



5. DIRECTOR OF THE OFFICE OF AUTHORITIES OVERSIGHT.

6. POWERS AND DUTIES OF THE OFFICE OF AUTHORITIES OVERSIGHT.

7. REPORTS OF THE OFFICE OF AUTHORITIES OVERSIGHT.

S 4. ESTABLISHMENT OF THE INDEPENDENT OFFICE OF AUTHORITIES OVERSIGHT. THERE IS HEREBY ESTABLISHED THE INDEPENDENT OFFICE OF AUTHORITIES OVERSIGHT AS AN INDEPENDENT ENTITY WITHIN THE DEPARTMENT OF STATE, WHICH SHALL HAVE AND EXERCISE THE POWERS AND DUTIES PROVIDED BY THIS TITLE.

S 5. DIRECTOR OF THE OFFICE OF AUTHORITIES OVERSIGHT. THE DIRECTOR OF THE OFFICE OF AUTHORITIES OVERSIGHT SHALL BE APPOINTED BY THE GOVERNOR, UPON THE ADVICE AND CONSENT OF THE SENATE. THE DIRECTOR SHALL HOLD OFFICE FOR A TERM OF FOUR YEARS BEGINNING ON THE DATE OF CONFIRMATION. THE SALARY OF THE DIRECTOR SHALL BE ESTABLISHED BY THE GOVERNOR WITHIN THE LIMIT OF FUNDS AVAILABLE THEREFOR; PROVIDED, HOWEVER, SUCH SALARY SHALL BE NO LESS THAN THE SALARIES OF CERTAIN STATE OFFICERS HOLDING THE POSITIONS INDICATED IN PARAGRAPH (D) OF SUBDIVISION ONE OF SECTION ONE HUNDRED SIXTY-NINE OF THE EXECUTIVE LAW. THE DIRECTOR MAY BE REMOVED BY THE GOVERNOR ONLY AFTER NOTICE AND OPPORTUNITY TO BE HEARD, AND ONLY FOR:

1. PERMANENT DISABILITY;

2. INEFFICIENCY;

3. NEGLECT OF DUTY;

4. MALFEASANCE; OR

5. A FELONY OR CONDUCT INVOLVING MORAL TURPITUDE.

S 6. POWERS AND DUTIES OF THE OFFICE OF AUTHORITIES OVERSIGHT. 1. THE OFFICE OF AUTHORITIES OVERSIGHT SHALL:

(A) CONDUCT REVIEWS AND ANALYSIS OF THE OPERATIONS, PRACTICES AND REPORTS OF STATE AND LOCAL AUTHORITIES TO ASSESS COMPLIANCE WITH THE PROVISIONS OF THIS CHAPTER AND OTHER APPLICABLE PROVISIONS OF LAW;

(B) MAINTAIN A COMPREHENSIVE INVENTORY OF STATE AND LOCAL AUTHORITIES AND SUBSIDIARIES AND THE ANNUAL REPORTS OF SUCH STATE AND LOCAL AUTHORITIES AS DEFINED IN SECTION TWENTY-EIGHT HUNDRED OF THIS CHAPTER;

(C) ASSIST STATE AND LOCAL AUTHORITIES IN IMPROVING MANAGEMENT PRACTICES AND THE PROCEDURES BY WHICH THE ACTIVITIES AND FINANCIAL PRACTICES OF STATE AND LOCAL AUTHORITIES ARE DISCLOSED TO THE PUBLIC;

(D) MAKE RECOMMENDATIONS TO THE GOVERNOR, THE TEMPORARY PRESIDENT OF THE SENATE, THE SPEAKER OF THE ASSEMBLY AND THE CHAIRS AND RANKING MINORITY MEMBERS OF THE FOLLOWING COMMITTEES: THE SENATE FINANCE COMMITTEE, THE ASSEMBLY WAYS AND MEANS COMMITTEE, THE SENATE COMMITTEE ON CORPORATIONS, AUTHORITIES AND COMMISSIONS AND THE ASSEMBLY COMMITTEE ON CORPORATIONS, AUTHORITIES AND COMMISSIONS AND AUTHORITY BOARD MEMBERS CONCERNING OPPORTUNITIES TO IMPROVE THE PERFORMANCE, REPORTING, REFORMATION, STRUCTURE AND OVERSIGHT OF STATE AND LOCAL AUTHORITIES;

(E) PROVIDE SUCH ADDITIONAL INFORMATION AND ANALYSIS AS MAY BE REASONABLY REQUESTED BY THE LEGISLATURE AND STATE COMPTROLLER;

(F) PROMULGATE REGULATIONS TO EFFECTUATE THE PURPOSES OF THIS TITLE AND TITLE ONE OF THIS ARTICLE, AND ARTICLE NINE OF THIS CHAPTER;

(G) DEVELOP AND ISSUE, AFTER CONSULTATION WITH THE OFFICE OF THE ATTORNEY GENERAL, A WRITTEN ACKNOWLEDGEMENT THAT A BOARD MEMBER MUST EXECUTE AT THE TIME THAT THE MEMBER TAKES AND SUBSCRIBES THEIR OATH OF OFFICE, OR WITHIN SIXTY DAYS AFTER THE EFFECTIVE DATE OF THIS PARAGRAPH IF THE MEMBER HAS ALREADY TAKEN AND SUBSCRIBED THEIR OATH OF OFFICE, IN WHICH THE BOARD MEMBER ACKNOWLEDGES THAT THEY UNDERSTAND THEIR INDEPENDENCE AND FIDUCIARY DUTIES, INCLUDING THEIR DUTY OF LOYALTY AND CARE TO THE ORGANIZATION AND COMMITMENT TO THE AUTHORITY'S MISSION;

(H) DEVELOP MEANS OF ENFORCING THOSE FIDUCIARY DUTIES;

1 (I) DEVELOP A COMPREHENSIVE DEFINITION OF PUBLIC AUTHORITIES INCLUDING  
2 A CONSOLIDATED LISTING BY CLASS AND NAME;  
3 (J) VERIFY THE EXISTENCE OF ALL AUTHORITIES LISTED IN STATE LAW;  
4 (K) REVIEW THE POTENTIAL FOR CONSOLIDATION OR NAME CHANGE OF CERTAIN  
5 AUTHORITIES;  
6 (L) STANDARDIZE CONTENT AND FORMAT OF STATE AND LOCAL AUTHORITY ANNUAL  
7 REPORTS;  
8 (M) ASSESS INDIVIDUAL AUTHORITIES AND BASED UPON THEIR ABILITY AND  
9 RESOURCES, SET A DATE BY WHICH CHANGES MADE PURSUANT TO THIS TITLE SHALL  
10 BE IMPLEMENTED;  
11 (N) ISSUE RECOMMENDATIONS TO THE LEGISLATURE AND GOVERNOR ON SETTING  
12 DEBT LIMITATIONS FOR AUTHORITIES WITHOUT STATUTORILY REQUIRED DEBT  
13 LIMITS;  
14 (O) RECOMMEND TO THE LEGISLATURE AND GOVERNOR A COMPENSATION PLAN FOR  
15 BOARDS OF DIRECTORS; AND  
16 (P) REVIEW THE POTENTIAL FOR AND MAKE RECOMMENDATIONS TO THE LEGISLA-  
17 TURE AND GOVERNOR REGARDING CHANGE IN THE TERMS OF OFFICE OF PUBLIC  
18 AUTHORITIES BOARD MEMBERS.

19 2. THE OFFICE OF AUTHORITIES OVERSIGHT SHALL HAVE THE AUTHORITY TO:  
20 (A) REQUEST AND RECEIVE FROM ANY STATE OR LOCAL AUTHORITY, AGENCY,  
21 DEPARTMENT OR DIVISION OF THE STATE OR POLITICAL SUBDIVISION SUCH  
22 ASSISTANCE, PERSONNEL, INFORMATION, BOOKS, RECORDS, OTHER DOCUMENTATION  
23 AND COOPERATION AS MAY BE NECESSARY TO PERFORM ITS DUTIES;  
24 (B) ENTER INTO COOPERATIVE AGREEMENTS WITH OTHER GOVERNMENT OFFICES TO  
25 EFFICIENTLY CARRY OUT ITS WORK AND NOT DUPLICATE RESOURCES;  
26 (C) RECEIVE AND ACT UPON COMPLAINTS OR RECOMMENDATIONS FROM THE PUBLIC  
27 OR OTHER PERSONS OR ENTITIES REGARDING ANY AUTHORITY COVERED BY THIS  
28 TITLE;  
29 (D) INITIATE FORMAL INVESTIGATIONS IN RESPONSE TO COMPLAINTS OR  
30 APPEARANCES OF NON-COMPLIANCE BY AN AUTHORITY;  
31 (E) ISSUE SUBPOENAS FOR THE PURPOSES OF EFFECTUATING THE POWERS AND  
32 DUTIES OF THIS ARTICLE;  
33 (F) PUBLICLY WARN AND CENSURE AUTHORITIES FOR NON-COMPLIANCE WITH THIS  
34 TITLE, AND TO ESTABLISH GUIDELINES FOR SUCH ACTIONS;  
35 (G) RECOMMEND TO THE ENTITY THAT APPOINTED THE OFFICER OR DIRECTOR  
36 SUSPENSION OR DISMISSAL OF OFFICERS OR DIRECTORS;  
37 (H) REPORT CRIMINAL ACTIVITIES TO THE ATTORNEY GENERAL AND OTHER  
38 PROSECUTORIAL AGENCIES;  
39 (I) COMPEL ANY AUTHORITY WHICH IS DEEMED TO BE IN NON-COMPLIANCE WITH  
40 THIS TITLE AND TITLE ONE OF THIS ARTICLE OR ARTICLE NINE OF THIS CHAPTER  
41 TO SUBMIT TO THE OFFICE OF AUTHORITIES OVERSIGHT A DETAILED EXPLANATION  
42 OF SUCH FAILURE TO COMPLY, PROVIDED THAT WITH SUBMISSION OF SUCH  
43 DETAILED EXPLANATION, THE AUTHORITY SHALL BE CONSIDERED IN COMPLIANCE  
44 WITH THIS TITLE UNLESS AND UNTIL NOTIFIED OTHERWISE BY THE OFFICE OF  
45 AUTHORITIES OVERSIGHT; AND  
46 (J) COMMENCE A SPECIAL PROCEEDING IN SUPREME COURT, WHEN IT DOES NOT  
47 RECEIVE FROM A STATE OR LOCAL AUTHORITY UPON REQUEST INFORMATION, BOOKS,  
48 RECORDS OR OTHER DOCUMENTATION NECESSARY TO PERFORM ITS DUTIES, SEEKING  
49 AN ORDER DIRECTING THE PRODUCTION OF THE SAME.

