

EXECUTIVE ORDERS

Executive Order No. 14: Establishing the New York State Commission on Higher Education.

WHEREAS, New York State's public higher education system is among the world's largest, educating more than 400,000 degree candidates on 64 campuses in the State University of New York ("SUNY") and more than 200,000 degree candidates on 23 campuses in the City University of New York ("CUNY"), and also educating hundreds of thousands of non-degree students; and

WHEREAS, New York State's private colleges and universities educate 460,000 students on 150 campuses; and

WHEREAS, New York's colleges and universities must meet the challenges posed by rapidly changing demographic, scientific, technological and economic trends in order to prepare students to be successful in commerce, science, education, government, social sciences, humanities and the arts; and

WHEREAS, many students currently enter New York's higher education institutions lacking certain knowledge and skills necessary for success in college; and

WHEREAS, many well prepared and qualified students are confronted with financial and other barriers to obtaining a college education; and

WHEREAS, New York's colleges and universities should attract, prepare and retain the best students and faculty from the State, the nation and other countries; and

WHEREAS, New York's colleges and universities should educate their students about the importance and value of public and community service and afford them opportunities to pursue such endeavors as part of their formal education; and

WHEREAS, college and university research and degree programs must strike a balance between the opportunity for students and faculty to pursue research which is untethered to predetermined economic objectives, and the need to align a significant portion of their efforts and resources to New York's economic agenda, regional economic development plans and the needs of New York's current and future workforce; and

WHEREAS, all New York residents, businesses and community groups are vitally affected by the quality of higher education;

NOW THEREFORE I, Eliot Spitzer, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and the laws of the State of New York, do hereby order as follows:

1. There is hereby established the New York State Commission on Higher Education ("Commission").

2. The Commission shall consist of 30 members appointed by the Governor, including two members appointed upon the recommendation of the Speaker of the Assembly, two upon the recommendation of the Temporary President of the Senate, one upon the recommendation of the Minority Leader of the Assembly, one upon the recommendation of the Minority Leader of the Senate, one member of the faculty of a college or university within SUNY, one member of the faculty of a

college or university within CUNY, one SUNY student and one CUNY student.

3. The Governor shall select a Chair of the Commission from among the members. A majority of the members of the Commission shall constitute a quorum, and all recommendations of the Commission shall require approval of a majority of the total members of the Commission.

4. The Governor shall appoint an Executive Director of the Commission, who shall be an employee of one of the State agencies or instrumentalities herein directed by the Governor to render assistance to the Commission.

5. The Commission may establish such committees as it deems necessary to facilitate the analysis and formulation of recommendations pertaining to specific areas of inquiry and concern, and may enlist the assistance of experts in the subject matter of each committee.

6. The Commission shall conduct a review and analysis of New York's colleges and universities, with particular emphasis on public higher education and the SUNY and CUNY systems. To the maximum extent possible, the Commission shall consider, and where appropriate incorporate, the expertise and learning of prior commissions devoted to higher education in New York State, and that of State agencies and instrumentalities with authority over and expertise in higher education.

7. The Commission's inquiry shall include analysis of:

(a) academic standards and performance in New York's colleges and universities, with particular emphasis on SUNY and CUNY;

(b) access to higher education in New York State and particularly to the SUNY and CUNY systems;

(c) the degree to which public primary and secondary education adequately prepare New York students to enter and succeed in college;

(d) the mission of the State's community colleges, and the proper balance between preparing students to enter four-year institutions upon graduation and to obtain high-value jobs upon graduation;

(e) the extent to which SUNY and CUNY research and degree programs are aligned with economic development objectives of the State and the region of the State where each campus is situated;

(f) the financing of public colleges and universities, including State support, federal support, tuition, alumni support and other sources of income;

(g) the reasonable costs of an education for students in various SUNY and CUNY degree programs, and the available sources and the amounts of financial aid for students who need assistance to meet such costs;

(h) the types and amounts of financial support provided by the State to private colleges and universities and their students, and the rationale for such programs;

(i) the degree to which different types of SUNY institutions (*i.e.*, two-year colleges, four-year colleges, technical colleges, university centers and the SUNY schools within Cornell University) are treated and governed similarly or differently within SUNY and by the State;

(j) the degree to which different SUNY campuses are permitted to tailor their offerings, practices and policies to the specific needs of their

students, faculties and the surrounding communities; and

(k) the nature of public and community service opportunities and degree requirements afforded and enforced at SUNY, CUNY and more generally in New York's colleges and universities.

8. The Commission shall make recommendations which it deems necessary or advisable for:

(a) improving the academic standards and performance in New York's public colleges and universities;

(b) increasing access to higher education in New York State, with particular attention to improving access to public higher education;

(c) better aligning the curricula and standards in New York's public primary and secondary schools so that high school graduates are fully prepared to enter and succeed in the New York's public colleges and universities;

(d) with respect to the State's community colleges:

(i) improving their graduation rates;

(ii) better aligning their curricula and standards so that graduates who wish to enter a four-year SUNY or CUNY school can easily and successfully do so; and

(iii) improving the alignment of community college offerings and standards with current and future community workforce needs;

(e) increasing the alignment of SUNY and CUNY research centers and degree programs with the economic development objectives of the State and the region of the State where each campus is situated, while maintaining the ability of students and faculty to pursue research untethered to any predetermined economic objectives;

(f) improving the governance of the SUNY and CUNY systems including, but not limited to, recommendations concerning the feasibility and benefits of allowing SUNY and CUNY campuses to more substantially tailor their offerings, practices and policies to the specific needs of their students, faculties, and their surrounding communities;

(g) improving the financing of public colleges and universities through greater flexibility in tuition practices, increasing alumni and other private support, increasing direct State assistance, and providing flexibility for schools to obtain other sources of funding;

(h) improving the affordability of higher education for needy students by directing more of the available aid to students with the greatest demonstrated need and allowing for greater flexibility in tuition pricing; and

(i) improving the public and community service opportunities offered to SUNY and CUNY students as part of their formal education.

