

S T A T E O F N E W Y O R K

3853--A

2011-2012 Regular Sessions

I N S E N A T E

March 7, 2011

Introduced by Sens. OPPENHEIMER, KRUEGER -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations -- recommitted to the Committee on Investigations and Government Operations in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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 THIRTEEN--TWO THOUSAND FOURTEEN
19 STATE FISCAL YEAR AND FOR EACH QUARTERLY PERIOD THEREAFTER, COMMENCING

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

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1 WITH THE QUARTERLY PERIOD BEGINNING APRIL FIRST, TWO THOUSAND FOURTEEN
2 AND ENDING JUNE THIRTIETH, TWO THOUSAND FOURTEEN, THE SECRETARY OF THE
3 SENATE AND THE CLERK OF THE ASSEMBLY SHALL SUBMIT TO THE TEMPORARY PRES-
4 IDENT OF THE SENATE, THE MINORITY LEADER OF THE SENATE, THE SPEAKER OF
5 THE ASSEMBLY AND THE MINORITY LEADER OF THE ASSEMBLY AND MAKE AVAILABLE
6 TO THE PUBLIC, A REPORT CONTAINING A DETAILED STATEMENT OF THE MANNER IN
7 WHICH APPROPRIATIONS AND OTHER FUNDS AVAILABLE FOR DISBURSEMENT BY THE
8 SECRETARY OF THE SENATE OR THE CLERK OF THE ASSEMBLY, AS THE CASE MAY
9 BE, HAVE BEEN EXPENDED DURING THE PERIOD COVERED BY THE REPORT. SUCH
10 REPORT SHALL INCLUDE:

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

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

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

22 B. FOR THE TWO THOUSAND THIRTEEN--TWO THOUSAND FOURTEEN STATE FISCAL
23 YEAR, SUCH REPORT SHALL BE SUBMITTED WITHIN SIXTY DAYS OF THE EFFECTIVE
24 DATE OF THIS SUBDIVISION, AND FOR EACH QUARTERLY PERIOD THEREAFTER,
25 WITHIN THIRTY DAYS OF THE END OF SUCH QUARTERLY PERIOD.

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

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

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

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

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

54 3. SUCH REPORTS SHALL BE SUBMITTED WITHIN THIRTY DAYS OF THE END OF
55 SUCH QUARTERLY PERIOD.

1 4. THE SECRETARY OF THE SENATE AND THE CLERK OF THE ASSEMBLY SHALL
2 COMPILE THE REPORTS RECEIVED UNDER THIS SECTION AND SHALL, WITHIN THIRTY
3 DAYS OF THE END OF SUCH REPORTING PERIOD, SUBMIT A GENERAL REPORT OF
4 SUCH STATEMENTS TO THE TEMPORARY PRESIDENT OF THE SENATE, THE MINORITY
5 LEADER OF THE SENATE, THE SPEAKER OF THE ASSEMBLY AND THE MINORITY LEAD-
6 ER OF THE ASSEMBLY AND MAKE SUCH GENERAL REPORT AVAILABLE TO THE PUBLIC.

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

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

11 A. "GOVERNMENTAL ENTITY" SHALL MEAN EACH AND EVERY AGENCY, DIVISION,
12 BUREAU, SECTION, UNIT, BOARD, COUNCIL, COMMITTEE, AND COMMISSION OF THE
13 OFFICE OF THE GOVERNOR, THE EXECUTIVE DEPARTMENT, THE DEPARTMENT OF
14 AUDIT AND CONTROL, THE DEPARTMENT OF LAW AND THE DEPARTMENT OF STATE.

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

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

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

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

45 4. SUCH REPORTS SHALL BE ISSUED WITHIN THIRTY DAYS OF THE END OF SUCH
46 QUARTERLY PERIOD.

