S T A T E O F N E W Y O R K

918

2009-2010 Regular Sessions

I N S E N A T E

January 21, 2009

Introduced by Sen. KRUGER -- read twice and ordered printed, and when printed to be committed to the Committee on Cities

AN ACT to amend the administrative code of the city of New York, in relation to establishing a corporate sponsorship board for the fire department of the city of New York

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

Section 1. The administrative code of the city of New York is amended by adding a new section 15-129 to read as follows:

S 15-129 CORPORATE SPONSORSHIP. A. THERE IS HEREBY ESTABLISHED A CORPORATE SPONSORSHIP BOARD. SUCH BOARD SHALL BE AUTHORIZED TO IMPLEMENT A CORPORATE SPONSORSHIP PROGRAM FOR THE DEPARTMENT. SUCH PROGRAM SHALL EXPLORE THE IMPLEMENTATION OF A PLAN OF CORPORATE SPONSORSHIP FOR THE BENEFIT OF THE DEPARTMENT AND THE CITY. SUCH BOARD SHALL ESTABLISH, RECRUIT AND EVALUATE SUCH CORPORATE SPONSORSHIP, IF SUCH BOARD FINDS SUCH SPONSORSHIP IS IN THE BEST INTEREST OF THE DEPARTMENT AND PUBLIC SAFETY. SUCH BOARD SHALL CONSIST OF SEVEN MEMBERS, AS FOLLOWS: ONE PERSON APPOINTED BY EACH OF THE BOROUGH PRESIDENTS, ONE PERSON APPOINTED BY THE MAYOR, AND ONE PERSON APPOINTED BY THE COMMISSIONER.

B. FOR THE PURPOSES OF THIS SECTION, "BOARD" SHALL MEAN THE CORPORATE SPONSORSHIP BOARD ESTABLISHED PURSUANT TO THIS SECTION.

C. THE BOARD MAY ESTABLISH ITS OWN RULES AND PROCEDURES WITH RESPECT TO THE CONDUCT OF ITS MEETINGS AND OTHER AFFAIRS NOT INCONSISTENT WITH LAW.

D. MEMBERSHIP ON THE BOARD SHALL NOT CONSTITUTE THE HOLDING OF A PUBLIC OFFICE, AND MEMBERS OF THE BOARD SHALL NOT BE REQUIRED TO TAKE AND FILE OATHS OF OFFICE BEFORE SERVING ON THE BOARD.

E. NO MEMBER OF THE BOARD SHALL BE DISQUALIFIED FROM HOLDING ANY PUBLIC OFFICE OR EMPLOYMENT, NOR SHALL A MEMBER FORFEIT ANY OFFICE OR EMPLOYMENT BY REASON OF APPOINTMENT AS A MEMBER UNDER THIS SECTION.

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

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F. THE TERMS OF OFFICE OF THE MEMBERS OF THE BOARD SHALL BE THREE YEARS EXCEPT THAT THE TERMS OF OFFICE OF THE MEMBERS FIRST APPOINTED SHALL BE AS FOLLOWS:

(1) EACH OF THE MEMBERS FIRST APPOINTED BY EACH OF THE BOROUGH PRESIDENTS SHALL SERVE FOR A TERM OF THREE YEARS.

(2) THE MEMBER FIRST APPOINTED BY THE MAYOR SHALL SERVE FOR A TERM OF TWO YEARS.

(3) THE MEMBER FIRST APPOINTED BY THE COMMISSIONER SHALL SERVE FOR A TERM OF ONE YEAR.

G. THE COMMISSIONER SHALL DESIGNATE FROM AMONG THE MEMBERS OF THE BOARD A CHAIRPERSON WHO SHALL SERVE AT THE PLEASURE OF THE COMMISSIONER. THE BOARD SHALL MEET AT LEAST FOUR TIMES A YEAR, AT THE CALL OF THE CHAIRPERSON.

H. THE MEMBERS OF THE BOARD SHALL SERVE WITHOUT COMPENSATION BUT SHALL BE ALLOWED THEIR ACTUAL AND NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES UNDER THIS SECTION.

I. NO MEMBER OF THE BOARD SHALL HAVE ANY INTEREST IN ANY CONTRACT, OR TAKE ANY ACTION OR OTHERWISE INVOLVE HIMSELF OR HERSELF IN ANY ACTIVITY WHICH, PURSUANT TO ARTICLE EIGHTEEN OF THE GENERAL MUNICIPAL LAW, WOULD BE DEEMED A CONFLICT OF INTEREST FOR A MUNICIPAL OFFICER OR EMPLOYEE HOLDING A POSITION WITH A MUNICIPALITY SIMILAR TO THE POSITION HELD BY THE MEMBER OF THE BOARD. IT SHALL NOT BE DEEMED A CONFLICT OF INTEREST FOR A PERSON TO SIMULTANEOUSLY HOLD POSITIONS AS A MEMBER OF THE BOARD AND AS AN OFFICER OF THE CITY OF NEW YORK.

