

2405

2011-2012 Regular Sessions

I N   S E N A T E

January 20, 2011

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Introduced by Sen. MARCELLINO -- read twice and ordered printed, and  
when printed to be committed to the Committee on Finance

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 ASSEM-  
BLY, 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  
23    G. ANY BOARD OF ELECTIONS.  
24    2. THE SECRETARY OF STATE SHALL MAINTAIN A COMPILATION OF THE MEMBER-  
25    SHIP AND MEETING INFORMATION OF ALL STATE BOARDS, INCLUDING STATE BOARDS

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

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1 ESTABLISHED AFTER THE EFFECTIVE DATE OF THIS SECTION. THE SECRETARY OF  
2 STATE MUST KEEP SUCH INVENTORY IN A PUBLIC RECORD AVAILABLE FOR  
3 INSPECTION, AND UPDATED ANNUALLY ON THE DEPARTMENT OF STATE WEBSITE.  
4 SUCH COMPILATION SHALL INCLUDE, BUT NOT BE LIMITED TO:

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

7 B. PUBLIC INFORMATION INCLUDING DEPARTMENTAL AFFILIATION, CONTACT  
8 ADDRESS, PHONE NUMBER, AND WEBSITE;

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

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

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

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

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

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

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

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

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

44 S 2. This act shall take effect April 1, 2012.