

9458

I N   A S S E M B L Y

March 4, 2016

---

Introduced by M. of A. PAULIN, MAGNARELLI, ROBINSON, LUPARDO, JAFFEE, GALEF, TITUS -- Multi-Sponsored by -- M. of A. COOK, GLICK, GUNTHER, PERRY, SCHIMEL, THIELE -- 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    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  
26    ESTABLISHED AFTER THE EFFECTIVE DATE OF THIS SECTION. THE SECRETARY OF

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

LBD04851-01-5

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

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

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

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

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

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

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

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

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

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

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

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

43 S 2. This act shall take effect on the first of April next succeeding  
44 the date on which it shall have become a law.