50 3. THE REPORTS AND NON-PROPRIETARY INFORMATION RECEIVED BY AND  
51 PREPARED BY THE OFFICE OF AUTHORITIES OVERSIGHT SHALL BE MADE AVAILABLE  
52 TO THE PUBLIC, TO THE EXTENT PRACTICABLE, THROUGH THE INTERNET.

53 S 7. REPORTS OF THE OFFICE OF AUTHORITIES OVERSIGHT. ON JULY FIRST,  
54 TWO THOUSAND TEN AND ANNUALLY THEREAFTER THE OFFICE OF AUTHORITIES OVER-  
55 SIGHT SHALL ISSUE REPORTS ON ITS FINDINGS AND ANALYSES TO THE GOVERNOR,  
56 THE CHAIR AND RANKING MINORITY MEMBER OF THE SENATE FINANCE COMMITTEE,

1 THE CHAIR AND RANKING MINORITY MEMBER OF THE ASSEMBLY WAYS AND MEANS  
2 COMMITTEE, THE CHAIR AND RANKING MINORITY MEMBER OF THE SENATE STANDING  
3 COMMITTEE ON CORPORATIONS, AUTHORITIES AND COMMISSIONS, THE CHAIR AND  
4 RANKING MINORITY MEMBER OF THE ASSEMBLY STANDING COMMITTEE ON CORPO-  
5 RATIONS, AUTHORITIES AND COMMISSIONS, THE STATE COMPTROLLER AND THE  
6 ATTORNEY GENERAL, WITH CONCLUSIONS AND OPINIONS CONCERNING THE PERFORM-  
7 ANCE OF PUBLIC AUTHORITIES AND TO STUDY, REVIEW AND REPORT ON THE OPER-  
8 ATIONS, PRACTICES AND FINANCES OF STATE AND LOCAL AUTHORITIES AS DEFINED  
9 BY SECTION TWO OF THIS ARTICLE.

10 S 5. Subdivisions 1 and 2 of section 2800 of the public authorities  
11 law, subdivision 1 as amended and subdivision 2 as added by chapter 766  
12 of the laws of 2005, are amended to read as follows:

13 1. State authorities. (a) For the purpose of furnishing the state with  
14 systematic information regarding the status and the activities of public  
15 authorities, every state authority continued or created by this chapter  
16 or any other chapter of the laws of the state of New York shall submit  
17 to the governor, the chairman and ranking minority member of the senate  
18 finance committee, the chairman and ranking minority member of the  
19 assembly ways and means committee [and], the state comptroller, AND THE  
20 OFFICE OF AUTHORITIES OVERSIGHT, within ninety days after the end of its  
21 fiscal year, a complete and detailed report or reports setting forth:  
22 (1) its operations and accomplishments; (2) its [receipts and disburse-  
23 ments, or revenues and expenses, during such fiscal year in accordance  
24 with the categories or classifications established by such authority for  
25 its own operating and capital outlay purposes] FINANCIAL REPORTS,  
26 INCLUDING (I) AUDITED FINANCIALS IN ACCORDANCE WITH ALL APPLICABLE REGU-  
27 LATIONS AND FOLLOWING GENERALLY ACCEPTED ACCOUNTING PRINCIPLES AS  
28 DEFINED IN SUBDIVISION TEN OF SECTION TWO OF THE STATE FINANCE LAW, (II)  
29 GRANT AND SUBSIDY PROGRAMS, (III) OPERATING AND FINANCIAL RISKS, (IV)  
30 CURRENT RATINGS, IF ANY, OF ITS BONDS ISSUED BY RECOGNIZED MUNICIPAL  
31 BOND RATING AGENCIES AND NOTICE OF CHANGES IN SUCH RATINGS, AND (V)  
32 LONG-TERM LIABILITIES, INCLUDING LEASES AND EMPLOYEE BENEFIT PLANS; (3)  
33 [its assets and liabilities at the end of its fiscal year including the  
34 status of reserve, depreciation, special or other funds and including  
35 the receipts and payments of these funds] ITS MISSION STATEMENT AND  
36 MEASUREMENTS INCLUDING ITS MOST RECENT MEASUREMENT REPORT; (4) a sched-  
37 ule of its bonds and notes outstanding at the end of its fiscal year,  
38 together with a statement of the amounts redeemed and incurred during  
39 such fiscal year as part of a schedule of debt issuance that includes  
40 the date of issuance, term, amount, interest rate and means of repay-  
41 ment. Additionally, the debt schedule shall also include all refi-  
42 nancings, calls, refundings, defeasements and interest rate exchange or  
43 other such agreements, and for any debt issued during the reporting  
44 year, the schedule shall also include a detailed list of costs of issu-  
45 ance for such debt; (5) a compensation schedule, IN ADDITION TO THE  
46 REPORT DESCRIBED IN SECTION TWENTY-EIGHT HUNDRED SIX OF THIS TITLE, that  
47 shall include, by position, title and name of the person holding such  
48 position or title, the salary, compensation, allowance and/or benefits  
49 provided to any officer, director or employee in a decision making or  
50 managerial position of such authority whose salary is in excess of one  
51 hundred thousand dollars; (5-A) BIOGRAPHICAL INFORMATION, NOT INCLUDING  
52 CONFIDENTIAL PERSONAL INFORMATION, FOR ALL DIRECTORS AND OFFICERS AND  
53 EMPLOYEES FOR WHOM SALARY REPORTING IS REQUIRED UNDER SUBPARAGRAPH FIVE  
54 OF THIS PARAGRAPH; (6) the projects undertaken by such authority during  
55 the past year; (7) a listing AND DESCRIPTION, IN ADDITION TO THE REPORT  
56 REQUIRED BY PARAGRAPH A OF SUBDIVISION THREE OF SECTION TWENTY-EIGHT

1 HUNDRED NINETY-SIX OF THIS ARTICLE of [(i)] all real property of such  
2 authority having an estimated fair market value in excess of fifteen  
3 thousand dollars that the authority [intends to dispose of; (ii) all  
4 such property held by the authority at the end of the period covered by  
5 the report; and (iii) all such property disposed] ACQUIRES OR DISPOSES  
6 of during such period. The report shall contain [an estimate of fair  
7 market value for all such property held by the authority at the end of  
8 the period and] the price received OR PAID by the authority and the name  
9 of the purchaser OR SELLER for all such property sold OR BOUGHT by the  
10 authority during such period; (8) such authority's code of ethics; [and]  
11 (9) an assessment of the effectiveness of its internal control structure  
12 and procedures; (10) A COPY OF THE LEGISLATION THAT FORMS THE STATUTORY  
13 BASIS OF THE AUTHORITY; (11) A DESCRIPTION OF THE AUTHORITY AND ITS  
14 BOARD STRUCTURE, INCLUDING (I) NAMES OF COMMITTEES AND COMMITTEE  
15 MEMBERS, (II) LISTS OF BOARD MEETINGS AND ATTENDANCE, (III) DESCRIPTIONS  
16 OF MAJOR AUTHORITY UNITS, SUBSIDIARIES, AND (IV) NUMBER OF EMPLOYEES;  
17 (12) ITS CHARTER, IF ANY, AND BY-LAWS; (13) A LISTING OF MATERIAL CHANG-  
18 ES IN OPERATIONS AND PROGRAMS DURING THE REPORTING YEAR; (14) AT A MINI-  
19 MUM A FOUR-YEAR FINANCIAL PLAN, INCLUDING (I) A CURRENT AND PROJECTED  
20 CAPITAL BUDGET, AND (II) AN OPERATING BUDGET REPORT, INCLUDING AN ACTUAL  
21 VERSUS ESTIMATED BUDGET, WITH AN ANALYSIS AND MEASUREMENT OF FINANCIAL  
22 AND OPERATING PERFORMANCE; (15) ITS BOARD PERFORMANCE EVALUATIONS;  
23 PROVIDED, HOWEVER, THAT SUCH EVALUATIONS SHALL NOT BE SUBJECT TO DISCLO-  
24 SURE UNDER ARTICLE SIX OF THE PUBLIC OFFICERS LAW; (16) A DESCRIPTION OF  
25 THE TOTAL AMOUNTS OF ASSETS AND/OR SERVICES BOUGHT OR SOLD WITHOUT  
26 COMPETITIVE BIDDING, INCLUDING (I) THE NATURE OF THOSE ASSETS AND  
27 SERVICES, (II) THE NAMES OF THE COUNTERPARTIES, AND (III) WHERE THE  
28 CONTRACT PRICE OR FAIR MARKET VALUE FOR GOODS PURCHASED EXCEEDS A FAIR  
29 MARKET VALUE DETERMINED BY THE OFFICE OF AUTHORITIES OVERSIGHT, OR WHERE  
30 THE CONTRACT PRICE FOR GOODS SOLD IS LESS THAN A FAIR MARKET VALUE, AN  
31 ATTESTATION OF THE FAIR MARKET VALUE AND A DETAILED EXPLANATION EXECUTED  
32 UNDER PENALTIES OF PERJURY BY THE CHIEF EXECUTIVE OFFICER AND CHIEF  
33 FINANCIAL OFFICER OF THE REASONS FOR THE HIGH PRICE PURCHASE OR THE LOAN  
34 PRICE SALE INCLUDING THE RELATIONSHIP, IF ANY, OF PERSONS ASSOCIATED  
35 WITH THE BUYER/PURCHASER AND PERSONS ASSOCIATED WITH THE AUTHORITY  
36 AND/OR THE OFFICIALS WHO APPOINTED MEMBERS TO THE AUTHORITY BOARD; AND  
37 (17) A DESCRIPTION OF ANY MATERIAL PENDING LITIGATION IN WHICH THE  
38 AUTHORITY IS INVOLVED AS A PARTY DURING THE REPORTING YEAR.

