STATE OF NEW YORK

8023

IN SENATE

January 5, 2024

Introduced by Sen. COONEY -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the executive law, in relation to establishing the New York Asian American and Pacific Islander commission and providing for its duties; to amend a chapter of the laws of 2023 amending the executive law relating to establishing the New York Asian American and Pacific Islander commission, as proposed in legislative bills numbers S. 1051-A and A. 3301-A, in relation to the effectiveness thereof; and to repeal section 295-a of the executive law relating thereto

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

Section 1. Section 295-a of the executive law, as added by a chapter of the laws of 2023 amending the executive law relating to establishing the New York Asian American and Pacific Islander commission, as proposed in legislative bills numbers S. 1051-A and A. 3301-A, is REPEALED.

§ 2. The executive law is amended by adding a new section 94-d to read as follows:

§ 94-d. New York Asian American and Pacific Islander commission. 1. (a) There is hereby established within the department of state the New York Asian American and Pacific Islander commission. The commission shall consist of thirteen members representative of Asian American and Pacific Islander communities which may include, but not be limited to: the Bangladeshi, Bhutanese, Cambodian, Chinese, Filipino, Hmong, Indian, Indonesian, Japanese, Korean, Laotian, Malaysian, Mongolian, Nepalese, Pakistani, Singaporean, Sri Lankan, Taiwanese, Thai, and Vietnamese communities. Such members shall have experience advocating on behalf of their community, and shall be appointed as follows:

(1) seven members shall be appointed by the governor;

(2) two members shall be appointed by the temporary president of the senate;

(3) two members shall be appointed by the speaker of the assembly;

(4) one member shall be appointed by the minority leader of the senate; and

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

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(5) one member shall be appointed by the minority leader of the assembly.

The secretary of state, or their designee, shall serve as chair of the commission.

(b) Each member of the commission shall serve a term of three years, except that in making the first appointments to the commission, four members shall be appointed to serve for one year, four for two years, and five for three years. The first appointments made by the temporary president of the senate and speaker of the assembly shall be allocated equally between the one-year and two-year terms of service. The first appointments made by the minority leaders shall serve for three years. The first appointments made by the governor shall be as follows: two members shall be appointed to serve for one year, two members shall be appointed to serve for two years, and three members shall be appointed to serve for three years. The members shall be eligible for reappointment and shall serve until their successors are appointed and qualified, and the term of the successor of any incumbent shall be calculated from the expiration of the term of that incumbent. A vacancy occurring other than by expiration of term shall be filled in the same manner as the original appointment, but for the unexpired term only.

(c) A majority of the members of the commission shall constitute a quorum for the purpose of conducting the business thereof and a majority vote of all the members in office shall be necessary for action.

2. The commission shall make recommendations regarding the following:

(a) policies to improve the community, economic and social well-being, and the health and educational needs important to Asian American and Pacific Islander communities in the state;

(b) statewide programs, recognizing the continuing contributions of Asian American and Pacific Islander individuals in the state;

(c) public education campaigns regarding Asian American and Pacific Islander issues and culture;

(d) ways to increase the awareness among Asian American and Pacific Islander individuals of state and local resources that may benefit Asian American and Pacific Islander individuals and communities as a whole.

3. The members of the commission shall serve without compensation, but they shall be entitled to reimbursement for all necessary expenses incurred in the performance of their duties.

4. The commission shall submit an annual report on its activities to the governor and the legislature.

§ 3. Section 2 of a chapter of the laws of 2023 amending the executive law relating to establishing the New York Asian American and Pacific Islander commission, as proposed in legislative bills numbers S. 1051-A and A. 3301-A, is amended to read as follows:

§ 2. This act shall take effect immediately and shall expire and be deemed repealed five years after such date.

§ 4. This act shall take effect immediately; provided, however, that sections one and two of this act shall take effect on the same date and in the same manner as a chapter of the laws of 2023 amending the executive law relating to establishing the New York Asian American and Pacific Islander commission, as proposed in legislative bills numbers S. 1051-A and A. 3301-A, takes effect.