

2010-11 NEW YORK STATE EXECUTIVE BUDGET

**OFFICE OF TAXPAYER ACCOUNTABILITY
INTERAGENCY TASK FORCE ELIMINATION
ARTICLE VII LEGISLATION**

MEMORANDUM IN SUPPORT

MEMORANDUM IN SUPPORT

A BUDGET BILL submitted by the Governor in
Accordance with Article VII of the Constitution

AN ACT to amend the mental hygiene law, in relation to the advisory council on alcoholism and substance abuse services; to amend the social services law, in relation to the William B. Hoyt Memorial children and family trust fund and the awarding of grants; to amend the state finance law, in relation to the state procurement council; to amend the social services law, in relation to the advisory committee on legal advocacy; to amend the social services law, in relation to the coordinated children's services for children with cross-system needs; to amend chapter 74 of the laws of 2007 amending the penal law and other laws relating to human trafficking, in relation to the effectiveness of certain provisions thereof; to amend chapter 884 of the laws of 1982 relating to requiring the governor to submit to the legislature detailed reports for each federal block grant, in relation to exempting the establishment of certain advisory councils; to amend the executive law, in relation to the advisory council on interactive media and youth violence; to amend chapter 178 of the laws of 2006 relating to establishing an advisory council on children's environmental health and safety, in relation to the effectiveness thereof; to amend the public health law, in relation to medical record access review committees; to amend chapter 521 of the laws of 1994 amending the public health law relating to immunizations for vaccine-preventable diseases, in relation to the effectiveness of certain provisions thereof; to amend the public health law, in relation to the commissioner's powers to promulgate rules and regulations pertaining to the practice of radiologic technology; to amend chapter 387 of the laws of 2004 amending the environmental conservation law relating to restricting the use of certain flame retardants, in relation to the effectiveness of certain provisions thereof; to amend chapter 356 of the laws of 2005 amending the public health law relating to establishing the New York state toxic mold task force, in relation to the effectiveness thereof; to amend the public health law, in relation to the state council on home care services; to amend the public health law, in relation to the powers and duties of the tick-borne disease institute; to amend the environmental conservation law, in relation to authority of the department of environmental conservation to issue falconry licenses; to amend the environmental conservation law, in relation to making conforming technical changes; to amend the environmental conservation law, in relation to review of certain actions involving freshwater wetlands; to amend the highway law, in relation to the New York state scenic byways program; to amend the state finance law, in relation to the marine and coastal district of New York conservation, education, and research fund; to amend the vehicle and traffic law, in relation to the use of funds from the issuance of distinctive marine and coastal district of New York license plates; to amend the environmental conservation law, the state finance law, the agriculture and markets law and the county law, in relation to

making technical corrections; to amend the executive law, in relation to specialized hazardous materials emergency response training and firefighting and code enforcement training; to amend the general business law, in relation to the advisory committee on fire alarm systems and making technical amendments thereto; to amend the general business law, in relation to the armored car carrier advisory board; to amend the general business law, in relation to the appearance enhancement industry; to amend the general business law, in relation to the hearing aid dispensing advisory board; to amend the not-for-profit corporation law, in relation to the state cemetery board; to amend the real property law, in relation to the state home inspection council; to amend the real property law, in relation to abolishing the state home inspection council; to amend the executive law and the state finance law, in relation to renaming the New York motor vehicle theft and insurance fraud prevention board to the New York motor vehicle theft and insurance fraud prevention demonstration program; to amend the executive law, in relation to abolishing the state board of real estate appraisal; to amend the labor law, in relation to abolishing the carnival, fair and amusement park safety advisory board; to amend the elder law, in relation to the naturally occurring retirement community supportive service program and replaces the term "elderly" with "older adult"; to repeal section 19.06 of the mental hygiene law relating to the advisory council on underage alcohol consumption; to repeal section 481-d of the social services law relating to William B. Hoyt Memorial children and family trust fund advisory council; to repeal sections 520 and 521 of the executive law relating to boards of visitors and their powers and duties; to repeal section 372-a of the social services law relating to the child welfare research advisory panel; to repeal sections 401 and 402 of the state technology law relating to the statewide wireless network advisory council and its powers and duties; to repeal section 1-t of the legislative law relating to the advisory council on procurement lobbying; to repeal sections 2407 and 2408 of the public health law relating to an advisory council on breast and cervical cancer detection and education; to repeal section 3402 of the public health law relating to the funeral directing advisory board; to repeal section 364-jj of the social services law relating to the special advisory review panel Medicaid managed care; to repeal subdivision 5 of section 2409 of the public health law relating to ovarian cancer information programs; to repeal section 2707 of the public health law relating to the osteoporosis advisory council; to repeal subdivisions 6 and 7 of section 2807-n of the public health law relating to the New York state palliative care education and training council; to repeal title 1-c of article 24 of the public health law relating to prostate and testicular cancer detection and education; to repeal subdivision 13 of section 3501 of the public health law relating to the definition of board; to repeal section 3503 of the public health law relating to the radiologic technologist advisory board; to repeal title 4 of article 2 of the public health law relating to the spinal cord injury research board; to repeal section 2 of chapter 41 of the laws of 1992 containing health care provider reimbursement rates relating to the work group to review the provision of and payment for certain adult day services; to repeal