39 (b) [To the extent practicable, each] EACH state authority shall make  
40 accessible to the public, via its official OR SHARED internet web site,  
41 documentation pertaining to its mission, current activities, most recent  
42 annual financial reports, current year budget and its most recent inde-  
43 pendent audit report unless such information is covered by subdivision  
44 two of section eighty-seven of the public officers law.

45 2. Local authorities. (a) Every local authority, continued or created  
46 by this chapter or any other chapter of the laws of the state of New  
47 York shall submit to the chief executive officer, the chief fiscal offi-  
48 cer, the chairperson of the legislative body of the local government or  
49 local governments and the [entity established pursuant to section twen-  
50 ty-seven of the chapter of the laws of two thousand five which added  
51 this subdivision] OFFICE OF AUTHORITIES OVERSIGHT, within ninety days  
52 after the end of its fiscal year, a complete and detailed report or  
53 reports setting forth: (1) its operations and accomplishments; (2) [its  
54 receipts and disbursements, or revenues and expenses, during such fiscal  
55 year in accordance with the categories or classifications established by  
56 such authority for its own operating and capital outlay purposes] ITS

1 FINANCIAL REPORTS, INCLUDING (I) AUDITED FINANCIALS IN ACCORDANCE WITH  
2 ALL APPLICABLE REGULATIONS AND FOLLOWING GENERALLY ACCEPTED ACCOUNTING  
3 PRINCIPLES AS DEFINED IN SUBDIVISION TEN OF SECTION TWO OF THE STATE  
4 FINANCE LAW, (II) GRANT AND SUBSIDY PROGRAMS, (III) OPERATING AND FINAN-  
5 CIAL RISKS, (IV) CURRENT RATINGS IF ANY, OF ITS BONDS ISSUED BY RECOG-  
6 NIZED MUNICIPAL BOND RATING AGENCIES AND NOTICE OF CHANGES IN SUCH  
7 RATINGS, AND (V) LONG-TERM LIABILITIES, INCLUDING LEASES AND EMPLOYEE  
8 BENEFIT PLANS; (3) [its assets and liabilities at the end of its fiscal  
9 year including the status of reserve, depreciation, special or other  
10 funds and including the receipts and payments of these funds] ITS  
11 MISSION STATEMENT AND MEASUREMENTS INCLUDING ITS MOST RECENT MEASUREMENT  
12 REPORT; (4) a schedule of its bonds and notes outstanding at the end of  
13 its fiscal year, together with a statement of the amounts redeemed and  
14 incurred during such fiscal year as part of a schedule of debt issuance  
15 that includes the date of issuance, term, amount, interest rate and  
16 means of repayment. Additionally, the debt schedule shall also include  
17 all refinancings, calls, refundings, defeasements and interest rate  
18 exchange or other such agreements, and for any debt issued during the  
19 reporting year, the schedule shall also include a detailed list of costs  
20 of issuance for such debt; (5) a compensation schedule IN ADDITION TO  
21 THE REPORT DESCRIBED IN SECTION TWENTY-EIGHT HUNDRED SIX OF THIS TITLE  
22 that shall include, by position, title and name of the person holding  
23 such position or title, the salary, compensation, allowance and/or bene-  
24 fits provided to any officer, director or employee in a decision making  
25 or managerial position of such authority whose salary is in excess of  
26 one hundred thousand dollars; (5-A) BIOGRAPHICAL INFORMATION, NOT  
27 INCLUDING CONFIDENTIAL PERSONAL INFORMATION, FOR ALL DIRECTORS AND OFFI-  
28 CERS AND EMPLOYEES FOR WHOM SALARY REPORTING IS REQUIRED UNDER SUBPARA-  
29 GRAPH FIVE OF THIS PARAGRAPH; (6) the projects undertaken by such  
30 authority during the past year; (7) a listing AND DESCRIPTION, IN ADDI-  
31 TION TO THE REPORT REQUIRED BY PARAGRAPH A OF SUBDIVISION THREE OF  
32 SECTION TWENTY-EIGHT HUNDRED NINETY-SIX OF THIS ARTICLE of [(i)] all  
33 real property of such authority having an estimated fair market value in  
34 excess of fifteen thousand dollars that the authority [intends to  
35 dispose of; (ii) all such property held by the authority at the end of  
36 the period covered by the report; and (iii) all such property disposed]  
37 ACQUIRES OR DISPOSES of during such period. The report shall contain [an  
38 estimate of fair market value for all such property held by the authori-  
39 ty at the end of the period and] the price received OR PAID by the  
40 authority and the name of the purchaser OR SELLER for all such property  
41 sold OR BOUGHT by the authority during such period; (8) such authority's  
42 code of ethics; [and] (9) an assessment of the effectiveness of its  
43 internal control structure and procedures; (10) A COPY OF THE LEGIS-  
44 LATION THAT FORMS THE STATUTORY BASIS OF THE AUTHORITY; (11) A  
45 DESCRIPTION OF THE AUTHORITY AND ITS BOARD STRUCTURE, INCLUDING (I)  
46 NAMES OF COMMITTEES AND COMMITTEE MEMBERS, (II) LISTS OF BOARD MEETINGS  
47 AND ATTENDANCE, (III) DESCRIPTIONS OF MAJOR AUTHORITY UNITS, SUBSID-  
48 IARIES, (IV) NUMBER OF EMPLOYEES; AND (V) ORGANIZATIONAL CHART; (12) ITS  
49 CHARTER, IF ANY, AND BY-LAWS; (13) A LISTING OF MATERIAL CHANGES IN  
50 OPERATIONS AND PROGRAMS DURING THE REPORTING YEAR; (14) AT A MINIMUM A  
51 FOUR-YEAR FINANCIAL PLAN, INCLUDING (I) A CURRENT AND PROJECTED CAPITAL  
52 BUDGET, AND (II) AN OPERATING BUDGET REPORT, INCLUDING AN ACTUAL VERSUS  
53 ESTIMATED BUDGET, WITH AN ANALYSIS AND MEASUREMENT OF FINANCIAL AND  
54 OPERATING PERFORMANCE; (15) ITS BOARD PERFORMANCE EVALUATIONS PROVIDED,  
55 HOWEVER, THAT SUCH EVALUATIONS SHALL NOT BE SUBJECT TO DISCLOSURE UNDER  
56 ARTICLE SIX OF THE PUBLIC OFFICERS LAW; (16) A DESCRIPTION OF THE TOTAL

1 AMOUNTS OF ASSETS AND/OR SERVICES BOUGHT OR SOLD WITHOUT COMPETITIVE  
2 BIDDING, INCLUDING (I) THE NATURE OF THOSE ASSETS AND SERVICES, (II) THE  
3 NAMES OF THE COUNTERPARTIES, AND (III) WHERE THE CONTRACT PRICE OR FAIR  
4 MARKET VALUE FOR GOODS PURCHASED EXCEEDS A FAIR MARKET VALUE DETERMINED  
5 BY THE OFFICE OF AUTHORITIES OVERSIGHT, OR WHERE THE CONTRACT PRICE FOR  
6 GOODS SOLD IS LESS THAN A FAIR MARKET VALUE, AN ATTESTATION OF THE FAIR  
7 MARKET VALUE AND A DETAILED EXPLANATION EXECUTED UNDER PENALTIES OF  
8 PERJURY BY THE CHIEF EXECUTIVE OFFICER AND CHIEF FINANCIAL OFFICER OF  
9 THE REASONS FOR THE HIGH PRICE PURCHASE OR THE LOW PRICE SALE INCLUDING  
10 THE RELATIONSHIP, IF ANY, OF PERSONS ASSOCIATED WITH THE BUYER/PURCHASER  
11 AND PERSON ASSOCIATED WITH THE AUTHORITY AND/OR THE OFFICIALS WHO  
12 APPOINTED MEMBERS TO THE AUTHORITY BOARD; AND (17) A DESCRIPTION OF ANY  
13 MATERIAL PENDING LITIGATION IN WHICH THE AUTHORITY IS INVOLVED AS A  
14 PARTY DURING THE REPORTING YEAR.

15 (b) [To the extent practicable, each] EACH local authority shall make  
16 accessible to the public, via its official OR SHARED internet web site,  
17 documentation pertaining to its mission, current activities, most recent  
18 annual financial reports, current year budget and its most recent inde-  
19 pendent audit report unless such information is covered by subdivision  
20 two of section eighty-seven of the public officers law.

