

EXECUTIVE ORDERS

Executive Order No. 137: Creating an Inventory and Classification of State and Local Public Authorities and Their Subsidiaries.

WHEREAS, it is necessary and desirable to increase the effectiveness, accountability and openness of State government and public authorities;

WHEREAS, building upon sweeping reforms, innovations and improvements that have been made since 1995, I established the Public Authority Governance Advisory Committee, chaired by renowned corporate governance expert Ira Millstein, in 2004 to work with the State's public authorities to develop the Model Governance Principles;

WHEREAS, while the Public Authority Governance Advisory Committee made tremendous progress in working with the State's public authorities to improve oversight and promote accountability and openness, earlier this year, pursuant to Executive Order No. 135, I established the New York State Commission on Public Authority Reform to build upon the progress made to date;

WHEREAS, in order to define the different types of public authorities, clarify their role and function and examine opportunities for potential dissolution or consolidation, the New York State Commission on Public Authority Reform has requested that an inventory of public authorities and their subsidiaries should be made that would categorize all of the public authorities and subsidiaries that have been created, both at the State and local level, and identify those which, while existing in statute, have ceased or suspended operations;

NOW, THEREFORE, I, GEORGE E. PATAKI, 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:

I. DEFINITIONS

1. "Commission" shall mean the New York State Commission on Public Authority Reform established by Executive Order No. 135.

2. "Local authority" shall mean: (i) a public authority or public benefit corporation created by or existing under the laws of the State of New York whose members do not hold a civil office of the State, are not appointed by the Governor or are appointed by the Governor specifically upon the recommendation of the local government or governments; (ii) a not-for-profit corporation affiliated with, sponsored by, or created by a county, city, town or village government; (iii) a local industrial development agency or authority or other local public benefit corporation; or (iv) an affiliate of such public authority.

3. "Mission statement" shall mean a general statement describing the public authority's legal and operational structure, history, purpose and objectives.

4. "Program objectives" shall mean a listing of the public authority's programs that includes a general description of the purpose and objectives of such programs.

5. "State authority" shall mean a public authority or public benefit corporation created by or existing under the laws of State of New York, with one or more of its members appointed by the Governor, or who serve as members by virtue of holding a civil office of the State,

other than an interstate or international authority or public benefit corporation.

II. AUTHORITY RESPONSIBILITIES

1. Every state authority shall fully cooperate with the Commission as is necessary to enable the Commission to carry out its powers and duties pursuant to Executive Order No. 135.

2. Within 60 days of the effective date of this Order, every state authority shall provide the Commission the following:

(a) a mission statement;

(b) program objectives;

(c) a summary of its projected revenue and expenses for the current and following fiscal years;

(d) an organizational chart with the names and contact information of senior executive staff, a list of all directors, a list of all board committees and their members, the most current annual report and independent audit;

(e) a listing of all subsidiaries created by the public authority; and

(f) any other information or documents that are reasonably requested by the Commission.

3. Every local authority is encouraged to fully cooperate with the Commission as is necessary to enable the Commission to carry out its powers and duties pursuant to Executive Order No. 135.

4. Every local authority is encouraged to provide the Commission, within 60 days of the effective date of this Order, the following:

(a) a mission statement;

(b) program objectives;

(c) a summary of its projected revenue and expenses for the current and following fiscal years;

(d) an organizational chart with the names and contact information of senior executive staff, a list of all directors, a list of all board committees and their members, the most current annual report and independent audit;

(e) a listing of all subsidiaries created by the public authority; and

(f) any other information or documents that are reasonably requested by the Commission.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany this eighth day of June in the year two thousand five.

BY THE GOVERNOR

/S/ George E. Pataki

/s/ John C. Cahill

Secretary to the Governor

