STATE OF NEW YORK

5775

2021-2022 Regular Sessions

IN SENATE

March 18, 2021

Introduced by Sen. COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to requiring the New York state design and construction corporation to meet and conduct all business at a public meeting and making the minutes of such meetings available to the public

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

Section 1. Subdivision 4 of section 1678-a of the public authorities law, as amended by section 1 of part I of chapter 73 of the laws of 2016, is amended to read as follows:

4. General powers and duties of the corporation. (a) The corporation shall have the power to:

(i) Sue and be sued;

(ii) Have a seal and alter the same at pleasure;

(iii) Make and alter by-laws for its organization and internal management and make rules and regulations governing same;

(iv) Assign such officers and employees from the officers and employees of the authority, as it may require for the performance of its duties and, for those officers and employees who are not represented by a recognized employee organization, fix and determine their qualifications, duties, and compensation;

(v) Retain or employ counsel, auditors, private financial consultants, professional engineers or other technical consultants and other services on a contract basis or otherwise, for the rendering of professional, business or technical services and advice;

(vi) Make and execute contracts and all other instruments necessary or convenient for the exercise of its powers and functions under this section;

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

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(vii) Engage the services of private consultants on a contract basis for rendering professional and technical assistance advice relating to covered projects;

(viii) Procure insurance against any loss in connection with its activities, properties and other assets, in such amount and from such insurance as it deems desirable; and

(ix) Invest any funds of the corporation, or any other monies under its custody and control not required for immediate use or disbursement, at the discretion of the corporation, in obligations of the state or the United States government or obligations the principal and interest of which are obligations in which the comptroller of the state is authorized to invest pursuant to section ninety-eight of the state finance law.

(b) **The corporation shall be required to:**

(i) Meet and conduct all business at a public meeting;

(ii) Be subject to the provisions of articles six and seven of this chapter;

(iii) Consider at its meetings only items set forth on its agenda which shall be published five days in advance of a meeting on a website accessible by the public; and

(iv) Record minutes of all business conducted at said meetings which minutes shall be published within five days after the meeting on a website accessible to the public.

(c) The corporation may do any and all things necessary to carry out and exercise the powers given and granted by this section.

[~~(c)~~] **(d)** Notwithstanding any other provision of law, to the contrary, all state entities and their officers shall cooperate with the corporation in good faith and may implement the recommendations of the corporation.

§ 2. This act shall take effect immediately, provided, however, that the amendments to subdivision 4 of section 1678-a of the public authorities law made by section one of this act shall not affect the repeal of such section and shall be deemed repealed therewith.