

4544

2009-2010 Regular Sessions

I N A S S E M B L Y

February 4, 2009

Introduced by M. of A. ROSENTHAL -- read once and referred to the
Committee on Tourism, Arts and Sports Development

AN ACT to amend the arts and cultural affairs law, in relation to participation of trustees of the board of trustees of the Trust for Cultural Resources of the city of New York who concurrently serve as ex officio officers or board members of a participating cultural institution and the designation of a representative by the commissioner of cultural affairs of the city of New York to attend and vote at meetings of the board of trustees of the Trust for Cultural Resources

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

1 Section 1. Subdivision 3 of section 21.05 of the arts and cultural
2 affairs law, as added by chapter 511 of the laws of 2003, is amended to
3 read as follows:
4 3. The deputy mayor [of finance and] FOR economic development AND
5 REBUILDING of the city of New York [and], the chairperson of the New
6 York city industrial development agency AND THE COMMISSIONER OF CULTURAL
7 AFFAIRS OF THE CITY OF NEW YORK each may designate a person from his or
8 her staff or agency to represent him or her at all meetings of the board
9 of trustees OF THE TRUST FOR CULTURAL RESOURCES FOR THE CITY OF NEW YORK
10 from which such trustee may be absent. Any representatives so designated
11 shall have the power to attend and to vote at any meeting of the board
12 of trustees OF SAID TRUST from which the trustee so designating him or
13 her is absent, with the same force and effect as if the trustee designating such representative were present and voting. Such designation
14 shall be by written notice signed by the trustee making the designation
15 and delivered to the chairman of the board of trustees OF THE TRUST FOR
16 CULTURAL RESOURCES FOR THE CITY OF NEW YORK. The designation of each
17 such person shall continue until revoked at any time by written notice
18 signed by the trustee making the designation or his OR HER successor in
19 office. Such designation shall not limit the power of the trustee making
20

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

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1 the designation to attend and vote in person at any meeting of the board
2 of trustees OF THE TRUST FOR CULTURAL RESOURCES FOR THE CITY OF NEW
3 YORK.

4 S 2. Section 21.05 of the arts and cultural affairs law is amended by
5 adding a new subdivision 4 to read as follows:

6 4. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ANY PERSON SERVING AS
7 AN EX OFFICIO MEMBER OF THE BOARD OF TRUSTEES OF THE TRUST FOR CULTURAL
8 RESOURCES FOR THE CITY OF NEW YORK, MAY ALSO SERVE AS AN EX OFFICIO
9 MEMBER OF THE BOARD OF TRUSTEES, OR EQUIVALENT BODY, OF ANY PARTICIPAT-
10 ING CULTURAL INSTITUTION. NOTWITHSTANDING ANY OTHER PROVISION OF LAW,
11 THE TRUST FOR CULTURAL RESOURCES FOR THE CITY OF NEW YORK MAY ENTER INTO
12 A FINANCING AGREEMENT WITH A PARTICIPATING CULTURAL INSTITUTION IF MORE
13 THAN ONE PERSON SERVING ON THE BOARD OF TRUSTEES, OR THE EQUIVALENT
14 BODY, OF SUCH PARTICIPATING CULTURAL INSTITUTION SERVES CONCURRENTLY ON
15 THE BOARD OF TRUSTEES OF THE TRUST FOR CULTURAL RESOURCES FOR THE CITY
16 OF NEW YORK, PROVIDED, HOWEVER, THAT NO MORE THAN ONE SUCH PERSON SERVES
17 OTHER THAN IN AN EX OFFICIO CAPACITY. ANY TRUSTEE OF THE TRUST FOR
18 CULTURAL RESOURCES FOR THE CITY OF NEW YORK WHO IS CONCURRENTLY SERVING
19 ON THE BOARD OF TRUSTEES, OR EQUIVALENT BODY, OF A PARTICIPATING
20 CULTURAL INSTITUTION SHALL REFRAIN FROM PARTICIPATING IN DISCUSSIONS OR
21 VOTING ON MATTERS PERTAINING TO SUCH PARTICIPATING CULTURAL INSTITUTION,
22 EXCEPT THAT ANY SUCH TRUSTEE OF THE TRUST FOR CULTURAL RESOURCES FOR THE
23 CITY OF NEW YORK WHO IS SERVING CONCURRENTLY AS AN EX OFFICIO MEMBER OF
24 THE BOARD OF TRUSTEES OF SUCH TRUST AND AS AN EX OFFICIO MEMBER OF THE
25 BOARD OF TRUSTEES, OR THE EQUIVALENT BODY, OF SUCH PARTICIPATING
26 CULTURAL INSTITUTION MAY PARTICIPATE IN DISCUSSIONS AND VOTING ON
27 MATTERS PERTAINING TO SUCH PARTICIPATING CULTURAL INSTITUTIONS WHILE
28 ATTENDING ANY REGULARLY SCHEDULED MEETING OR DULY CALLED SPECIAL MEETING
29 OF THE BOARD OF DIRECTORS FOR THE TRUST FOR CULTURAL RESOURCES FOR THE
30 CITY OF NEW YORK.

31 S 3. This act shall take effect immediately.