

Procedures for Member Videoconferencing Pursuant to Public Officers Law § 103-a

New York State Commission on Legislative, Judicial, & Executive Compensation (the “Commission”)

In compliance with Public Officers Law (POL) § 103-a(2)(a), the Commission authorized by resolution on June 27, 2024 the use of videoconferencing as described in POL § 103-a.

The following procedures are hereby established to satisfy the requirement of POL § 103-a(2)(b) that any public body which in its discretion wishes to permit its members to participate in meetings by videoconferencing from private locations – under extraordinary circumstances – must establish written procedures governing member and public attendance.

1. Commission members shall be physically present at any meeting of the Commission unless such member is unable to be physically present at one of the designated public meeting locations due to extraordinary circumstances.
2. For purposes of these procedures, the term “extraordinary circumstances” includes disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member’s physical attendance at such meeting.
3. If there is a quorum of members participating at a physical location(s) open to the public, the Commission may properly convene a meeting. A member who is participating from a remote location that is not open to in-person physical attendance by the public *shall not* count toward a quorum of the Commission but may participate and vote if there is a quorum of members at a physical location(s) open to the public.
4. Except in the case of executive sessions conducted pursuant to POL § 105, the Commission shall ensure that its members can be heard, seen, and identified while the meeting is being conducted, including but not limited to any motions, proposals, resolutions, and any other matter formally discussed or voted upon.
5. A transcript of public meetings and public hearings of the Commission will be available on the Commission’s website. The video recordings of public meetings and public hearings will also be posted on the Commission’s website.
6. The in-person participation requirements of POL § 103-a(2)(c) shall not apply during a state disaster emergency declared by the governor pursuant to Executive Law § 28 if the Commission determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the Commission to hold an in-person meeting.