

# STATE OF NEW YORK

4274

2019-2020 Regular Sessions

## IN SENATE

March 6, 2019

Introduced by Sen. ANTONACCI -- read twice and ordered printed, and when printed to be committed to the Committee on Commerce, Economic Development and Small Business

AN ACT to amend the economic development law and the public officers law, in relation to the establishment of regional economic development councils; and providing for the repeal of such provisions upon expiration thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The economic development law is amended by adding a new  
2 section 11 to read as follows:

3 § 11. Regional economic development councils. 1. The governor shall  
4 establish ten regional economic development councils, one for each of  
5 the following regions of the state:

6 (a) Long Island (which consists of Suffolk and Nassau counties);

7 (b) the city of New York (which consists of Bronx, New York, Queens,  
8 Brooklyn, and Richmond counties);

9 (c) the Mid-Hudson region (which consists of Sullivan, Ulster, Dutch-  
10 ess, Orange, Putnam, Westchester, and Rockland counties);

11 (d) the Southern tier (which consists of Steuben, Schuyler, Tompkins,  
12 Chemung, Tioga, Chenango, Broome, and Delaware counties);

13 (e) the Capital region (which consists of Warren, Washington, Sarato-  
14 ga, Schenectady, Rensselaer, Albany, Columbia, and Greene counties);

15 (f) the Mohawk valley (which consists of Oneida, Herkimer, Fulton,  
16 Montgomery, Otsego, and Schoharie counties);

17 (g) the North country (which consists of Clinton, Franklin, St.  
18 Lawrence, Jefferson, Lewis, Hamilton, and Essex counties);

19 (h) the Central region (which consists of Oswego, Cayuga, Onondaga,  
20 Madison, and Cortland counties);

21 (i) the Finger Lakes region (which consists of Orleans, Monroe, Wayne,  
22 Genesee, Wyoming, Livingston, Ontario, Seneca, and Yates counties); and

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

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(j) the Western region (which consists of Niagara, Erie, Chautauqua, Cattaraugus, and Allegany counties).

2. Each regional economic development council shall develop long-term strategic plans for economic growth within its region of the state.

3. The members of each regional economic development council shall be local experts and stakeholders from businesses, academia, municipalities and non-governmental organizations within the region. All such members shall be appointed by the governor, with the advice and consent of the Senate, and shall serve at the pleasure of the governor.

§ 2. The economic development law is amended by adding a new section 233 to read as follows:

§ 233. Financial disclosure. All members of regional economic development councils shall be subject to the provisions of section seventy-three-a of the public officers law.

§ 3. The economic development law is amended by adding a new section 234 to read as follows:

§ 234. Open meetings law; freedom of information law. 1. Regional economic development councils shall be subject to the open meetings law and the freedom of information law.

2. All regional economic development councils and state agency scoring shall be publicly available and posted prominently on the website of the empire state development corporation.

3. Total scoring on regional economic development councils and state agency scoring shall be fifty percent to fifty percent.

4. The final list of regional economic development councils awards shall be reviewed and approved by the public authorities control board prior to announcement and release by the executive.

5. The empire state development corporation shall develop standardized scoring criteria for regional economic development councils and standardized metrics for evaluating ongoing performance of the award by the authorities budget office.

§ 4. Subparagraphs (ii) and (iii) of paragraph (c) of subdivision 1 of section 73-a of the public officers law, as amended by section 5 of part A of chapter 399 of the laws of 2011, are amended and a new subparagraph (iv) is added to read as follows:

(ii) officers and employees of statewide elected officials, officers and employees of state departments, boards, bureaus, divisions, commissions, councils or other state agencies, who receive annual compensation in excess of the filing rate established by paragraph (1) of this subdivision or who hold policy-making positions, as annually determined by the appointing authority and set forth in a written instrument which shall be filed with the joint commission on public ethics established by section ninety-four of the executive law during the month of February, provided, however, that the appointing authority shall amend such written instrument after such date within thirty days after the undertaking of policy-making responsibilities by a new employee or any other employee whose name did not appear on the most recent written instrument; ~~and~~

(iii) members or directors of public authorities, other than multi-state authorities, public benefit corporations and commissions at least one of whose members is appointed by the governor, and employees of such authorities, corporations and commissions who receive annual compensation in excess of the filing rate established by paragraph (1) of this subdivision or who hold policy-making positions, as determined annually by the appointing authority and set forth in a written instrument which shall be filed with the joint commission on public ethics established by

1 section ninety-four of the executive law during the month of February,  
2 provided, however, that the appointing authority shall amend such writ-  
3 ten instrument after such date within thirty days after the undertaking  
4 of policy-making responsibilities by a new employee or any other employ-  
5 ee whose name did not appear on the most recent written instrument[.];

6 and

7 (iv) members of regional economic development councils shall complete  
8 the same financial disclosure form as other public officers, but shall  
9 not be required to disclose:

10 (A) the actual dollar amount of the financial interest; or

11 (B) financial interests that will not in any way reasonably conflict  
12 with regional economic development council decisions.

13 § 5. Subdivision 1 of section 74 of the public officers law, as  
14 amended by chapter 1012 of the laws of 1965, the opening paragraph as  
15 amended by chapter 14 of the laws of 2007, is amended to read as  
16 follows:

17 1. Definition. As used in this section: The term "state agency" shall  
18 mean any state department, or division, board, commission, or bureau of  
19 any state department or any public benefit corporation or public author-  
20 ity at least one of whose members is appointed by the governor or corpo-  
21 rations closely affiliated with specific state agencies as defined by  
22 paragraph (d) of subdivision five of section fifty-three-a of the state  
23 finance law or their successors or any regional economic development  
24 council established pursuant to section eleven of the economic develop-  
25 ment law.

26 The term "legislative employee" shall mean any officer or employee of  
27 the legislature but it shall not include members of the legislature.

28 § 6. This act shall take effect immediately and shall expire and be  
29 deemed repealed two years after such date.