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

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I N  S E N A T E

January 15, 2013

Introduced by Sens. GRIFFO, AVELLA, MAZIARZ, RANZENHOFER, SEWARD -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications -- reported favorably from said committee and committed to the Committee on Finance -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the state technology law, in relation to creating the resultsNY.gov website

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

Section 1. Legislative findings and declaration. The legislature hereby finds and declares that many New York state agencies currently provide valuable information to the public regarding policy issues and government programs and initiatives. However, the public would clearly benefit by having website access to important performance-based statistics, policy issues and comparative information on a user-friendly "one stop shopping" basis. Such a website would dramatically expand public access to useful information and enable taxpayers to more readily review and better understand the many state programs that affect the quality of life such as public safety, education, energy, transportation, housing, health, law enforcement and the environment. Additionally, it would enhance government transparency and accountability while helping to ensure the public that their taxes are being spent prudently.

Therefore, to achieve the above-stated intent, the legislature hereby finds and declares that there be established the "resultsNY.gov" website to be initiated, operated and maintained by the state office for technology with oversight authority by the committee on resultsNY.gov. Patterned after the federal office of management and budget's Expect-

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

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More.gov website, this proposal will establish a new, user-friendly website that provides the public with the ability to review the performance of state government agencies and programs. ResultsNY.gov would provide a new single access website, with specific indicators to help the public determine how effectively tax dollars are being spent, and how individual government programs are performing.

S 2. Section 103 of the state technology law is amended by adding a new subdivision 22 to read as follows:

22. TO REQUEST AND RECEIVE FROM ANY DEPARTMENT, DIVISION, BOARD, COMMISSION OR OTHER AGENCY OF THE STATE, ANY INFORMATION AND RESOURCES NECESSARY TO CARRY OUT THE RESPONSIBILITIES AND PROVISIONS SET FORTH IN ARTICLE FOUR OF THIS CHAPTER.

S 3. Subdivisions 3 and 4 of section 105 of the state technology law, as added by chapter 430 of the laws of 1997 and such section as renumbered by chapter 437 of the laws of 2004, are amended to read as follows:

3. To recommend surveys and reports to be completed by the director to carry out all of the objectives and purposes of this article; [and]

4. TO PROVIDE GUIDANCE AND SUPPORT TO THE OFFICE IN THE DEVELOPMENT AND IMPROVEMENTS TO THE FORMAT AND CONTENT OF RESULTSNY.GOV; AND

5. To perform such other acts as may be assigned by the chairperson of the council which are necessary or appropriate to carry out the functions of the council.

S 4. The state technology law is amended by adding a new article 4 to read as follows:

ARTICLE IV

RESULTSNY.GOV ACT

SECTION 401. SHORT TITLE.

402. DEFINITIONS.

403. RESULTSNY.GOV.

S 401. SHORT TITLE. THIS ARTICLE SHALL BE KNOWN AND MAY BE CITED AS THE "RESULTSNY.GOV ACT".

S 402. DEFINITIONS. FOR THE PURPOSES OF THIS ARTICLE:

1. "ELECTRONIC" SHALL MEAN OF OR RELATING TO TECHNOLOGY HAVING ELECTRICAL, DIGITAL, MAGNETIC, WIRELESS, OPTICAL, ELECTROMAGNETIC, OR SIMILAR CAPABILITIES.

2. "ELECTRONIC RECORD" SHALL MEAN INFORMATION, EVIDENCING ANY ACT, TRANSACTION, OCCURRENCE, EVENT, OR OTHER ACTIVITY, PRODUCED OR STORED BY ELECTRONIC MEANS AND CAPABLE OF BEING ACCURATELY REPRODUCED IN FORMS PERCEPTIBLE BY HUMAN SENSORY CAPABILITIES.

3. "GOVERNMENTAL ENTITY" SHALL MEAN ANY STATE DEPARTMENT, BOARD, BUREAU, DIVISION, COMMISSION, COMMITTEE, PUBLIC AUTHORITY, PUBLIC BENEFIT CORPORATION, COUNCIL, OFFICE, OR OTHER GOVERNMENTAL ENTITY OR OFFICER OF THE STATE HAVING STATEWIDE AUTHORITY, EXCEPT THE STATE LEGISLATURE, AND ANY POLITICAL SUBDIVISION OF THE STATE.

