§ 322. The New York state Martin Luther King, Jr. institute for nonviolence. 1. There is hereby created the New York state Martin Luther King, Jr. institute for nonviolence. The institute shall be a public corporation and its membership shall consist of thirteen members as follows: the chancellor of the state university of New York, the commissioner of education of the state of New York, the chairperson of the New York state Martin Luther King, Jr. commission, and ten members to be appointed by the governor. Of the members appointed by the governor, one shall be a member of the New York state senate appointed by the governor on the recommendation of the majority leader, one shall be a member of the New York state senate appointed by the governor on the recommendation of the minority leader, one shall be a member of the New York state assembly appointed by the governor on the recommendation of the speaker of the assembly, one shall be a member of the New York state assembly appointed by the governor on the recommendation of the minority leader; and six shall be members appointed by the governor, no more than three of whom may be members of the same political party.

From among the ten directors appointed by him, the governor shall appoint a chairperson who shall serve for a term of three years.

Members of the board of directors shall serve the following terms of office:

(a) A member of the state legislature appointed to the board shall serve for a single term not to exceed five years and shall serve as a member only while he or she is a member of the legislature.

(b) Of the six directors appointed by the governor who are not members of the legislature, three directors shall serve for terms of four years, two directors shall serve for terms of three years, and one director shall serve for a one year term. Thereafter, each director, except for a director appointed to fill an unexpired term, shall serve for a five year term. No director may serve on the board for more than ten years.

2. In the event of a vacancy occurring in the office of a director by death, resignation or otherwise, the governor shall appoint a successor, with the advice and consent of the New York state senate, to serve for the balance of the unexpired term.

3. The board of directors shall provide for the holding of regular and special meetings. A majority of the directors shall constitute a quorum for the transaction of any business and, unless a greater number is required by the by-laws of the corporation, the acts of a majority of the directors present at a meeting at which a quorum is present shall be deemed to be the acts of the board.

4. The board of directors shall adopt by-laws for the corporation and may appoint such officers and employees as it deems advisable and may fix their compensation and prescribe their duties.

5. The directors appointed by the governor shall serve without salary, but each director, including the chairperson shall be entitled to reimbursement for such director's reasonable actual and necessary expenses incurred in the performance of his or her official duties, and except in the case of any director who serves as a member of the legislature or serves in an ex officio capacity, a per diem allowance when rendering services as such director.

6. No member of the board of directors shall participate in a decision on the awarding of any grant or contract to an individual or organization with whom such member is affiliated.

7. Directors other than the chancellor of the state university of New York and the commissioner of education of the state of New York may engage in private employment, or in a profession or business. The corporation, its directors, officers and employees shall be subject to the provisions of sections seventy-three and seventy-four of the public officers law.