

# STATE OF NEW YORK

6261

2021-2022 Regular Sessions

## IN SENATE

April 19, 2021

Introduced by Sen. BIAGGI -- read twice and ordered printed, and when printed to be committed to the Committee on Ethics and Internal Governance

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:

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

4 (a) Appoint an executive director who shall act in accordance with the  
5 policies of the commission. The appointment and removal of the executive  
6 director shall be made solely by a vote of a majority of the commis-  
7 sion~~[, which majority shall include at least one member appointed by the~~  
8 ~~governor from each of the two major political parties, and one member~~  
9 ~~appointed by a legislative leader from each of the two major political~~  
10 ~~parties]~~. The commission may delegate authority to the executive direc-  
11 tor to act in the name of the commission between meetings of the commis-  
12 sion provided such delegation is in writing, the specific powers to be  
13 delegated are enumerated, and the commission shall not delegate any  
14 decisions specified in this section that require a vote of the commis-  
15 sion. The executive director shall be appointed without regard to poli-  
16 tical affiliation and solely on the basis of fitness to perform the  
17 duties assigned by this article, and shall be a qualified, independent  
18 professional. The commission may remove the executive director for  
19 neglect of duty, misconduct in office, violation of the confidentiality  
20 restrictions in subdivision nine-a of this section, or inability or  
21 failure to discharge the powers or duties of office, including the fail-  
22 ure to follow the lawful instructions of the commission;

23 § 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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