21 S 6. Section 2801 of the public authorities law, as amended by chapter  
22 766 of the laws of 2005, is amended to read as follows:

23 S 2801. Budget reports by authorities. 1. State authorities. Every  
24 state authority or commission heretofore or hereafter continued or  
25 created by this chapter or any other chapter of the laws of the state of  
26 New York shall submit to the governor, [chairman] THE CHAIR and ranking  
27 minority member of the senate finance committee, [and chairman] THE  
28 CHAIR and ranking minority member of the assembly ways and means commit-  
29 tee AND THE OFFICE OF AUTHORITIES OVERSIGHT, for their information,  
30 annually NOT MORE THAN ONE HUNDRED TWENTY DAYS AND not less than ninety  
31 days before the commencement of its fiscal year, in the form submitted  
32 to its members or trustees, budget information on operations and capital  
33 construction setting forth the estimated receipts and expenditures for  
34 the next fiscal year and the current fiscal year, and the actual  
35 receipts and expenditures for the last completed fiscal year.

36 2. Local authorities. For the local authority fiscal year ending on or  
37 after December thirty-first, two thousand seven and annually thereafter,  
38 every local authority heretofore or hereafter continued or created by  
39 this chapter or any other chapter of the laws of the state of New York  
40 shall submit to the chief executive officer, the chief fiscal officer,  
41 the chairperson of the legislative body of the local government or  
42 governments and the [entity established pursuant to section twenty-seven  
43 of the chapter of the laws of two thousand five which added this subdi-  
44 vision,] OFFICE OF AUTHORITIES OVERSIGHT for their information, annually  
45 NOT MORE THAN NINETY DAYS AND not less than sixty days before the  
46 commencement of its fiscal year, in the form submitted to its members or  
47 trustees, budget information on operations and capital construction  
48 setting forth the estimated receipts and expenditures for the next  
49 fiscal year and the current fiscal year, and the actual receipts and  
50 expenditures for the last completed fiscal year.

51 3. IF ANY STATE OR LOCAL AUTHORITY HAS PROVIDED THE INFORMATION  
52 REQUIRED BY THIS SECTION AS PART OF THE ANNUAL REPORT REQUIRED BY  
53 SECTION TWENTY-EIGHT HUNDRED OF THIS TITLE, SUCH AUTHORITY MAY COMPLY  
54 WITH THE PROVISIONS OF THIS SECTION BY REFERENCE TO SUCH INFORMATION  
55 WITH ANY NECESSARY UPDATES.

1 S 7. Subdivisions 1 and 2 of section 2802 of the public authorities  
2 law, subdivision 1 as amended and subdivision 2 as added by chapter 766  
3 of the laws of 2005, are amended to read as follows:

4 1. State authorities. Every state authority or commission heretofore  
5 or hereafter continued or created by this chapter or any other chapter  
6 of the laws of the state of New York shall submit to the governor,  
7 chairman and ranking minority member of the senate finance committee,  
8 chairman and ranking minority member of the assembly ways and means  
9 committee [and], the state comptroller, [within thirty days after  
10 receipt thereof by such authority,] AND THE OFFICE OF AUTHORITIES OVER-  
11 SIGHT, TOGETHER WITH THE REPORT DESCRIBED IN SECTION TWENTY-EIGHT  
12 HUNDRED OF THIS TITLE, a copy of the annual independent audit report,  
13 performed by a certified public accounting firm in accordance with  
14 generally accepted [government] auditing standards AS DEFINED IN SUBDI-  
15 VISION ELEVEN OF SECTION TWO OF THE STATE FINANCE LAW, and management  
16 letter and any other external examination of the books and accounts of  
17 such authority other than copies of the reports of any examinations made  
18 by the state comptroller.

19 2. Local authorities. For the local authority fiscal year ending on or  
20 after December thirty-first, two thousand seven and annually thereafter,  
21 every local authority heretofore or hereafter continued or created by  
22 this chapter or any other chapter of the laws of the state of New York  
23 shall submit to the chief executive officer, the chief fiscal officer,  
24 the chairperson of the legislative body of the local government or local  
25 governments [and to the entity established pursuant to section twenty-  
26 seven of the chapter of the laws of two thousand five which added this  
27 subdivision, within thirty days after receipt thereof by such authori-  
28 ty,] AND THE OFFICE OF AUTHORITIES OVERSIGHT, TOGETHER WITH THE REPORT  
29 DESCRIBED IN SECTION TWENTY-EIGHT HUNDRED OF THIS TITLE, a copy of the  
30 annual independent audit report, performed by a certified public  
31 accounting firm in accordance with generally accepted [government]  
32 auditing standards AS DEFINED IN SUBDIVISION ELEVEN OF SECTION TWO OF  
33 THE STATE FINANCE LAW, and management letter and any other external  
34 examination of the books and accounts of such authority other than  
35 copies of the reports of ANY examinations made by the state comptroller.

36 S 8. Section 2806 of the public authorities law, as added by chapter  
37 149 of the laws of 1993, is amended to read as follows:

38 S 2806. Personnel reports by [public] STATE AND LOCAL authorities and  
39 public benefit corporations. 1. Every [public] STATE AND LOCAL authority  
40 and public benefit corporation shall submit to the comptroller, the  
41 director of the budget [and], the chairpersons of the legislative fiscal  
42 committees AND THE OFFICE OF AUTHORITIES OVERSIGHT, for their informa-  
43 tion, annually, on or before the fifteenth day of January of each calen-  
44 dar year, personnel information setting forth personal service schedules  
45 by subsidiary, division and unit which indicate position, grade, salary  
46 and title for each employee and in summary form.

47 2. IF ANY STATE OR LOCAL AUTHORITY HAS PROVIDED THE INFORMATION  
48 REQUIRED BY THIS SECTION IN THE ANNUAL REPORT REQUIRED UNDER SECTION  
49 TWENTY-EIGHT HUNDRED OF THIS TITLE, SUCH AUTHORITY MAY COMPLY WITH THE  
50 PROVISIONS OF THIS SECTION BY REFERENCES TO SUCH INFORMATION WITH ANY  
51 NECESSARY UPDATES.

52 S 9. Subdivisions 1, 4, 6 and 7 of section 2824 of the public authori-  
53 ties law, as added by chapter 766 of the laws of 2005, are amended to  
54 read as follows:

55 1. Board members of state and local authorities shall (a) execute  
56 direct oversight of the authority's chief executive and other [senior]

1 management in the effective and ethical management of the authority; (b)  
2 understand, review and monitor the implementation of fundamental finan-  
3 cial and management controls and operational decisions of the authority;  
4 (c) establish policies regarding the payment of salary, compensation and  
5 reimbursements to, and establish rules for the time and attendance of,  
6 the chief executive and [senior] management; (d) adopt a code of ethics  
7 applicable to each officer, director and employee that, at a minimum,  
8 includes the standards established in section seventy-four of the public  
9 officers law; (e) establish written policies and procedures on personnel  
10 including policies protecting employees from retaliation for disclosing  
11 information concerning acts of wrongdoing, misconduct, malfeasance, or  
12 other inappropriate behavior by an employee or board member of the  
13 authority, investments, travel, the acquisition of real property and the  
14 disposition of real and personal property and the procurement of goods  
15 and services; [and] (f) adopt a defense and indemnification policy and  
16 disclose such plan to any and all prospective board members; (G)  
17 DISCHARGE EACH OF THEIR DUTIES AS BOARD MEMBERS, INCLUDING BUT NOT  
18 LIMITED TO THOSE IMPOSED BY THIS SECTION, IN GOOD FAITH AND WITH THAT  
19 DEGREE OF INDEPENDENCE, DILIGENCE, CARE AND SKILL WHICH AN ORDINARILY  
20 PRUDENT PERSON WOULD EXERCISE UNDER SIMILAR CIRCUMSTANCES IN LIKE POSI-  
21 TIONS, AND IN ALL WAYS CONSISTENT WITH THEIR FIDUCIARY DUTIES OF LOYALTY  
22 AND DUE CARE TO THE ORGANIZATION AND OBEDIENCE TO THE AUTHORITY'S CORPO-  
23 RATE PURPOSES, PROVIDED, HOWEVER, THAT ANY ACTION TAKEN BY A BOARD  
24 MEMBER SERVING EX OFFICIO AFTER DISCLOSURE OF SUCH MEMBER'S CONFLICT OF  
25 INTEREST BASED ON HIS OR HER PUBLIC OFFICE SHALL NOT BE EVIDENCE OF ANY  
26 FAILURE TO FULFILL HIS OR HER FIDUCIARY DUTIES; (H) AT THE TIME THAT THE  
27 MEMBER TAKES AND SUBSCRIBES HIS OR HER OATH OF OFFICE, OR WITHIN SIXTY  
28 DAYS AFTER THE EFFECTIVE DATE OF THIS PARAGRAPH IF THE MEMBER HAS  
29 ALREADY TAKEN AND SUBSCRIBED HIS OR HER OATH OF OFFICE, EXECUTE AN  
30 ACKNOWLEDGMENT, IN THE FORM PRESCRIBED BY THE OFFICE OF AUTHORITIES  
31 OVERSIGHT, IN WHICH THE BOARD MEMBER ACKNOWLEDGES THAT HE OR SHE UNDER-  
32 STANDS HIS OR HER ROLE, RESPONSIBILITIES, INDEPENDENCE AND FIDUCIARY  
33 DUTIES IMPOSED PURSUANT TO THIS SECTION; AND (I) AT THE TIME THAT THE  
34 MEMBER TAKES AND SUBSCRIBES THEIR OATH OF OFFICE, OR WITHIN SIXTY DAYS  
35 AFTER THE EFFECTIVE DATE OF THIS PARAGRAPH IF THE MEMBER HAS ALREADY  
36 TAKEN AND SUBSCRIBED THEIR OATH OF OFFICE, EXECUTE AN ACKNOWLEDGMENT,  
37 ISSUED BY THE OFFICE OF AUTHORITIES OVERSIGHT AFTER CONSULTATION WITH  
38 THE OFFICE OF THE ATTORNEY GENERAL, IN WHICH THE BOARD MEMBER ACKNOWL-  
39 EDGES THAT THEY UNDERSTAND THEIR INDEPENDENCE AND FIDUCIARY DUTIES,  
40 INCLUDING THEIR DUTY OF LOYALTY AND CARE TO THE ORGANIZATION AND COMMIT-  
41 MENT TO THE AUTHORITY'S MISSION.

