES AND PURPOSES OR ELIMINATE NONFUNCTIONING BOARDS.

28 4. ALL BOARDS SHALL SUBMIT TO THE SECRETARY OF STATE ALL INFORMATION
29 PURSUANT TO THIS SECTION IN A MANNER SPECIFIED BY THE SECRETARY OF STATE
30 TO FACILITATE THE PUBLICATION REQUIREMENTS OF THIS SECTION. ALL BOARDS
31 SHALL ALSO INCLUDE INFORMATION ON COMPENSATION AND EXPENSES INCURRED IN
32 THE PRIOR AND CURRENT FISCAL YEARS, AS WELL AS PROJECTED COSTS FOR THE
33 COMING FISCAL YEAR. ANY BOARD THAT FAILS TO REPORT TO THE SECRETARY OF
34 STATE, THE MEMBERS OF SUCH BOARD SHALL NOT BE ELIGIBLE TO RECEIVE ANY
35 MONEY FOR EXPENSES OR COMPENSATION INCURRED IN THE WORK OF THE BOARD
36 UNTIL THE SECRETARY OF STATE RECEIVES SUCH INFORMATION PURSUANT TO THIS
37 SECTION.

38 S 2. This act shall take effect immediately.