

New York State
Joint Commission on Public Ethics

EXECUTIVE DIRECTOR

Brief description of the position: Pursuant to Executive Law §94, the Executive Director is appointed by the Joint Commission on Public Ethics to act in accordance with the Commission's policies. The Executive Director leads and manages the Commission's staff and activities and is primarily responsible for the daily administration of the laws over which the Commission has jurisdiction—Public Officers §§73, 73-a, 74, Civil Service Law §107 and Legislative Article 1-A.

Duties Explicitly Delegated to the Executive Director:

Pursuant to Executive Law §94, the Commission is authorized to delegate the following duties, among others, to the Executive Director:

- Prepare a staffing plan and, thereafter, appoint staff necessary to carry out the duties and responsibilities of the Commission.
- Administer oaths or affirmations, subpoena witnesses, compel their attendance and require the production of any books or records deemed relevant or material to conduct any investigation within the Commission's jurisdiction.
- Draft, for Commission approval, rules and regulations to govern procedures of the Commission.
- Issue informal letter opinions based on Commission precedent.
- Develop and implement guidelines to assist appointing authorities in determining which employees are covered by State Ethics Laws.
- Conduct random audits of and review annual statements of financial disclosure in accordance with the provisions of the Public Officers Law and permit the deletion of certain information when it is made available for public inspection and copying.
- Pursuant to Legislative Law §1-p, review all filing and statements of individuals subject to the Commission's jurisdiction.
- In accordance with and pursuant to Executive Law §94(13), receive and investigate complaints and referrals alleging violation of §§73, 73-a and 74 of the Public Officers Law; Legislative Law Article 1-A; and Civil Service Law §107.
- Settle, prior to hearing, any case alleging failure to file an annual statement of financial disclosure or violation of the Lobbying Act, provided such settlement agreements are presented to the Commission for review and ratification.
- Advise and assist any State agency in establishing rules and regulations relating to possible conflicts between private interests and official duties and responsibilities of State officers and employees.

- Conduct random audits pursuant to Legislative Law §1-d.
- Prepare an annual report to the Governor and the Legislature summarizing the activities of the Commission and recommend changes in the laws governing the conduct of Statewide elected officials, State officers and employees and political party chairpersons.

Additional Duties and Responsibilities:

- Establish an annual budget and monitor expenditures.
- Establish internal Commission policies and practices and promote staff compliance with them and with applicable laws.
- Initiate investigations of possible or alleged violations of State ethics and lobbying laws by persons within the Commission’s jurisdiction pursuant to and in accordance with Executive Law §94(13)(a), and keep members apprised of progress and results of pending investigations, as appropriate.
- Refer to appropriate authorities possible or alleged violations of State ethics and lobbying laws by persons that not within the Commission’s jurisdiction.
- Present potential allegations of violations within the Commission’s jurisdiction to members to consider issuance of substantial basis reports.
- Negotiate potential settlements of cases in which a notice of reasonable cause is issued and present potential settlements to Commission for approval.
- Present Hearing Officers’ findings and recommendations to members for review and final decisions.
- Prepare and present advisory opinions for members’ review and approval.
- Redact and publish advisory opinions in accordance with Executive Law §94(16).
- Prepare and present legislative proposals for members’ review and approval.
- Present legislative proposals approved by the Commission to Legislature and Executive Chamber.
- Seek approval and publication of regulations approved by the Commission in accordance with the State Administrative Procedure Act.
- Provide confidential informal advice to State agencies, State officers and employees, lobbyists, clients and others regarding State ethics and lobbying laws.
- Lead education and training programs for key constituents.

- In consultation with Chair and Commission members, respond to inquiries from the news media and the public and initiate communications with them.