42 4. Board members of each state and local authority, or subsidiary  
43 thereof, shall establish an audit committee to be comprised of NOT LESS  
44 THAN THREE independent members, WHO SHALL CONSTITUTE A MAJORITY ON THE  
45 COMMITTEE, AND WHO SHALL POSSESS THE NECESSARY SKILLS TO UNDERSTAND THE  
46 DUTIES AND FUNCTIONS OF THE AUDIT COMMITTEE; PROVIDED, HOWEVER, THAT IN  
47 THE EVENT THAT A BOARD HAS LESS THAN THREE INDEPENDENT MEMBERS, THE  
48 BOARD MAY APPOINT NON-INDEPENDENT MEMBERS TO THE AUDIT COMMITTEE,  
49 PROVIDED THAT THE INDEPENDENT MEMBERS MUST CONSTITUTE A MAJORITY OF THE  
50 MEMBERS OF THE AUDIT COMMITTEE. The committee shall recommend to the  
51 board the hiring of a certified independent accounting firm for such  
52 authority, establish the compensation to be paid to the accounting firm  
53 and provide direct oversight of the performance of the independent audit  
54 performed by the accounting firm hired for such purposes.

1 6. [To the extent practicable, members] MEMBERS of the audit committee  
2 [should] SHALL be familiar with corporate financial and accounting prac-  
3 tices.

4 7. Board members of each state and local authority, or subsidiary  
5 thereof, shall establish a governance committee to be comprised of NOT  
6 LESS THAN THREE independent members, WHO SHALL CONSTITUTE A MAJORITY ON  
7 THE COMMITTEE, AND WHO SHALL POSSESS THE NECESSARY SKILLS TO UNDERSTAND  
8 THE DUTIES AND FUNCTIONS OF THE GOVERNANCE COMMITTEE; PROVIDED, HOWEVER,  
9 THAT IN THE EVENT THAT A BOARD HAS LESS THAN THREE INDEPENDENT MEMBERS,  
10 THE BOARD MAY APPOINT NON-INDEPENDENT MEMBERS TO THE GOVERNANCE COMMIT-  
11 TEE, PROVIDED THAT THE INDEPENDENT MEMBERS MUST CONSTITUTE A MAJORITY OF  
12 THE MEMBERS OF THE GOVERNANCE COMMITTEE. It shall be the responsibility  
13 of the members of the governance committee to keep the board informed of  
14 current best governance practices; to review corporate governance  
15 trends; to [update] RECOMMEND UPDATES TO the authority's corporate  
16 governance principles; [and] to advise appointing authorities on the  
17 skills and experiences required of potential board members; TO EXAMINE  
18 ETHICAL AND CONFLICT OF INTEREST ISSUES; TO PERFORM BOARD SELF-EVALUA-  
19 TIONS; AND TO RECOMMEND BY-LAWS WHICH INCLUDE RULES AND PROCEDURES FOR  
20 CONDUCT OF BOARD BUSINESS.

21 S 10. Section 2824 of the public authorities law is amended by adding  
22 two new subdivisions 8 and 9 to read as follows:

23 8. BOARD MEMBERS OF EACH STATE AND LOCAL AUTHORITY, OR SUBSIDIARY  
24 THEREOF WHICH ISSUES DEBT, SHALL ESTABLISH A FINANCE COMMITTEE TO BE  
25 COMPRISED OF NOT LESS THAN THREE INDEPENDENT MEMBERS, WHO SHALL CONSTI-  
26 TUTE A MAJORITY ON THE COMMITTEE, AND WHO SHALL POSSESS THE NECESSARY  
27 SKILLS TO UNDERSTAND THE DUTIES AND FUNCTIONS OF THE COMMITTEE;  
28 PROVIDED, HOWEVER, THAT IN THE EVENT THAT A BOARD HAS LESS THAN THREE  
29 INDEPENDENT MEMBERS, THE BOARD MAY APPOINT NON-INDEPENDENT MEMBERS TO  
30 THE FINANCE COMMITTEE, PROVIDED THAT THE INDEPENDENT MEMBERS MUST  
31 CONSTITUTE A MAJORITY OF THE MEMBERS OF THE FINANCE COMMITTEE. IT SHALL  
32 BE THE RESPONSIBILITY OF THE MEMBERS OF THE FINANCE COMMITTEE TO REVIEW  
33 PROPOSALS FOR THE ISSUANCE OF DEBT BY THE AUTHORITY AND ITS SUBSIDIARIES  
34 AND MAKE RECOMMENDATIONS.

35 9. ALL CHIEF EXECUTIVE OFFICERS OF STATE AUTHORITIES SHALL BE SUBJECT  
36 TO THE ADVICE AND CONSENT OF THE SENATE.

37 S 11. The public authorities law is amended by adding a new section  
38 2824-a to read as follows:

39 S 2824-A. MISSION STATEMENT AND MEASUREMENT REPORT. EACH STATE AUTHOR-  
40 ITY SHALL SUBMIT TO THE OFFICE OF AUTHORITIES OVERSIGHT ON OR BEFORE  
41 MARCH THIRTY-FIRST, TWO THOUSAND TEN, AND EACH LOCAL AUTHORITY SHALL  
42 SUBMIT TO THE OFFICE OF AUTHORITIES OVERSIGHT ON OR BEFORE MARCH THIR-  
43 TY-FIRST, TWO THOUSAND ELEVEN, A PROPOSED AUTHORITY MISSION STATEMENT  
44 AND PROPOSED MEASUREMENTS. THE PROPOSED AUTHORITY MISSION STATEMENT AND  
45 PROPOSED MEASUREMENTS SHALL HAVE THE FOLLOWING COMPONENTS: A BRIEF  
46 MISSION STATEMENT EXPRESSING THE PURPOSE GOALS OF THE AUTHORITY; A  
47 DESCRIPTION OF THE STAKEHOLDERS OF THE AUTHORITY AND THEIR REASONABLE  
48 EXPECTATIONS FROM THE AUTHORITY, WHICH STAKEHOLDERS SHALL INCLUDE AT A  
49 MINIMUM THE RESIDENTS AND TAXPAYERS OF THE AREA OF THE STATE SERVED BY  
50 THE AUTHORITY, THE PERSONS THAT USE THE SERVICES PROVIDED BY THE AUTHOR-  
51 ITY, AND THE EMPLOYEES OF THE AUTHORITY AND ANY EMPLOYEE ORGANIZATION;  
52 THE GOALS OF THE AUTHORITY IN RESPONSE TO THE NEEDS OF EACH GROUP OF  
53 STAKEHOLDERS; AND A LIST OF MEASUREMENTS BY WHICH PERFORMANCE OF THE  
54 AUTHORITY AND THE ACHIEVEMENT OF ITS GOALS MAY BE EVALUATED. EACH  
55 AUTHORITY SHALL REEXAMINE ITS MISSION STATEMENT AND MEASUREMENTS ON AN  
56 ANNUAL BASIS, AND PUBLISH SELF EVALUATION BASED ON THE STATE MEASURE-

MENTS HOWEVER, SUCH REEXAMINATION MAY BE WAIVED PURSUANT TO A DETERMINATION BY THE DIRECTOR OF THE OFFICE OF AUTHORITIES OVERSIGHT THAT SUCH UNDERTAKING IS UNNECESSARY FOR AN INDIVIDUAL AUTHORITY.

S 12. Subdivision 2 of section 2825 of the public authorities law, as added by chapter 766 of the laws of 2005, is amended to read as follows:

2. Except for members who serve as members by virtue of holding a civil office of the state, the majority of the remaining members of the governing body of every state or local authority shall be independent members; provided, however, that this provision shall apply to appointments made on or after the effective date of [the] chapter SEVEN HUNDRED SIXTY-SIX of the laws of two thousand five which added this subdivision. The official or officials having the authority to appoint or remove such remaining members shall take such actions as may be necessary to satisfy this requirement. For the purposes of this section, an independent member is one who:

(a) is not, and in the past two years has not been, employed by the public authority or [an affiliate] A RELATED AUTHORITY OR PUBLIC BENEFIT CORPORATION in an executive capacity;

(b) is not, and in the past two years has not been, employed by an entity that received remuneration valued at more than fifteen thousand dollars for goods and services provided to the public authority or received any other form of financial assistance valued at more than fifteen thousand dollars from the public authority;

(c) is not a relative of an executive officer or employee in an executive position of the public authority or [an affiliate] A RELATED AUTHORITY OR PUBLIC BENEFIT CORPORATION; and

(d) is not, and in the past two years has not been, a lobbyist registered under a state or local law and paid by a client to influence the management decisions, contract awards, rate determinations or any other similar actions of the public authority or [an affiliate] A RELATED AUTHORITY OR PUBLIC BENEFIT CORPORATION.

