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Property Rights Foundation of America®



State of New York

Executive Chamber

No. 3

EXECUTIVE ORDER

PROMOTION OF PUBLIC ACCESS TO GOVERNMENT DECISIONMAKING

WHEREAS, it is essential to the maintenance of a democratic society that the public business be performed in an open and public manner; and

WHEREAS, the citizens of this State be fully aware of and able to observe the performances of public officials and attend and listen to the deliberations and decisions that go into the making of public policy; and

WHEREAS, the people must be able to remain informed if they are to retain control over those who are their public servants; and

WHEREAS, the Open Meetings Law requires every meeting of a public body shall be open to the general public; and

WHEREAS, the majority of New Yorkers are unable to attend such meetings; and

WHEREAS advances in technology allow for the broadcast of meetings on the Internet through the use of webcasting;

NOW, THEREFORE, I, Eliot Spitzer, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and the laws of the State of New York, do hereby order as follows:

1. Definitions

“Agency” shall mean any state agency, department, office, board, commission or other instrumentality of the State, other than a public authority.

“Public authority” shall mean a public authority or public benefit corporation created by or existing under any State law, at least one of whose members is appointed by the Governor (including any subsidiaries of such public authority or public benefit corporation), other than an interstate or international authority or public benefit corporation.

2. Requirement to Broadcast public Meetings

By March 1, 2007, every agency and public authority shall submit to the Secretary to the Governor a plan that: (a) identifies all meetings of such agency or authority that are subject to the Open Meetings Law; and (b) specifies a timetable for ensuring that all such meetings are broadcast on the Internet. Such plan may identify circumstances in which such webcasting is either impractical or inappropriate, and may seek approval for exemption from the requirement for webcasting. Except in those circumstances where an exemption is granted, all agency and authority meetings that are subject to the Open Meetings Law shall be broadcast on the Internet commencing no later than July 1, 2007. Every agency and public authority shall submit a report to the Secretary to the Governor by December 31, 2007, setting forth the number of meetings webcast during the prior year, together with a summary of any comments received from the public regarding the webcasting, and any recommendations for changes or improvements to the program.

G I V E N under my hand and the
Privy Seal of the State
in the City of Albany
this first day of
January in the year two
thousand seven.

BY THE GOVERNOR

/s/ Eliot Spitzer

E-M  **Us**

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