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FAX COVER SHEET

This fax transmission consists of a total of 13 page(s) including this cover page. If you have not received all pages, Please call (914) 421-1200.

DATE: 6/20/97 TIME: 2³⁰ pm FAX# 694-5018

TO: Bruce Goldy

TITLE: Judge

RE: _____

FROM: ELENA RUTH SASSOWER, Coordinator

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MESSAGE: As discussed:

① 4/11/97 ltr to Eppensch. / Cr

② 6/9/97 ltr to Ethics Commissioners

③ 4/15/97 ltr to Juv. Padaki

Also Exec. Law Sec 24 (1-5)

Public officers' Law Sec. ^{73.1} 73(g)(4)...

CENTER *for* JUDICIAL ACCOUNTABILITY, INC., is a national, non partisan, not for profit citizens' organization documenting how judges break the law and get away with it.

(g) The term "state agency" shall mean any state department, or division, board, commission, or bureau of any state department, any public benefit corporation, public authority or commission at least one of whose members is appointed by the governor, or the state university of New York or the city university of New York, including all their constituent units except community colleges and the independent institutions operating statutory or contract colleges on behalf of the state.

(h) The term "statewide elected official" shall mean the governor, lieutenant governor, comptroller or attorney general.

(i) The term "state officer or employee" shall mean:

(i) heads of state departments and their deputies and assistants other than members of the board of regents of the university of the state of New York who receive no compensation or are compensated on a per diem basis;

(ii) officers and employees of statewide elected officials;

(iii) officers and employees of state departments, boards, bureaus, divisions, commissions, councils or other state agencies other than officers of such boards, commissions or councils who receive no compensation or are compensated on a per diem basis; and

(iv) members or directors of public authorities, other than multi-state authorities, public benefit corporations and commissions at least one of whose members is appointed by the governor, who receive compensation other than on a per diem basis, and employees of such authorities, corporations and commissions.

(j) The term "city agency" shall mean a city, county, borough or other office, position, administration, department, division, bureau, board, commission, authority, corporation or other agency of government, the expenses of which are paid in whole or in part from the city treasury, and shall include the board of education, the board of higher education, school boards, city and community colleges, community boards, the New York city transit authority, the New York city housing authority and the Triborough bridge and tunnel authority, but shall not include any court or corporation or institution maintaining or operating a public library, museum, botanical garden, arboretum, tomb, memorial building, aquarium, zoological garden or similar facility.

(k) The term "political party chairman" shall mean:

(i) the chairman of the state committee of a party elected as provided in section 2-112 of the election law and his or her successor in office

(ii) the chairman of a county committee elected as provided in section 2-112 of the election law and his or her successor in office from a county having a population of three hundred thousand or more or who receives compensation or expenses, or both, during the calendar year aggregating thirty thousand dollars or more; and

(iii) that person (usually designated by the rules of a county committee as the "county leader" or "chairman of the executive committee") by whatever title designated, who pursuant to the rules of a county committee or in actual practice, possesses or performs any or all of the following duties or roles, provided that such person was elected from a county having a population of three hundred thousand or more or was a person who received compensation or expenses, or both, from constituted committee or political committee funds, or both, during the reporting period aggregating thirty thousand dollars or more:

(A) the principal political, executive and administrative officer of the county committee;

(B) the power of general management over the affairs of the county committee;

(C) the power to exercise the powers of the chairman of the county committee as provided for in the rules of the county committee;

(D) the power to preside at all meetings of the county executive committee, if such a committee is created by the rules of the county committee or exists de facto, or any other committee or subcommittee of the county committee vested by such rules with or having de facto the power of general management over the affairs of the county committee at times when the county committee is not in actual session;

(E) the power to call a meeting of the county committee or of any committee or subcommittee vested with the rights, powers, duties or privileges of the county committee pursuant to the rules of the county committee, for the purpose of filling an office at special election in accordance with section 6-114 of the election law, for the purpose of filling a vacancy in accordance with section 6-116 of such law; or

(F) the power to direct the treasurer of the party to expend funds of the county committee.

The terms "constituted committee" and "political committee" as used in this paragraph (k), shall have the same meanings as those contained in section 1-100 of the election law.

y of the senate, the clerk of the assembly or the secretary
y prepare related thereto, that he has read the same and
to conform to the provisions, purposes and intent
d to the norms of conduct for members, officers and
of the legislature and state agencies.

ne in certain cases

n officer or a member of a board or other body has
t cause refused or neglected to perform a public duty
oon him by a special provision of law, a court may
ne, not exceeding two hundred fifty dollars, upon the
member who has so refused or neglected, to be paid into
y of the state.

EXECUTIVE LAW

§ 94. State ethics commission; functions, powers and duties; review of financial disclosure statements; advisory opinions; investigation and enforcement

1. There is established within the department of state a state ethics commission which shall consist of five members and shall have and exercise the powers and duties set forth in this section only with respect to statewide elected officials and state officers and employees, as defined in sections seventy-three and seventy-three-a of the public officers law, and candidates for statewide elected office, and with respect to the political party chairman as that term is defined in section seventy-three-a of the public officers law.

2. The members of the commission shall be appointed by the governor provided, however, that one member shall be appointed on the nomination of the comptroller and one member shall be appointed on the nomination of the attorney general. Of the three members appointed by the governor without prior nomination, no more than two members shall belong to the same political party and at least two members shall not be public officers or employees or hold any public office, elected or appointed. No member shall hold office in any political party or be employed as a lobbyist.

3. Members of the commission shall serve for terms of five years; provided, however, that of the members first appointed without prior nomination, one shall serve for one year, one shall serve for three years, and one shall serve for five years, as designated by the governor; the member first appointed on the nomination of the comptroller shall serve for four years and the member first appointed on the nomination of the attorney general shall serve for two years.

4. The governor shall designate the chairman of the commission from among the members thereof, who shall serve as chairman at the pleasure of the governor. The chairman or any three members of the commission may call a meeting.

5. Any vacancy occurring on the commission shall be filled within sixty days of its occurrence, by the governor, in the same manner as the member whose vacancy is being filled was appointed. A person appointed to fill a vacancy occurring other than by expiration of a term of office shall be appointed for the unexpired term of the member he succeeds.

