

7458--A

I N S E N A T E

May 3, 2016

Introduced by Sen. KLEIN -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to establish the New York state 2020 complete count commission and providing for its powers and duties; and providing for the repeal of such provisions upon expiration thereof

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

1 Section 1. Commission established. (a) A commission to be known as the
2 New York state 2020 complete count commission, hereafter referred to as
3 the commission, is hereby established to identify issues that may have
4 led to past United States census undercounts in New York state and to
5 make recommendations to ensure an accurate count in the 2020 United
6 States census.
7 (b) The commission shall consist of sixteen members to be appointed as
8 follows:
9 (i) four members, including the chair and co-chair, shall be appointed
10 by the governor from executive agencies and organizations that have
11 significant interaction with the general public;
12 (ii) two members shall be appointed by the governor from agencies of
13 the city of New York that have significant interaction with the general
14 public;
15 (iii) two members shall be appointed by the governor representing
16 interests of regions outside of the city of New York;
17 (iv) three members shall be appointed by the speaker of the assembly;
18 (vi) one member shall be appointed by the minority leader of the
19 assembly;
20 (vii) three members shall be appointed by the temporary president of
21 the senate; and
22 (vi) one member appointed by the minority leader of the senate.
23 (c) The appointments made pursuant to this act shall, to the extent
24 practicable, reflect the diversity of the residents of this state with
25 regard to race, ethnicity, gender, language, age, and geographic resi-

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

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1 dence and, to the extent practicable the appointing authorities shall,
2 in considering potential appointees to the commission, consult with
3 organizations devoted to representing municipalities and educational
4 institutions, and organizations providing services to the elderly, chil-
5 dren, minority communities, and individuals and communities to combat
6 poverty.

7 (d) The members of the commission shall receive no compensation for
8 their services as members, but shall be reimbursed for their actual and
9 necessary expenses incurred in the performance of their duties.

10 (e) Notwithstanding any inconsistent provision of any general, special
11 or local law, ordinance, resolution or charter, no officer, member or
12 employee of the state or of any public corporation shall forfeit his or
13 her office or employment by reason of his or her acceptance of appoint-
14 ment as a member of the commission, nor shall service as such commission
15 member be deemed incompatible or in conflict with such office or employ-
16 ment.

17 (f) The commission may appoint such staff as may be necessary to carry
18 out its duties. Such staff shall receive no compensation for their
19 services but shall be reimbursed for their actual and necessary expenses
20 incurred by them in the performance of the commission's duties.

21 S 2. Powers and duties of the commission. (a) The commission shall
22 study, examine and review the issues that may have led to past United
23 States census undercounts in New York state and shall make recommenda-
24 tions to ensure an accurate count in the 2020 United States census.

25 (b) The commission may meet and hold public hearings and events within
26 the state.

27 (c) The commission may establish committees and workgroups in further-
28 ance of the purposes set forth in this act, and may include on such
29 committees and workgroups individuals who are not members of the commis-
30 sion.

31 (d) The commission may request and shall receive from any subdivision,
32 department, board, commission, office, agency, or other instrumentality
33 of the state or of any political subdivision thereof such facilities,
34 assistance and data reasonably available as it deems necessary or desir-
35 able for the proper execution of its powers and duties and to effectuate
36 the purposes set forth in this act.

37 (e) The commission is authorized and empowered to enter into any
38 agreements and to do and perform any acts that may be necessary, desira-
39 ble or proper to carry out the purposes and objectives of this act,
40 including entering into contracts in furtherance of the provisions of
41 this act.

42 (f) On or before October 1, 2017, the commission shall transmit to the
43 governor and the legislature a report containing an overview of the
44 issues that may have led to past United States census undercounts in New
45 York state and a comprehensive action plan for state and local govern-
46 mental and non-governmental agencies to work together to ensure an accu-
47 rate count in the 2020 United States census. Such report shall also
48 include recommendations on state funds for the next two ensuing fiscal
49 years necessary to ensure an accurate count in the 2020 United States
50 census.

51 (g) On or before May 1, 2018, the commission shall transmit to the
52 governor and the Legislature a report detailing the actions taken by the
53 commission since the initial report, and detail how any appropriations
54 made for the 2018-2019 fiscal year will be used to meet the recommenda-
55 tions and action plan made in the commission's initial report, and
56 include any recommended changes to its previous recommendations on state

1 funds necessary to ensure an accurate count in the 2020 United States
2 census.

3 (h) On or before January 1, 2020, the commission shall transmit to the
4 governor and the legislature a final report detailing the actions taken
5 by the commission since the previous report, and detail how any appro-
6 priations made have been and will be used to ensure an accurate count in
7 the 2020 United States census. The report shall also include any recom-
8 mended additional state funds necessary to meet the recommendations and
9 action plan made in the commission's initial report.

10 (i) The performance of the commission's duties, purposes and objec-
11 tives shall be executed within amounts made available by appropriation
12 therefor.

13 (j) The commission shall continue in existence until December 31,
14 2020.

15 S 3. This act shall take effect April 1, 2017 and shall expire and be
16 deemed repealed December 31, 2020.