J. THE BOARD SHALL HAVE THE FOLLOWING POWERS AND DUTIES:

(1) TO MAKE BY-LAWS FOR THE MANAGEMENT AND REGULATION OF ITS AFFAIRS;

(2) TO MAKE AND EXECUTE CONTRACTS AND ALL OTHER INSTRUMENTS NECESSARY OR CONVENIENT FOR THE EXERCISE OF ITS POWERS AND FUNCTIONS UNDER THIS SECTION;

(3) TO DEVELOP AND IMPLEMENT A COMPREHENSIVE CORPORATE SPONSORSHIP PROGRAM TO RECRUIT CORPORATE SPONSORS FOR THE SUPPORT AND BENEFIT OF THE DEPARTMENT;

(4) TO ESTABLISH AND MAINTAIN SUCH FACILITIES AS MAY BE NECESSARY FOR THE TRANSACTING OF ITS DUTIES UNDER THIS SECTION;

(5) TO UTILIZE, TO THE EXTENT FEASIBLE, THE STAFF AND FACILITIES OF EXISTING CITY AGENCIES AND LOCAL AGENCIES, TO THE EXTENT WHICH SUCH LOCAL AGENCIES MAKE SUCH STAFF AND FACILITIES AVAILABLE;

(6) TO CONTRACT FOR PROFESSIONAL AND TECHNICAL ASSISTANCE AND ADVICE;

(7) TO CONTRACT FOR AND TO ACCEPT ASSISTANCE, INCLUDING BUT NOT LIMITED TO GIFTS, GRANTS, OR LOANS OF FUNDS OR PERSONAL PROPERTY, FROM THE FEDERAL GOVERNMENT OR ANY AGENCY OR INSTRUMENTALITY THEREOF, OR FROM ANY AGENCY OR INSTRUMENTALITY OF THE STATE, OR FROM ANY OTHER PUBLIC OR PRIVATE SOURCE AND TO COMPLY, SUBJECT TO THE PROVISIONS OF THIS SECTION, WITH THE TERMS AND CONDITIONS THEREOF. NOTWITHSTANDING THE PROVISIONS OF SECTION ELEVEN OF THE STATE FINANCE LAW, THE BOARD MAY ACCEPT GIFTS, GRANTS, DEVISES AND BEQUESTS, WHETHER CONDITIONAL OR UNCONDITIONAL, PROVIDING THAT ANY GIFTS, GRANTS, DEVISES AND BEQUESTS BE CONSISTENT WITH THE POWERS OF THE BOARD AND THE PURPOSES OF THIS SECTION;

(8) TO PREPARE AN ANNUAL REPORT ON THE CONDUCT OF ITS ACTIVITIES;

(9) TO HOLD HEARINGS IN THE EXERCISE OF ITS POWERS, FUNCTIONS AND DUTIES PROVIDED FOR BY THIS SECTION;

(10) TO TAKE ANY ACTIONS AND TO ADOPT REGULATIONS NECESSARY TO CARRY OUT THE FUNCTIONS, POWERS AND DUTIES IMPOSED BY THIS SECTION; AND

(11) TO EXERCISE AND PERFORM SUCH OTHER POWERS AND DUTIES AS SHALL HAVE BEEN OR MAY BE FROM TIME TO TIME CONFERRED BY LAW.

K. THE BOARD SHALL ISSUE A REPORT ON AUGUST FIRST OF EVERY YEAR ON THE IMPLEMENTATION OF A CORPORATE SPONSORSHIP PROGRAM WITHIN THE DEPARTMENT. SUCH REPORT SHALL BE MADE TO THE COMMISSIONER, THE MAYOR, THE GOVERNOR, THE TEMPORARY PRESIDENT OF THE SENATE AND THE SPEAKER OF THE ASSEMBLY. SUCH REPORT SHALL BE AVAILABLE TO THE PUBLIC, UPON REQUEST. ALL COMMENTS AND OBSERVATIONS INCLUDED IN THE REPORT BY THE BOARD SHALL BE RESPONDED TO BY THE MAYOR.

L. THE BOARD MAY REQUEST AND SHALL RECEIVE FROM ANY DEPARTMENT, DIVISION, BOARD, BUREAU, COMMISSION, BOROUGH PRESIDENT, AGENCY OR PUBLIC AUTHORITY OF THE CITY OF NEW YORK, SUCH ASSISTANCE, INFORMATION, AND DATA AS WILL ENABLE THE BOARD PROPERLY TO CARRY OUT ITS FUNCTIONS.

S 2. This act shall take effect on the one hundred twentieth day after it shall have become a law.