Proposed New State Ethics Commission

Selection Committee = No More Direct Appointments by Elected Officials

A 7-member Selection Committee is appointed, with 1 Member appointed by each of the following:

1. Governor
2. Comptroller
3. Attorney General
4. Majority Leader of the Senate
5. Minority Leader of the Senate
6. Speaker of the Assembly
7. Minority Leader of the Assembly

See here for the detailed proposal submitted to the Governor and Legislature.
Selection Committee Approves 5-Member Ethics Commission

Mechanisms to create independence and greater transparency of *Ethics Commission*:

- **Public can apply** to serve
- **Qualifications and criteria for who can serve:** experience, education, diversity, etc.
- **Disqualifications for who can’t serve:** lobbyists, electeds, contractors, and big donors
- **Term limits for commissioners**
- **Ranked Choice Voting** used to create final list of candidates
- **Final list of candidates released 15 days before public vote**
- **Public report released by Selection Committee** after conclusion of vetting process, including data on number and diversity of applicants
In Total, 6 Steps to Create Independence and Transparency

1. Governor, AG, Comptroller
2. Democratic Legislative Leaders
3. Republican Legislative Leaders

The statewide elected officials and legislative leaders each individually appoint one member of the seven-person committee to select applicants to the Ethics Commission.

Members of the public may apply to the Commission. Using criteria written in law, the selection committee creates a final list of candidates using Ranked Choice Voting.

The final list of candidates is released 15 days prior to the selection committee's public vote to confirm members.
The selection committee holds a final public meeting to vote to approve five ethics commissioners.

After the vote, the selection committee releases a public report on the vetting process, including data on applications received and diversity of applicants.

The Commission selects a chair from among its members, then hires an Executive Director who hires staff.
Additional Measures to Improve Ethics Enforcement and Public Disclosure:

1. **$10 million for the new Ethics Commission**, up from $5.6 million
2. **Simple majority votes for commission** (no political party tests)
3. **Direct discipline of all non-elected public officers**; power to recommend discipline of electeds (per constitutional limits)
4. **Expanded Code of Ethics**, with duty to report misconduct and link to NYS Human Rights Law anti-discrimination and harassment requirements
5. **Commission subject to Freedom of Information Law, Open Meetings Law**
6. **Ban on ex parte communications**; breaches of confidentiality referred to Attorney General, not just Inspector General
7. After a finding of probable cause/substantial basis finding, subsequent **hearings should be public**; substantial basis reports released quickly
8. **Improved lobbying reports** that show support or opposition to legislation, campaign contributions by lobbyists
9. **Improved financial disclosure statements**, with all electronic filings that are published on commission website; economic development entities also must file