chapter 554 of the laws of 1996 creating the Brookhaven National Laboratory local oversight and monitoring committee relating thereto; to repeal section 18 of chapter 537 of the laws of 1998 amending the public health law relating to modifying the use of prescription forms for dispensing controlled substances relating to the task force appointed therefore; to repeal subdivision 7 of section 502 of the public health law relating to the environmental laboratories advisory board; to repeal section 123 of chapter 1 of the laws of 1999 enacting the New York Health Care Reform Act of 2000 relating to the commission on financially distressed residential health care facilities; to repeal section 3604 of the public health law relating to the state council on home care services; to repeal subdivision 4 of section 3222 of the public health law relating to the recombinant DNA advisory committee; to repeal section 3702 of the public health law relating to the advisory council on physician's assistants and specialist's assistants; to repeal section 1399-uu of the public health law relating to the technical advisory committee on the regulation of sharps; to repeal sections 2796 and 2799 of the public health law relating to the tick-borne disease institute research council; to repeal section 2799-a of the public health law relating to the tick-borne disease institute advisory council; to repeal section 27-2109 of the environmental conservation law relating to the advisory committee on mercury pollution; to repeal section 11-2003 of the environmental conservation law relating to the New York state bird conservation area program advisory committee; to repeal section 11-1005 of the environmental conservation law relating to the falconry advisory board; to repeal title 11 of article 24 and subdivision 7 of section 24-0107 of the environmental conservation law relating to the freshwater wetlands appeals board; to repeal section 349-cc of the highway law relating to the New York state scenic byways advisory board; to repeal section 13-0503 of the environmental conservation law relating to the marine and coastal district of New York conservation, education, and research board; to repeal certain provisions of the environmental conservation law relating to the New York invasive species advisory committee, the New York state oil, gas and solution mining advisory board, the state petroleum bulk storage advisory council, the regional forest practice boards and the solid waste management board, the state environmental board, the surf clam/ocean quahog management advisory board; to repeal certain provisions of the agriculture and markets law, in relation to the New York state veterinary diagnostic laboratory, the plant industry advisory committee, the apiary industry advisory committee, the advisory council on petroleum product standards, the statewide direct marketing advisory council and the Hudson Valley agricultural advisory council; to repeal chapter 868 of the laws of 1976 establishing the organic food advisory committee; to repeal section 7 of chapter 654 of the laws of 1994 creating the agricultural transportation review panel; to repeal article 33 of the parks, recreation and historic preservation law relating to the New York state heritage areas advisory council; to repeal certain provisions of the executive law relating to the temporary advisory committee on the restoration and display of New York state's military battle flags; to repeal certain sections of the executive

