

8701

2009-2010 Regular Sessions

I N   A S S E M B L Y

June 4, 2009

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Introduced by M. of A. DeMONTE, SCHIMMINGER -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to adding the president of NYSERDA and the commissioner of economic development to the New York state foundation for science, technology and innovation board and removes the executive director from such board

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

1     Section 1. Subdivision 3 of section 3151 of the public authorities  
2 law, as amended by section 1 of part CC of chapter 59 of the laws of  
3 2006, is amended to read as follows:  
4     3. Membership. The voting members of the foundation board shall  
5 consist of: the [executive director of the New York state foundation for  
6 science, technology and innovation] PRESIDENT OF THE NEW YORK STATE  
7 ENERGY RESEARCH AND DEVELOPMENT AUTHORITY, OR HIS OR HER DESIGNEE AND  
8 THE COMMISSIONER OF ECONOMIC DEVELOPMENT, OR HIS OR HER DESIGNEE who  
9 shall be [a] permanent [member] MEMBERS of the foundation board, seven  
10 members from the private sector, two of whom shall be appointed by the  
11 temporary president of the senate, two of whom shall be appointed by the  
12 speaker of the assembly, and three of whom shall be appointed by the  
13 governor with the advice and consent of the senate, provided that all  
14 seven members are employed within the private sector throughout the time  
15 of their appointment to the foundation board. The private sector  
16 members shall demonstrate leadership and expertise and be broadly representative across different business sectors of the state and shall  
17 include, but not be limited to representatives of the industrial technology research and development sector, small business high technology  
18 sector; minority and women business enterprises, the venture capital industry; [five] FOUR additional members shall be appointed from among  
19 the academic, government, and workforce development sectors, [three] TWO  
20 of whom shall be appointed by the governor, with the advice and consent  
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22  
23

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

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1 of the senate, one of whom shall be appointed by the temporary president  
2 of the senate, and one of whom shall be appointed by the speaker of the  
3 assembly; and representatives of the regional partnerships as estab-  
4 lished in this section shall also serve as non-voting members of the  
5 board, provided that each partnership shall nominate one of its members  
6 to serve as a non-voting member of the board. All members of the founda-  
7 tion board shall serve at the pleasure of the appointing authority and,  
8 notwithstanding any other provision of law, shall be subject to sections  
9 seventy-three and seventy-four of the public officers law. The chair of  
10 the foundation board shall be appointed by the governor from among the  
11 private sector members with the advice and consent of the senate. All  
12 other officers of the board shall be elected from among the voting  
13 members of the board of directors by the majority vote of currently  
14 serving voting members of the foundation board. The executive director  
15 of the foundation shall be appointed by the governor, with the advice  
16 and consent of the senate. [The executive director of the New York state  
17 office of science, technology and academic research shall become the  
18 interim executive director of the foundation, and shall be the executive  
19 director of the foundation until the executive director of the founda-  
20 tion is appointed by the governor, with the advice and consent of the  
21 senate. The members of the New York state office of science, technology  
22 and academic research advisory council shall serve as interim voting  
23 members of the foundation board until the appointing authority appoints  
24 voting members of the foundation board. Nothing contained herein shall  
25 prohibit a member of the New York state office of science, technology  
26 and academic research advisory council from being appointed as a voting  
27 member of the foundation board by the appropriate appointing authority.]  
28 S 2. This act shall take effect on the sixtieth day after it shall  
29 have become a law.