

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:

1 Section 1. Subdivision 4 of section 1678-a of the public authorities
2 law, as amended by section 1 of part I of chapter 73 of the laws of
3 2016, is amended to read as follows:
4 4. General powers and duties of the corporation. (a) The corporation
5 shall have the power to:
6 (i) Sue and be sued;
7 (ii) Have a seal and alter the same at pleasure;
8 (iii) Make and alter by-laws for its organization and internal manage-
9 ment and make rules and regulations governing same;
10 (iv) Assign such officers and employees from the officers and employ-
11 ees of the authority, as it may require for the performance of its
12 duties and, for those officers and employees who are not represented by
13 a recognized employee organization, fix and determine their qualifica-
14 tions, duties, and compensation;
15 (v) Retain or employ counsel, auditors, private financial consultants,
16 professional engineers or other technical consultants and other services
17 on a contract basis or otherwise, for the rendering of professional,
18 business or technical services and advice;
19 (vi) Make and execute contracts and all other instruments necessary or
20 convenient for the exercise of its powers and functions under this
21 section;

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

LBD00702-01-1

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

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

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

14 (b) The corporation shall be required to:

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

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

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

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

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

26 [~~(e)~~] (d) Notwithstanding any other provision of law, to the contrary,
27 all state entities and their officers shall cooperate with the corpo-
28 ration in good faith and may implement the recommendations of the corpo-
29 ration.

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