S 13. The public authorities law is amended by adding a new section 2879-a to read as follows:

S 2879-A. PUBLIC AUTHORITIES CONTRACTS; LIMITATIONS. 1. PRIOR TO THEIR PUBLICATION FOR BIDS OR PROPOSALS, EACH STATE AUTHORITY SHALL SUBMIT TO THE STATE COMPTROLLER, PROPOSALS FOR CONTRACTS FOR PROCUREMENT, PUBLIC WORK, CONSTRUCTION, OR REVENUE THAT INCLUDE THE PAYMENT OF MONEY, THE EXCHANGE OF PERSONAL OR REAL PROPERTY, THE EXCHANGE OF SERVICES, OR ANY COMBINATION THEREOF, WHICH IN THE AGGREGATE MAY REASONABLY BE VALUED IN EXCESS OF ONE MILLION DOLLARS. IF THE COMPTROLLER WITHIN FORTY-FIVE DAYS OF SUCH SUBMISSION NOTIFIES THE AUTHORITY THAT, PURSUANT TO HIS OR HER AUTHORITY TO SUPERVISE THE ACCOUNTS OF PUBLIC AUTHORITIES, HE OR SHE WILL REVIEW AND APPROVE SUCH CONTRACT, SUCH CONTRACT OR AGREEMENT SHALL NOT BE A VALID ENFORCEABLE CONTRACT UNLESS SUCH CONTRACT SHALL FIRST BE APPROVED BY THE COMPTROLLER. IN THE EVENT THAT THE COMPTROLLER NOTIFIES ANY STATE AUTHORITY THAT FINAL APPROVAL SHALL BE REQUIRED AS PROVIDED BY THIS SUBDIVISION, THEN THE STATE AUTHORITY SHALL INCLUDE A PROVISION IN ALL SUCH INVITATIONS TO BID OR SOLICITATIONS FOR PROPOSALS, INFORMING THE OTHER PARTIES TO SUCH CONTRACTS THAT THE SAME ARE NOT VALID AND ENFORCEABLE WITHOUT THE COMPTROLLER'S APPROVAL.

2. NOTWITHSTANDING THE PROVISIONS OF SUBDIVISION ONE OF THIS SECTION, IF THE COMPTROLLER HAS NOT APPROVED OR DISAPPROVED ANY CONTRACT SUBJECT TO THE PROVISIONS OF SUCH SUBDIVISION WITHIN NINETY DAYS OF SUBMISSION OF SUCH CONTRACT TO HIS OR HER OFFICE, SUCH CONTRACT SHALL BE VALID AND ENFORCEABLE.

1 3. IF THE COMPTROLLER DETERMINES THAT ANY CONTRACT OR CATEGORY OF  
2 CONTRACTS OF A STATE AUTHORITY, WHICH ARE NOT SUBJECT TO THE PROVISIONS  
3 OF SUBDIVISION ONE OF THIS SECTION, REQUIRE DIRECT SUPERVISION IN THE  
4 FORM OF PRE-APPROVAL OF SUCH CONTRACTS, AND THE COMPTROLLER SO NOTIFIES  
5 SUCH STATE AUTHORITY OF SUCH DETERMINATION, THEN NO SUCH CONTRACT OR  
6 AGREEMENT BY SUCH STATE AUTHORITY SELECTED FOR REVIEW BY THE COMPTROLLER  
7 SHALL BE A VALID ENFORCEABLE CONTRACT UNLESS SUCH CONTRACT SHALL FIRST  
8 BE APPROVED BY THE COMPTROLLER. IN THE EVENT THAT THE COMPTROLLER NOTI-  
9 FIES ANY STATE AUTHORITY THAT APPROVAL SHALL BE REQUIRED AS PROVIDED BY  
10 THIS SUBDIVISION, THEN THE STATE AUTHORITY SHALL INCLUDE A PROVISION IN  
11 ALL SUCH CONTRACTS SELECTED FOR REVIEW, INFORMING THE OTHER PARTIES TO  
12 SUCH CONTRACTS THAT THE SAME ARE NOT VALID AND ENFORCEABLE WITHOUT THE  
13 COMPTROLLER'S APPROVAL.

14 4. NOTWITHSTANDING THE PROVISIONS OF SUBDIVISION THREE OF THIS  
15 SECTION, IF THE COMPTROLLER HAS NOT APPROVED OR DISAPPROVED ANY CONTRACT  
16 SUBJECT TO THE PROVISIONS OF SUCH SUBDIVISION WITHIN NINETY DAYS OF  
17 SUBMISSION OF SUCH CONTRACT TO HIS OR HER OFFICE, SUCH CONTRACT SHALL BE  
18 VALID AND ENFORCEABLE.

19 5. THIS SECTION SHALL NOT APPLY TO: (A) CONTRACTS ENTERED INTO FOR THE  
20 ISSUANCE OF BONDED INDEBTEDNESS, EXCEPT CONTRACTS FOR PERSONAL SERVICES;  
21 OR (B) CONTRACTS ENTERED INTO FOR THE PROCUREMENT OF GOODS AND/OR  
22 SERVICES MADE TO MEET EMERGENCIES ARISING FROM UNFORESEEN CAUSES.

23 FOR THE PURPOSE OF THIS PARAGRAPH "EMERGENCY" SHALL MEAN AN URGENT AND  
24 UNEXPECTED REQUIREMENT WHERE HEALTH AND PUBLIC SAFETY OR THE CONSERVA-  
25 TION OF PUBLIC RESOURCES IS AT RISK. THE PUBLIC AUTHORITY SHALL DOCUMENT  
26 IN THE PROCUREMENT RECORD, SUBJECT TO REVIEW BY THE STATE COMPTROLLER,  
27 THE NATURE OF THE EMERGENCY GIVING RISE TO THE PROCUREMENT; OR (C)  
28 CONTRACTS OF PURCHASE OR SALE MADE ON A RECOGNIZED MARKET FOR THE GOODS,  
29 SERVICES, OR COMMODITIES IN QUESTION IN ACCORDANCE WITH STANDARD TERMS  
30 AND CONDITIONS OF SALE AT A MARKET PRICE. NOTHING IN THIS SECTION SHALL  
31 BE CONSTRUED TO REQUIRE ADDITIONAL OR FURTHER APPROVAL IN RELATION TO  
32 COMMITMENTS, CONTRACTS, AGREEMENTS OR INDEBTEDNESS ENTERED INTO OR  
33 INCURRED PRIOR TO THE EFFECTIVE DATE HEREOF.

34 6. THE PROVISIONS OF THIS SECTION DO NOT GRANT OR DIMINISH ANY POWER  
35 OR RIGHT TO REVIEW CONTRACTS BEYOND OR FROM THAT WHICH THE COMPTROLLER  
36 MAY HAVE PURSUANT TO HIS OR HER AUTHORITY TO SUPERVISE THE ACCOUNTS OF  
37 PUBLIC AUTHORITIES. IF ANY PROVISIONS OF THIS SECTION OR ITS APPLICATION  
38 TO ANY PERSON OR CIRCUMSTANCE IS HELD INVALID BY A COURT OF LAST RESORT,  
39 THEN THIS SECTION SHALL BE DEEMED TO BE INVALID IN ITS ENTIRETY AND  
40 SHALL BE DEEMED REPEALED.

41 S 14. Subdivision 3 of section 2896 of the public authorities law, as  
42 added by chapter 766 of the laws of 2005, is amended to read as follows:

43 3. a. Each public authority shall publish, not less frequently than  
44 annually, a report listing all real property of the public authority.  
45 Such report shall [consist of] INCLUDE a list and full description of  
46 all real and personal property disposed of during such period. The  
47 report shall contain the price received by the public authority and the  
48 name of the purchaser for all such property sold by the public authority  
49 during such period.

50 b. The public authority shall deliver copies of such report to the  
51 comptroller, the director of the budget, the commissioner of general  
52 services, [and] the legislature AND THE OFFICE OF AUTHORITIES OVERSIGHT.

53 S 15. Section 2975 of the public authorities law is amended by adding  
54 a new subdivision 3-a to read as follows:

1 3-A. A DIRECT PORTION OF THESE FUNDS SHALL BE ALLOCATED TO FUND THE  
2 OFFICE OF AUTHORITIES OVERSIGHT AS CREATED BY SECTION FOUR OF THIS CHAP-  
3 TER.

