

3656

2009-2010 Regular Sessions

I N S E N A T E

March 26, 2009

Introduced by Sen. SERRANO -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

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
14 such representative were present and voting. Such designation
15 shall be by written notice signed by the trustee making the designation
16 and delivered to the chairman of the board of trustees OF THE TRUST FOR
17 CULTURAL RESOURCES FOR THE CITY OF NEW YORK. The designation of each
18 such person shall continue until revoked at any time by written notice
19 signed by the trustee making the designation or his OR HER successor in

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

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1 office. Such designation shall not limit the power of the trustee making
2 the designation to attend and vote in person at any meeting of the board
3 of trustees OF THE TRUST FOR CULTURAL RESOURCES FOR THE CITY OF NEW
4 YORK.

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

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

32 S 3. This act shall take effect immediately.