S 403. RESULTSNY.GOV. 1. THE OFFICE, IN COOPERATION AND CONSULTATION WITH THE COUNCIL, SHALL ESTABLISH, MAINTAIN, UPDATE AND OPERATE THE RESULTSNY.GOV WEBSITE. THE OFFICE MAY REQUEST FROM ANY GOVERNMENTAL ENTITY SUCH COOPERATION IN FURNISHING IT WITH INFORMATION THAT SHALL ENABLE THE OFFICE TO CARRY OUT ITS DUTIES PURSUANT TO THIS SECTION. ALL GOVERNMENTAL ENTITIES ARE AUTHORIZED AND DIRECTED TO PROVIDE TO THE OFFICE SUCH COOPERATION, ASSISTANCE, SERVICE, ADVICE AND ELECTRONIC RECORDS IN A TIMELY MANNER.

2. THE OFFICE SHALL ENSURE THE RESULTSNY.GOV WEBSITE SHALL PROVIDE TO THE USER OF THE WEBSITE COMPARATIVE DATA AND STATISTICS TO IDENTIFY THE STATE'S PERFORMANCE REGIONALLY AND NATIONALLY RELATING TO, BUT NOT

LIMITED TO, THE ECONOMY, EDUCATION, PUBLIC SAFETY, ENERGY, HOUSING, AND THE ENVIRONMENT.

3. THE OFFICE, IN COOPERATION AND CONSULTATION WITH THE COUNCIL, SHALL COLLECT FROM ANY AND ALL GOVERNMENTAL ENTITIES GOVERNMENT MANAGEMENT ACCOUNTABILITY AND PERFORMANCE DATA. SUCH DATA, AT A MINIMUM, SHALL DETERMINE:

(A) DOES THE PROGRAM ADDRESS A SPECIFIC AND EXISTING PROBLEM, INTEREST OR NEED;

(B) IS THE PROGRAM DESIGNED SO THAT IT IS NOT REDUNDANT OR DUPLICATIVE OF ANY OTHER FEDERAL, STATE, LOCAL OR PRIVATE EFFORT;

(C) DOES THE PROGRAM HAVE A LIMITED NUMBER OF SPECIFIC LONG-TERM PERFORMANCE MEASURES THAT FOCUS ON OUTCOMES AND MEANINGFULLY REFLECT THE PURPOSE OF THE PROGRAM;

(D) DOES THE PROGRAM HAVE AMBITIOUS TARGETS AND TIMEFRAMES FOR ITS LONG-TERM MEASURES;

(E) DOES THE PROGRAM, INCLUDING PROGRAM PARTNERS, ACHIEVE ITS ANNUAL PERFORMANCE GOALS;

(F) ARE INDEPENDENT EVALUATIONS OF SUFFICIENT SCOPE AND QUALITY CONDUCTED ON A REGULAR BASIS OR AS NEEDED TO SUPPORT PROGRAM IMPROVEMENTS AND EVALUATE EFFECTIVENESS AND RELEVANCE TO THE PROBLEM, INTEREST, OR NEED;

(G) ARE BUDGET REQUESTS EXPLICITLY TIED TO ACCOMPLISHMENT OF THE ANNUAL AND LONG-TERM PERFORMANCE GOALS, AND ARE THE RESOURCE NEEDS PRESENTED IN A COMPLETE AND TRANSPARENT MANNER IN THE PROGRAM'S BUDGET;

(H) DOES THE PROGRAM USE STRONG FINANCIAL MANAGEMENT PRACTICES;

(I) HAS THE PROGRAM DEMONSTRATED ADEQUATE PROGRESS IN ACHIEVING ITS LONG-TERM PERFORMANCE GOALS; AND

(J) DOES THE PROGRAM DEMONSTRATE IMPROVED EFFICIENCIES OR COST EFFECTIVENESS IN ACHIEVING PROGRAM GOALS EACH YEAR.

4. THE OFFICE SHALL ENSURE THE RESULTSNY.GOV WEBSITE SHALL ENABLE MEMBERS OF THE PUBLIC TO SUBMIT SUGGESTIONS AND RECOMMENDATIONS ON HOW TO SAVE TAXPAYER MONEY, HELP ELIMINATE WASTEFUL SPENDING, AND OPERATE GOVERNMENT MORE EFFICIENTLY AND COST EFFECTIVELY. SUCH SUGGESTIONS SHALL BE REVIEWED BY THE OFFICE AND DISPLAYED ON THE WEBSITE.

S 5. This act shall take effect on the one hundred twentieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.