law relating to the fire safety advisory board, arson board, the fire fighting and code enforcement personnel standards and education commission, the emergency services council, the commission rules and regulations promulgated by the governor, the manufactured housing advisory council and the Long Island Sound coastal advisory commission; to repeal certain provisions of the general business law relating to an advisory committee on fire alarm systems, the armored car carrier advisory board; to repeal section 89-mmm and subdivision 5 of section 89-ppp of the general business law relating to the armored car carrier advisory board; to repeal section 403 of the general business law relating to the appearance enhancement industry advisory committee; to repeal section 433-a of the general business law relating to the barbers board; to repeal subdivision 3 of section 789 and section 791 of the general business law relating to the hearing aid dispensing advisory board; to repeal section 1507-a of the not-for-profit corporation law relating to the state cemetery board citizens advisory council; to repeal subdivision 1 of section 444-b of the real property law relating to the state home inspection council; to repeal section 844-a of the executive law relating to the New York statewide law enforcement telecommunications committee; to repeal section 160-c of the executive law relating to the state board of real estate appraisal; to repeal section 870-n of the labor law, in relation to carnival, fair and amusement park safety advisory board; to repeal section 2004-a of the public health law relating to the coordinating council for services related to Alzheimer's disease and other dementia; to repeal section 216 of the elder law relating to the creation of the advisory council to the recreation program for the elderly; to repeal section 120 of the economic development law, in relation to the division of minority and women's business development a minority and women-owned business enterprise advisory board; to repeal article 28 of the executive law, in relation to the upstate and downstate tourism council; to repeal section 26 of chapter 115 of the laws of 2008 amending the racing, pari-mutuel wagering and breeding law and the public officers law relating to the New York city off-track betting corporation; to create a task force on the future of off-track betting in New York state; and to repeal certain provisions of the racing, pari-mutuel wagering and breeding law relating thereto; to amend the public health law, the business corporation law, the county law, the general business law, the general municipal law, the mental hygiene law, the not-for-profit corporation law, the social services law, the town law and the workers' compensation law, in relation to the public health and health planning council

Purpose:

This bill would eliminate numerous task forces, and merge others, so as to streamline State government and remove unnecessary expenditures.

Statement in Support, Summary of Provisions, Existing Law, and Prior Legislative History:

Over a number of years, hundreds of task forces, work groups and advisory councils have been created administratively and in statute. Although most of those groups served a useful purpose at the time they were created, many either (i) have long ago met the mission for which they were created, (ii) are obsolete or defunct, (iii) can be merged with other groups to create greater efficiencies, or (iv) have functions that are currently being performed, or can be performed, by agency personnel. The elimination or merger of these task forces, work groups and advisory councils that have outlived their usefulness will save the State precious tax dollars and remove unnecessary administrative burdens on agencies, and have no negative impact on continued outreach to and input from key stakeholders, or functions performed by agencies.

The boards and task forces that would be merged or eliminated by this bill are as follows, set forth by the section of the bill in which they are addressed:

<u>Advisory Council/Task Force</u>	<u>(Section in Bill)</u>
Advisory Council on Underage Alcohol Consumption	(1)
Advisory Council on Alcoholism and Substance Abuse Services	(2)
Hoyt Trust Fund Board	(3-4)
Industry Board of Visitors	(5)
OCFS Research Advisory Panel	(6)
Statewide Wireless Network Advisory Council	(7)
Advisory Council on Procurement Lobbying	(8-9)
Disability Advocacy Program Advisory Council	(10-12)
Coordinated Children's Service Initiative	(16)
Interagency Task Force on Human Trafficking	(17)
Interagency Task Force on Human Trafficking	(17)
HEAP Block Grant Advisory Council (BGAC)	(18)
Maternal & Child Health Block Grant Advisory Council	(18)
TANF Block Grant Advisory Council	(18)
Breast and Cervical Cancer Detection and Education Program Advisory Council	(19)
Advisory Council on Interactive Media and Youth Violence	(22)
Children's Environmental Health and Safety	(23)
Funeral Directing Advisory Board	(27)
Medicaid Managed Care Advisory Review Panel	(29)
Medical Records Access Review Committee	(30)
NYS Immunization Advisory Council	(31)