4 S 16. The public authorities law is amended by adding a new section  
5 2829 to read as follows:

6 S 2829. SUBSIDIARIES OF PUBLIC AUTHORITIES. 1. NOTWITHSTANDING ANY LAW  
7 TO THE CONTRARY, NO STATE AUTHORITY SHALL HEREAFTER HAVE THE POWER TO  
8 ORGANIZE ANY SUBSIDIARY CORPORATION UNLESS THE LEGISLATURE SHALL HAVE  
9 ENACTED A LAW GRANTING SUCH STATE AUTHORITY SUCH POWER FOR THE ORGANIZA-  
10 TION OF A SPECIFIC CORPORATION, PROVIDED, HOWEVER, THAT A STATE AUTHORI-  
11 TY MAY ORGANIZE A SUBSIDIARY CORPORATION PURSUANT TO THE FOLLOWING  
12 REQUIREMENTS:

13 (A) THE PURPOSE FOR WHICH THE SUBSIDIARY CORPORATION SHALL BE ORGAN-  
14 IZED SHALL BE FOR A PROJECT OR PROJECTS WHICH THE STATE AUTHORITY HAS  
15 THE POWER TO PURSUE PURSUANT TO ITS CORPORATE PURPOSES;

16 (B) THE PRIMARY REASON FOR WHICH THE SUBSIDIARY CORPORATION SHALL BE  
17 ORGANIZED SHALL BE TO LIMIT THE POTENTIAL LIABILITY IMPACT OF THE  
18 SUBSIDIARY'S PROJECT OR PROJECTS ON THE AUTHORITY OR BECAUSE STATE OR  
19 FEDERAL LAW REQUIRES THAT THE PURPOSE OF A SUBSIDIARY BE UNDERTAKEN  
20 THROUGH A SPECIFIC CORPORATE STRUCTURE; AND

21 (C) THE SUBSIDIARY CORPORATION SHALL MAKE THE REPORTS AND OTHER  
22 DISCLOSURES AS ARE REQUIRED OF STATE AUTHORITIES, UNLESS THE SUBSIDIARY  
23 CORPORATION'S OPERATIONS AND FINANCES ARE CONSOLIDATED WITH THOSE OF THE  
24 AUTHORITY OF WHICH IT IS A SUBSIDIARY.

25 2. IN SUCH CASES WHERE A STATE AUTHORITY HAS THE POWER TO ORGANIZE A  
26 SUBSIDIARY CORPORATION PURSUANT TO SUBDIVISION ONE OF THIS SECTION, THE  
27 STATE AUTHORITY SHALL FILE, NO LESS THAN SIXTY DAYS PRIOR TO THE FORMA-  
28 TION OF SUCH SUBSIDIARY, NOTICE TO THE OFFICE OF AUTHORITIES OVERSIGHT,  
29 THE GOVERNOR, THE COMPTROLLER, AND THE LEGISLATURE THAT IT WILL BE  
30 CREATING A SUBSIDIARY.

31 3. SUBSIDIARY CORPORATIONS FORMED UNDER SUBDIVISION ONE OF THIS  
32 SECTION SHALL NOT HAVE THE AUTHORITY TO ISSUE BONDS, NOTES OR OTHER  
33 DEBTS, PROVIDED, HOWEVER, THAT SUCH SUBSIDIARY CORPORATIONS MAY ISSUE  
34 NOTES OR OTHER DEBT TO THE PUBLIC AUTHORITY OF WHICH IT IS A SUBSIDIARY.  
35 NO SUCH DEBT ISSUED BY THE SUBSIDIARY TO ITS PARENT AUTHORITY SHALL IN  
36 TOTAL EXCEED, AT ANY TIME, A PRINCIPAL AMOUNT OF FIVE HUNDRED THOUSAND  
37 DOLLARS OR, DURING THE NINE MONTHS AFTER THE FORMATION OF THE SUBSID-  
38 IARY, ONE MILLION DOLLARS.

39 4. THE CERTIFICATE OF INCORPORATION OR OTHER DOCUMENT FILED TO ORGAN-  
40 IZE A SUBSIDIARY CORPORATION UNDER THIS SECTION SHALL STATE THAT THE  
41 STATE AUTHORITY IS THE PERSON ORGANIZING THE CORPORATION.

42 5. PROVIDED, HOWEVER, THAT NOTHING IN THIS SECTION SHALL BE CONSTRUED  
43 TO GRANT AN AUTHORITY THE POWER TO CREATE A SUBSIDIARY WHERE THE AUTHOR-  
44 ITY DOES NOT OTHERWISE HAVE THE POWER TO DO SO.

45 6. ON OR BEFORE THE FIRST DAY OF JANUARY, TWO THOUSAND TEN, AND ANNU-  
46 ALLY ON SUCH DAY THEREAFTER, ANY SUBSIDIARY PUBLIC BENEFIT CORPORATION,  
47 IN COOPERATION WITH ITS PARENT PUBLIC BENEFIT CORPORATION, SHALL PROVIDE  
48 TO THE CHAIR AND RANKING MINORITY MEMBER OF THE SENATE FINANCE COMMITTEE  
49 AND THE CHAIR AND RANKING MINORITY MEMBER OF THE ASSEMBLY WAYS AND MEANS  
50 COMMITTEE, A REPORT ON THE SUBSIDIARY PUBLIC BENEFIT CORPORATION. SUCH  
51 REPORT SHALL INCLUDE FOR EACH SUBSIDIARY:

52 (A) THE COMPLETE LEGAL NAME, ADDRESS AND CONTACT INFORMATION OF THE  
53 SUBSIDIARY;

54 (B) THE STRUCTURE OF THE ORGANIZATION OF THE SUBSIDIARY, INCLUDING THE  
55 NAMES AND TITLES OF EACH OF ITS MEMBERS, DIRECTORS AND OFFICERS, AS WELL  
56 AS A CHART OF ITS ORGANIZATIONAL STRUCTURE;

1 (C) THE COMPLETE BYLAWS AND LEGAL ORGANIZATION PAPERS OF THE SUBSID-  
2 IARY;

3 (D) A COMPLETE REPORT OF THE PURPOSE, OPERATIONS, MISSION AND PROJECTS  
4 OF THE SUBSIDIARY, INCLUDING A STATEMENT OF JUSTIFICATION AS TO WHY THE  
5 SUBSIDIARY IS NECESSARY TO CONTINUE ITS OPERATIONS FOR THE PUBLIC BENE-  
6 FIT FOR THE PEOPLE OF THE STATE OF NEW YORK; AND

7 (E) ANY OTHER INFORMATION THE SUBSIDIARY PUBLIC BENEFIT CORPORATION  
8 DEEMS IMPORTANT TO INCLUDE IN SUCH REPORT.

9 S 17. The public authorities law is amended by adding a new section  
10 2856 to read as follows:

11 S 2856. CONSIDERATION OF PUBLIC AUTHORITY DEBT. ON OR BEFORE A DATE  
12 FIXED BY THE OFFICE OF AUTHORITIES OVERSIGHT, EVERY AUTHORITY NOT  
13 SUBJECT TO A STATUTORY LIMIT ON BONDS, NOTES, OR OTHER DEBT OBLIGATIONS  
14 IT MAY ISSUE, SHALL SUBMIT TO THE OFFICE OF AUTHORITIES OVERSIGHT A  
15 STATEMENT OF INTENT TO GUIDE THE AUTHORITY'S ISSUANCE AND OVERALL AMOUNT  
16 OF BONDS, NOTES, OR OTHER DEBT OBLIGATIONS IT MAY ISSUE.

17 S 18. Subdivision 3 of section 2897 of the public authorities law, as  
18 added by chapter 766 of the laws of 2005, is amended to read as follows:

19 3. Method of disposition. Subject to section twenty-eight hundred  
20 ninety-six of this title, any public authority may dispose of property  
21 for not less than the fair market value of such property by sale,  
22 exchange, or transfer, for cash, credit, or other property, with or  
23 without warranty, and upon such other terms and conditions as the  
24 contracting officer deems proper, and it may execute such documents for  
25 the transfer of title or other interest in property and take such other  
26 action as it deems necessary or proper to dispose of such property under  
27 the provisions of this section. Provided, however, that no disposition  
28 of real property, OR any interest in real property, [or any other prop-  
29 erty which because of its unique nature is not subject to fair market  
30 pricing] shall be made unless an appraisal of the value of such property  
31 has been made by an independent appraiser and included in the record of  
32 the transaction, AND, PROVIDED FURTHER, THAT NO DISPOSITION OF ANY OTHER  
33 PROPERTY, WHICH BECAUSE OF ITS UNIQUE NATURE OR THE UNIQUE CIRCUMSTANCES  
34 OF THE PROPOSED TRANSACTION IS NOT READILY VALUED BY REFERENCE TO AN  
35 ACTIVE MARKET FOR SIMILAR PROPERTY, SHALL BE MADE WITHOUT A SIMILAR  
36 APPRAISAL.

37 S 19. Paragraphs c and d of subdivision 6 of section 2897 of the  
38 public authorities law, as added by chapter 766 of the laws of 2005, are  
39 amended to read as follows:

40 c. Disposals and contracts for disposal of property may be negotiated  
41 or made by public auction without regard to paragraphs a and b of this  
42 subdivision but subject to obtaining such competition as is feasible  
43 under the circumstances, if:

44 (i) the personal property involved [is of a nature and quantity which,  
45 if] HAS QUALITIES SEPARATE FROM THE UTILITARIAN PURPOSE OF SUCH PROPER-  
46 TY, SUCH AS ARTISTIC QUALITY, ANTIQUITY, HISTORICAL SIGNIFICANCE, RARI-  
47 TY, OR OTHER QUALITY OF SIMILAR EFFECT, THAT WOULD TEND TO INCREASE ITS  
48 VALUE, OR IF THE PERSONAL PROPERTY IS TO BE SOLD IN SUCH QUANTITY THAT,  
49 IF IT WERE disposed of under paragraphs a and b of this subdivision,  
50 would [aversely] ADVERSELY affect the state or local market for such  
51 property, and the estimated fair market value of such property and other  
52 satisfactory terms of disposal can be obtained by negotiation;

53 (ii) the fair market value of the property does not exceed fifteen  
54 thousand dollars;

