

2407

2013-2014 Regular Sessions

I N   S E N A T E

January 17, 2013

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Introduced by Sens. ADAMS, AVELLA, HASSELL-THOMPSON, MONTGOMERY, PARKER,  
PERKINS -- read twice and ordered printed, and when printed to be  
committed to the Committee on Finance

AN ACT to amend the executive law, in relation to establishing a legis-  
lative intelligence committee

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1     Section 1. The executive law is amended by adding a new section 719 to  
2     read as follows:

3     S 719. LEGISLATIVE INTELLIGENCE COMMITTEE. 1. THERE IS HEREBY ESTAB-  
4     LISHED A LEGISLATIVE INTELLIGENCE COMMITTEE. SUCH COMMITTEE SHALL  
5     CONSIST OF TWELVE MEMBERS, THREE OF WHOM SHALL BE APPOINTED BY THE  
6     TEMPORARY PRESIDENT OF THE SENATE, THREE OF WHOM SHALL BE APPOINTED BY  
7     THE SPEAKER OF THE ASSEMBLY, THREE OF WHOM SHALL BE APPOINTED BY THE  
8     MINORITY LEADER OF THE SENATE AND THREE OF WHOM SHALL BE APPOINTED BY  
9     THE MINORITY LEADER OF THE ASSEMBLY. MEMBERS OF THE COMMITTEE SHALL  
10    SERVE AT THE PLEASURE OF THE APPOINTING AUTHORITY. VACANCIES ON THE  
11    COMMITTEE SHALL BE FILLED IN THE SAME MANNER AS THE ORIGINAL APPOINT-  
12    MENT. MEMBERS OF THE COMMITTEE SHALL RECEIVE NO COMPENSATION FOR THEIR  
13    SERVICES, BUT SHALL BE ALLOWED THEIR ACTUAL AND NECESSARY EXPENSES  
14    INCURRED IN THE PERFORMANCE OF THEIR DUTIES PURSUANT TO THIS SECTION.

15    2. FOR PURPOSES OF THIS SECTION, THE TERM "COUNTERTERRORISM AGENCY"  
16    SHALL MEAN THE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES, THE  
17    OFFICE OF COUNTERTERRORISM, THE NEW YORK CITY POLICE DEPARTMENT COUN-  
18    TER-TERRORISM FOUNDATION, INC., THE NEW YORK CITY POLICE DEPARTMENT  
19    FOUNDATION, ANY NOT-FOR-PROFIT CORPORATION OR ANY OTHER ENTITY UNDER THE  
20    JURISDICTION OF ANY CITY, COUNTY, TOWN OR VILLAGE LOCATED WITHIN THIS  
21    STATE THAT IS ESTABLISHED FOR THE PURPOSE OF ENGAGING IN COUNTERTERROR-  
22    ISM ACTIVITIES.

23    3. THE LEGISLATIVE INTELLIGENCE COMMITTEE ESTABLISHED PURSUANT TO THIS  
24    SECTION SHALL:

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

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1 A. PROVIDE OVERSIGHT AND REVIEW OF ALL APPROPRIATIONS AND ALLOCATIONS  
2 TO EVERY COUNTERTERRORISM AGENCY LOCATED WITHIN THE STATE FROM ANY  
3 SOURCE;

4 B. APPROVE THE EXPENDITURE OF ANY FUNDS MADE BY EVERY COUNTERTERRORISM  
5 AGENCY LOCATED WITHIN THE STATE PRIOR TO THE EXPENDITURE OF SUCH FUNDS;

6 C. CONDUCT AUDITS REGARDING THE APPROPRIATION, ALLOCATION AND EXPENDI-  
7 TURE OF ALL FUNDS OF EVERY COUNTERTERRORISM AGENCY LOCATED WITHIN THE  
8 STATE; AND

9 D. REQUIRE AND RECEIVE REPORTS FROM THE DIVISION OF HOMELAND SECURITY  
10 AND EMERGENCY SERVICES IN A MANNER AND FREQUENCY TO BE DETERMINED BY THE  
11 COMMITTEE. SUCH REPORTS SHALL INCLUDE, BUT NOT BE LIMITED TO, INFORMA-  
12 TION REGARDING THE APPROPRIATION, ALLOCATION AND EXPENDITURE OF ALL  
13 FUNDS OF EVERY COUNTERTERRORISM AGENCY LOCATED WITHIN THE STATE, AND ANY  
14 OTHER INFORMATION THE COMMITTEE SHALL DEEM NECESSARY.

15 4. THE LEGISLATIVE INTELLIGENCE COMMITTEE SHALL HAVE THE POWER TO  
16 SUBPOENA AND TO TAKE TESTIMONY BY DEPOSITION AND THE POWER TO COMPEL THE  
17 ATTENDANCE OF WITNESSES AND THE PRODUCTION OF RECORDS, IN THE SAME  
18 MANNER AS PRESCRIBED BY LAW IN JUDICIAL PROCEEDINGS IN THE COURTS OF  
19 THIS STATE.

20 5. THE LEGISLATIVE INTELLIGENCE COMMITTEE IS AUTHORIZED TO EMPLOY,  
21 CONTRACT FOR OR UTILIZE THE SERVICES OF ANY PERSON, FIRM, PARTNERSHIP,  
22 ASSOCIATION, CORPORATION, GOVERNMENTAL AGENCY, OR AUTHORITY TO CARRY OUT  
23 ITS POWERS AND DUTIES AUTHORIZED OR MANDATED PURSUANT TO THE PROVISIONS  
24 OF THIS SECTION.

25 6. MEMBERS OF THE LEGISLATIVE INTELLIGENCE COMMITTEE SHALL BE SUBJECT  
26 TO THE CONFIDENTIALITY PROTOCOL RELATED TO SENSITIVE INFORMATION AND BE  
27 SUBJECT TO REQUISITE SECURITY CLEARANCES AS ESTABLISHED BY THE FEDERAL  
28 GOVERNMENT.

29 S 2. This act shall take effect immediately.