Ovarian Cancer Information Advisory Committee	(31-a)
Osteoporosis Advisory Council	(32)
Palliative Care Education and Training Council	(33-34)
Prostate and Testicular Cancer Detection and Education	(35)
Radiologic Technologist Advisory Board	(36-39)
Spinal Cord Injury Research Board	(40)
State Task Force on Flame Retardant Safety	(41)
Toxic Mold Task Force	(43)
Adult Daycare Workgroups	(44)
Brookhaven Nat'l Lab. Local Oversight and Monitoring Comm.	(45)
Controlled Substance Task Force	(46)
Environmental Laboratory Approval Program Advisory Board	(47)
Comm. on Financially Distressed Residential Health Care Facilities	(48)
Council on Home Care Services	(49-53)
Recombinant DNA Advisory Committee	(54)
Physician Assistants and Special Assistants Advisory Council	(55)
Sharps Safety Technical Advisory Committee	(56)
Tick Borne Disease Institute Advisory Committee	(57-59)
Tick Borne Disease Institute (TBDI): Research Council	(57-59)
Advisory Council on Mercury Pollution	(60)
Bird Conservation Area Program Advisory Committee	(61)
Falconry Advisory Board	(63-64)
Freshwater Wetlands Appeals Board	(65-72)
New York State Scenic Byways Advisory Board	(73-73-a)
Marine and Coastal District of New York Conservation, Education and Research Board	(74-76)
New York Invasive Species Advisory Committee	(80-81)
NYS Oil, Natural Gas and Solution Mining Advisory Board	(82)
Petroleum Bulk Storage Advisory Council	(83-86)
Regional Forest Practice Boards	(87-91)
State Forest Practices Board	(87-91)
Solid Waste Management Board	(92-94)
State Environmental Board	(95-103)
Surf Clam/Ocean Quahog Management Advisory Board	(104-106)
Animal Health Issues Committee	(107-107a)
Plant Industry Advisory Committee	(108)
Apiary Industry Advisory Committee	(109)
Advisory Council for Petroleum Product Standards	(110-112)
Direct Marketing Advisory Council	(113)
Hudson Valley Agricultural Advisory Council	(114)
Organic Food Advisory Committee	(115)
Agricultural Transportation Review Panel	(116)
New York State Heritage Areas Advisory Council	(117)
Military Battle Flags Temporary Advisory Committee	(118)
Firefighting and Code Enforcement Personnel Standards and	

Education Commission	(119-120;120-a;122-125)
Fire Safety Advisory Board	(120-a)
Arson Board	(121)
Emergency Services Council	(126)
Manufactured Housing Advisory Council	(127-130)
Long Island Sound Coastal Advisory Board	(131)
NYS Security or Fire Alarm Installer Advisory Committee	(132)
NYS Armored Car Carrier Advisory Board	(133-138)
NYS Appearance Enhancement Advisory Committee	(139-140)
Barbers Board	(141)
NYS Hearing Aid Dispensing Advisory Board	(142-149)
Citizens Advisory Council	(150-151)
NYS Home Inspection Council	(152-157)
NY Motor Vehicle Theft and Insurance Fraud Prevention Board	(160-164)
NYS Statewide Law Enforcement Telecommunications Comm.	(165)
NYS Board of Real Estate Appraisal	(166-183)
Carnival, Fair, Amusement Park Safety Advisory Board	(184-186)
Alzheimer's Coordinating Council	(187)
Advisory Council to the Recreation Program for the Elderly	(188)
MWBE Advisory Board	(194)
Upstate and Downstate Tourism Councils	(195)
Task Force on the Future of Off-Track Betting	(196)
Tow Truck Advisory Board	(197)
Neighborhood Naturally Occurring Retirement Community Supportive service advisory committee	(198)
Aging Services Advisory Committee	(198-a)
State Hospital Review and Planning Council	(199-243)

Budget Implications:

Enactment of this bill is necessary to implement the 2010-11 Executive Budget because it would result in savings of \$1.1 million in SFY 2010-11, increasing to \$1.6 million when all the eliminations and mergers in the bill are effectuated.

Effective Date:

This bill takes effect immediately, except that:

- a. Section 22 of the bill will be deemed to have been in full force and effect on the same date as Chapter 299 of the laws of 2008 took effect; and the amendments made to subsection 554 of the general business law within section 2 of Chapter 299 of the laws of 2008 and section 22 of this act will expire and be deemed repealed therewith on December 31, 2011;
- b. Sections 33 and 34 will take effect April 1, 2013;

- c. The amendments to Elder Law § 210(1) made by section 198-a of the bill will take effect on the September 1 after the bill becomes law; and
- d. Sections 199 through 243 of the bill will take effect December 1, 2010.