

2405--B

2011-2012 Regular Sessions

I N S E N A T E

January 20, 2011

Introduced by Sen. MARCELLINO -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- recommitted to the Committee on Finance in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- 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

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

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1 VIRTUE OF HOLDING STATE OFFICES TO WHICH THEY WERE APPOINTED BY THE
2 GOVERNOR, OR ANY COMBINATION THEREOF; AND

3 G. ANY BOARD OF ELECTIONS.

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

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

12 B. PUBLIC INFORMATION INCLUDING DEPARTMENTAL AFFILIATION, CONTACT
13 ADDRESS, PHONE NUMBER, AND WEBSITE;

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

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

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

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

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

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

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

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

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

49 S 2. This act shall take effect April 1, 2013.