STATE OF NEW YORK

8140

2021-2022 Regular Sessions

IN ASSEMBLY

June 16, 2021

Introduced by M. of A. SIMON -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to modifying the composition of the voting majority upon the appointment and removal of the executive director of the joint commission on public ethics

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Paragraph (a) of subdivision 9 of section 94 of the executive law, as amended by section 6 of part A of chapter 399 of the laws of 2011, is amended to read as follows:

(a) Appoint an executive director who shall act in accordance with the policies of the commission. The appointment and removal of the executive director shall be made solely by a vote of a majority of the commission[~~, which majority shall include at least one member appointed by the governor from each of the two major political parties, and one member appointed by a legislative leader from each of the two major political parties~~]. The commission may delegate authority to the executive director to act in the name of the commission between meetings of the commission provided such delegation is in writing, the specific powers to be delegated are enumerated, and the commission shall not delegate any decisions specified in this section that require a vote of the commission. The executive director shall be appointed without regard to political affiliation and solely on the basis of fitness to perform the duties assigned by this article, and shall be a qualified, independent professional. The commission may remove the executive director for neglect of duty, misconduct in office, violation of the confidentiality restrictions in subdivision nine-a of this section, or inability or failure to discharge the powers or duties of office, including the failure to follow the lawful instructions of the commission;

§ 2. This act shall take effect immediately.

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

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