47 5. THE STATE COMPTROLLER SHALL COMPILE THE REPORTS RECEIVED UNDER
48 THIS SECTION AND SHALL, AND WITHIN THIRTY DAYS OF THE END OF SUCH
49 REPORTING PERIOD, SUBMIT A GENERAL REPORT OF SUCH STATEMENTS TO THE
50 TEMPORARY PRESIDENT OF THE SENATE, THE MINORITY LEADER OF THE SENATE,
51 THE SPEAKER OF THE ASSEMBLY AND THE MINORITY LEADER OF THE ASSEMBLY AND
52 MAKE SUCH GENERAL REPORT AVAILABLE TO THE PUBLIC.

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

55 9-C. A. FOR THE TWO THOUSAND THIRTEEN--TWO THOUSAND FOURTEEN STATE
56 FISCAL YEAR AND FOR EACH QUARTERLY PERIOD THEREAFTER COMMENCING WITH THE

1 QUARTERLY PERIOD BEGINNING APRIL FIRST, TWO THOUSAND FOURTEEN AND ENDING
2 JUNE THIRTIETH, TWO THOUSAND FOURTEEN, MAKE A REPORT TO THE TEMPORARY
3 PRESIDENT OF THE SENATE, THE MINORITY LEADER OF THE SENATE, THE SPEAKER
4 OF THE ASSEMBLY AND THE MINORITY LEADER OF THE ASSEMBLY, WHICH REPORT
5 SHALL BE MADE AVAILABLE TO THE PUBLIC, CONTAINING A COMPLETE AND
6 DETAILED STATEMENT FOR EACH GOVERNMENTAL ENTITY, BY GOVERNMENTAL ENTITY,
7 OF EACH AND EVERY VOUCHER AND EVERY PAYROLL CERTIFICATION, VOUCHER OR
8 SHEET WHICH RESULTS IN AN EXPENDITURE OR DISBURSEMENT OF MONEY. SUCH
9 REPORT SHALL INCLUDE:

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

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

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

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

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

24 C. AS USED IN THIS SUBDIVISION THE FOLLOWING TERMS SHALL HAVE THE
25 FOLLOWING MEANINGS:

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

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

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

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

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

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

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

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

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

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

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

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

1 2. COMMENCING WITH THE QUARTERLY PERIOD BEGINNING JULY FIRST, TWO
2 THOUSAND FOURTEEN AND ENDING SEPTEMBER THIRTIETH, TWO THOUSAND FOURTEEN,
3 AND FOR EACH QUARTERLY PERIOD THEREAFTER, EVERY STATE OFFICER OR EMPLOY-
4 EE AND EVERY LEGISLATIVE EMPLOYEE WHO, AT ANY TIME DURING THE REPORTING
5 PERIOD, REGULARLY AND CUSTOMARILY WAS ASSIGNED TO A WORK LOCATION OTHER
6 THAN A WORK LOCATION UNDER THE CONTROL OF THE STATE AGENCY OR LEGISLA-
7 TIVE OFFICE FROM WHICH HE RECEIVED COMPENSATION OR REIMBURSEMENT SHALL
8 SUBMIT A STATEMENT TO THE STATE COMPTROLLER, WHICH STATEMENT SHALL
9 CONTAIN HIS OR HER NAME, SALARY, WORK LOCATION AND THE STATE AGENCY OR
10 LEGISLATIVE OFFICE FROM WHICH COMPENSATION OR REIMBURSEMENT WAS RECEIVED
11 OR IS OWING. SUCH STATEMENT SHALL BE SUBMITTED WITHIN THIRTY DAYS OF THE
12 END OF SUCH QUARTERLY PERIOD.

13 3. THE STATE COMPTROLLER SHALL COMPILE THE REPORTS RECEIVED UNDER THIS
14 SECTION AND SHALL, AND WITHIN THIRTY DAYS OF THE END OF SUCH REPORTING
15 PERIOD, SUBMIT A GENERAL REPORT OF SUCH STATEMENTS TO THE TEMPORARY
16 PRESIDENT OF THE SENATE, THE MINORITY LEADER OF THE SENATE, THE SPEAKER
17 OF THE ASSEMBLY AND THE MINORITY LEADER OF THE ASSEMBLY AND MAKE SUCH
18 GENERAL REPORT AVAILABLE TO THE PUBLIC.

19 S 6. This act shall take effect immediately.