1 (iii) bid prices after advertising therefor are not reasonable, either  
2 as to all or some part of the property, or have not been independently  
3 arrived at in open competition;  
4 (iv) the disposal will be to the state or any political subdivision,  
5 and the estimated fair market value of the property and other satisfac-  
6 tory terms of disposal are obtained by negotiation; OR  
7 (v) [the disposal is for an amount less than the estimated fair market  
8 value of the property, the terms of such disposal are obtained by public  
9 auction or negotiation, the disposal of the property is intended to  
10 further the public health, safety or welfare or an economic development  
11 interest of the state or a political subdivision (to include but not  
12 limited to, the prevention or remediation of a substantial threat to  
13 public health or safety, the creation or retention of a substantial  
14 number of job opportunities, or the creation or retention of a substan-  
15 tial source of revenues, or where the authority's enabling legislation  
16 permits), the purpose and the terms of such disposal are documented in  
17 writing and approved by resolution of the board of the public authority;  
18 or  
19 (vi)] such action is otherwise authorized by law.  
20 d. (i) An explanatory statement shall be prepared of the circumstances  
21 of each disposal by negotiation of:  
22 (A) any personal property which has an estimated fair market value in  
23 excess of fifteen thousand dollars;  
24 (B) any real property that has an estimated fair market value in  
25 excess of one hundred thousand dollars, except that any real property  
26 disposed of by lease or exchange shall only be subject to clauses (C)  
27 [through (E)] AND (D) of this subparagraph;  
28 (C) any real property disposed of by lease [for a term of five years  
29 or less], if the estimated [fair] annual rent OVER THE TERM OF THE LEASE  
30 is in excess of [one hundred thousand dollars for any of such years]  
31 FIFTEEN THOUSAND DOLLARS;  
32 (D) [any real property disposed of by lease for a term of more than  
33 five years, if the total estimated rent over the term of the lease is in  
34 excess of one hundred thousand dollars; or  
35 (E)] any real property or real and related personal property disposed  
36 of by exchange, regardless of value, or any property any part of the  
37 consideration for which is real property.  
38 (ii) Each such statement shall be transmitted to the persons entitled  
39 to receive copies of the report required under section twenty-eight  
40 hundred ninety-six of this title not less than ninety days in advance of  
41 such disposal, and a copy thereof shall be preserved in the files of the  
42 public authority making such disposal.  
43 S 20. Article 9 of the public authorities law is amended by adding a  
44 new title 12 to read as follows:

#### 45 TITLE 12

#### 46 WHISTLEBLOWER ACCESS AND ASSISTANCE PROGRAM

#### 47 SECTION 2986. WHISTLEBLOWER ACCESS AND ASSISTANCE PROGRAM.

48 S 2986. WHISTLEBLOWER ACCESS AND ASSISTANCE PROGRAM. 1. DEFINITIONS.

49 (A) "EMPLOYEES OF STATE AND LOCAL AUTHORITIES" MEANS THOSE PERSONS  
50 EMPLOYED AT STATE AND LOCAL AUTHORITIES, INCLUDING BUT NOT LIMITED TO:  
51 FULL-TIME AND PART-TIME EMPLOYEES, CONTRACTORS, THOSE EMPLOYEES ON  
52 PROBATION, AND TEMPORARY EMPLOYEES.

53 (B) "ATTORNEY GENERAL" SHALL MEAN THE ATTORNEY GENERAL OF THE STATE OF  
54 NEW YORK.

55 (C) "WHISTLEBLOWER" SHALL MEAN ANY EMPLOYEE OF A STATE OR LOCAL  
56 AUTHORITY WHO DISCLOSES INFORMATION CONCERNING ACTS OF WRONGDOING,

MISCONDUCT, MALFEASANCE, OR OTHER INAPPROPRIATE BEHAVIOR BY AN EMPLOYEE OR BOARD MEMBER OF THE AUTHORITY, INVESTMENTS, TRAVEL, THE ACQUISITION OF REAL OR PERSONAL PROPERTY AND THE DISPOSITION OF REAL OR PERSONAL PROPERTY AND THE PROCUREMENT OF GOODS AND SERVICES.

2. THE DIRECTOR OF THE OFFICE OF AUTHORITIES OVERSIGHT, AFTER CONSULTATION WITH THE ATTORNEY GENERAL, SHALL DEVELOP AND RECOMMEND TO THE LEGISLATURE A WHISTLEBLOWER ACCESS AND ASSISTANCE PROGRAM WHICH SHALL INCLUDE, BUT NOT BE LIMITED TO (A) EVALUATING AND COMMENTING ON WHISTLEBLOWER PROGRAMS AND POLICIES BY STATE AND LOCAL AUTHORITIES PURSUANT TO PARAGRAPH (E) OF SUBDIVISION ONE OF SECTION TWENTY-EIGHT HUNDRED TWENTY-FOUR OF THIS CHAPTER;

(B) ESTABLISHING TOLL-FREE TELEPHONE AND FACSIMILE LINES AVAILABLE TO EMPLOYEES AT STATE AND LOCAL AUTHORITIES;

(C) OFFERING ADVICE REGARDING THE EMPLOYEE'S RIGHTS UNDER APPLICABLE STATE AND FEDERAL LAWS AND ADVICE AND OPTIONS AVAILABLE TO ALL PERSONS; AND

(D) OFFERING AN OPPORTUNITY FOR EMPLOYEES OF STATE AND LOCAL AUTHORITIES TO IDENTIFY CONCERNS REGARDING ANY ISSUE AT A STATE OR LOCAL AUTHORITY.

3. ANY COMMUNICATIONS BETWEEN AN EMPLOYEE AND THE OFFICE OF AUTHORITIES OVERSIGHT PURSUANT TO THIS SECTION SHALL BE HELD STRICTLY CONFIDENTIAL BY THE OFFICE OF AUTHORITIES OVERSIGHT, UNLESS THE EMPLOYEE SPECIFICALLY WAIVES IN WRITING THE RIGHT TO CONFIDENTIALITY.

S 21. The public authorities law is amended by adding a new section 2857 to read as follows:

S 2857. ACTIONS BY AN AUTHORITY. NO STATE OR LOCAL AUTHORITY SHALL FIRE, DISCHARGE, DEMOTE, SUSPEND, THREATEN, HARASS OR DISCRIMINATE AGAINST AN EMPLOYEE BECAUSE OF THE EMPLOYEE'S ROLE AS A WHISTLEBLOWER, INSOFAR AS THE ACTIONS TAKEN BY THE EMPLOYEE ARE LEGAL.

S 22. Article 9 of the public authorities law is amended by adding a new title 12-A to read as follows:

#### TITLE 12-A

#### PUBLIC AUTHORITIES LOBBYING CONTACTS

#### SECTION 2987. LOBBYING CONTACTS.

S 2987. LOBBYING CONTACTS. 1. DEFINITIONS. AS USED IN THIS SECTION:

(A) "LOBBYING" SHALL HAVE THE SAME MEANING AS DEFINED IN SECTION ONE-C OF THE LEGISLATIVE LAW.

(B) "LOBBYING CONTACT" SHALL MEAN ANY CONVERSATION, IN PERSON OR BY TELEPHONIC OR OTHER REMOTE MEANS, OR CORRESPONDENCE BETWEEN ANY LOBBYIST AND ANY PERSON WITHIN A STATE AUTHORITY WHO CAN MAKE OR INFLUENCE A DECISION ON ANY MATTER ON BEHALF OF THE STATE AUTHORITY, AND SHALL INCLUDE, AT A MINIMUM, ALL MEMBERS OF THE GOVERNING BOARD AND ALL OFFICERS OF THE STATE AUTHORITY.

(C) "LOBBYIST" SHALL MEAN ANY PERSON WHO CONTACTS A STATE AUTHORITY IN AN EFFORT TO OBTAIN FAVORABLE ACTION BY THE AUTHORITY ON ANY MATTER ON BEHALF OF ANOTHER PERSON.

2. EVERY STATE AUTHORITY SHALL MAINTAIN A RECORD OF ALL LOBBYING CONTACTS MADE WITH SUCH AUTHORITY.

3. EVERY MEMBER, OFFICER OR EMPLOYEE OF A STATE AUTHORITY WHO IS THE PERSON CONTACTED BY A LOBBYIST SHALL MAKE A CONTEMPORANEOUS RECORD OF SUCH CONTACT CONTAINING THE DAY AND TIME OF THE CONTACT, THE IDENTITY OF THE LOBBYIST, AND A GENERAL SUMMARY OF THE SUBSTANCE OF THE CONTACT. SUCH PERSON SHALL NOT BE REQUIRED TO MAKE A RECORD OF THE RECEIPT OF DOCUMENTARY LOBBYING CONTACTS IF THE DOCUMENT OR A COPY THEREOF IS KEPT IN A FILE RELATING TO LOBBYING CONTACTS.

1     4. EACH STATE AUTHORITY SHALL ADOPT A POLICY IMPLEMENTING THE REQUIRE-  
2 MENTS OF THIS SECTION. SUCH POLICY SHALL APPOINT AN OFFICER TO WHOM ALL  
3 SUCH RECORDS SHALL BE DELIVERED. SUCH OFFICER SHALL MAINTAIN SUCH  
4 RECORDS FOR NOT LESS THAN SEVEN YEARS IN A FILING SYSTEM DESIGNED TO  
5 ORGANIZE SUCH RECORDS IN A MANNER SO AS TO MAKE SUCH RECORDS USEFUL TO  
6 DETERMINE WHETHER THE DECISIONS OF THE AUTHORITY WERE INFLUENCED BY  
7 LOBBYING CONTACTS.  
8     S 23. Severability. If any provision of this act or its application to  
9 any person or circumstance is held invalid, this invalidity does not  
10 affect other provisions or applications of this act that can be given  
11 effect without the invalid provision or application, and to this end the  
12 provisions of this act are declared to be severable.  
13     S 24. This act shall take effect on the sixtieth day after it shall  
14 have become a law.