9. In undertaking its review and analysis, the Commission may request documents, conduct public hearings, take the testimony of witnesses in the form and manner which it deems most efficient, consult with education experts concerning the issues specified herein, and take all other actions necessary or advisable for carrying out its functions.

10. The Commission shall issue a preliminary report of its findings and recommendations on or before December 1, 2007. The initial report shall be made in a form and with sufficient specificity to assist the Governor and the Legislature in the budgeting process. The Commission shall issue a final report of its findings and recommendations on or before June 1, 2008. The report shall be submitted to the Governor, the Speaker of the Assembly, the Majority Leader of the Senate, the Minority Leader of the Assembly, the Minority Leader of the Senate, the Commissioner of Education, the Chancellor of SUNY, the Chancellor of CUNY and the Chancellor of the New York State Board of Regents.

11. No member of the Commission shall be disqualified from holding any public office or employment, nor shall he or she forfeit any such office or employment by virtue of his or her appointment hereunder. Members of the Commission shall receive no compensation for their services, but shall be allowed their actual and necessary expenses

incurred in the performance of their functions hereunder. All members of the Commission shall serve at the pleasure of the Governor and vacancies shall be filled in the same manner as original appointments.

12. Every agency, department, office, division or public authority of this State shall cooperate with the Commission and furnish such information and assistance as the Commission determines is reasonably necessary to accomplish its purpose.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany, this twenty-ninth day of May in the year two thousand seven.

BY THE GOVERNOR

/S/ Eliot Spitzer

/s/ Richard S. Baum

Secretary to the Governor

Executive Order No. 15: Establishing the New York State Commission to Modernize the Regulation of Financial Services.

WHEREAS, New York is the financial capital of the world, home to a thriving financial services market that serves as an engine for the state economy; and

WHEREAS, the financial services sector generates by far the largest revenues of any other market sector in New York, and employs hundreds of thousands of employees throughout the state; and

WHEREAS, cutting edge technologies, creative solutions and innovative strategies are essential for financial services companies to successfully compete in the marketplace; and

WHEREAS, various financial services companies have alleged that unnecessary, burdensome and inconsistent regulation by multiple state regulators has stunted creativity and growth in many aspects of the financial services sector in New York, resulting in higher business costs and lost opportunities; and

WHEREAS, various consumer advocacy groups have alleged that New York's regulation of financial services companies is outdated and does not adequately protect consumers; and

WHEREAS, New York's economic outlook depends in large part on whether it can attract and retain financial services companies and remain the financial capital of the world; and

WHEREAS, global competition to attract and retain financial services companies has never been greater; and

WHEREAS, in order to remain the global leader in the sector, New York must adopt world class financial services regulations that protect consumers, and promote growth and creativity in the industry; and

WHEREAS, a comprehensive review of New York's financial regulations is necessary to provide the state with critical information essential to improve financial regulation in the state;

NOW, THEREFORE, I, Eliot Spitzer, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and the Laws of the State of New York do hereby order as follows:

1. There is hereby established the New York State Commission to Modernize the Regulation of Financial Services ("Commission").

2. The Commission shall consist of at least 15 members appointed by the Governor, including: (a) the Superintendent of Insurance, the Superintendent of Banks, the Secretary of State, the Chairperson of the Consumer Protection Board, and the Attorney General; (b) the Chairs of the Senate and Assembly Insurance and Banking Committees; and (c) at least six additional members appointed by the Governor, including representatives of the insurance, banking and securities industries, other business leaders and consumer groups. The Superintendent of Insurance shall serve as the Chair of the Commission.

3. A majority of the members of the Commission shall constitute a

quorum, and all recommendations of the Commission shall require approval of a majority of the total members of the Commission.

4. The Commission shall conduct a comprehensive review of New York's financial services statutes, regulations, rules and policies. The Commission is charged with:

(a) identifying ways in which regulatory powers may be integrated, rationalized, and changed in order to promote economic innovation and protect consumers;

(b) recommending specific changes in statutes and regulations that promote competition and the growth of business, while effectively protecting both consumers and businesses from unfair or unethical practices; and

(c) ensuring that all statutes and regulations serve a beneficial purpose and do not impose costs higher than any benefits they provide.

5. In undertaking its review, the Commission may request documents, conduct public hearings, hear the testimony of witnesses, and take any other actions it deems necessary to carry out its functions.

6. The Commission shall issue such interim reports of its findings as it deems necessary and appropriate, and shall issue its final report and recommendations on or before June 30, 2008. All reports shall be submitted to the Governor, the Temporary President of the Senate, the Speaker of the Assembly, the Minority Leader of the Senate and the Minority Leader of the Assembly.

7. No member of the Commission shall be disqualified from holding any public office or employment, nor shall he or she forfeit any such office or employment by virtue of his or her appointment hereunder. Members of the Commission shall receive no compensation for their services but shall be allowed their actual and necessary expenses incurred in the performance of their functions hereunder. All members of the Commission shall serve at the pleasure of the Governor and vacancies shall be filled in the same manner as original appointments.

8. Every agency, department, office, division or public authority of this state shall cooperate with the Commission and furnish such information and assistance as the Commission determines is reasonably necessary to accomplish its purposes.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany, this twenty-ninth day of May in the year two thousand seven.

BY THE GOVERNOR
/S/ Eliot Spitzer
/s/ Richard S. Baum
Secretary to the Governor

