

# COMMITTEE ON OPEN GOVERNMENT

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**COMMITTEE MEMBERS**  
ANTONIO DELGADO  
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FRANKLIN H. STONE  
STEPHEN B. WATERS

**EXECUTIVE DIRECTOR**  
SHOSHANAH BEWLAY

## MEETING MINUTES NYS COMMITTEE ON OPEN GOVERNMENT JULY 11, 2023, 10:00 a.m.

### Members Present:

**Albany:** Ian MacCallum (OGS), Peter Grimm, Stephen Waters, Joel Lombardi (Budget)

**New York City:** David Schulz, Zoila Del Castillo (Secretary of State)

**Randolph, NH:** Franklin Stone

### Executive Director's Staff:

Shoshanah Bewlay, Kristin O'Neill, Candace Watson, Elizabeth Baird

### Welcome:

Introduction of members and Director's staff.

### Quorum present

### Approval of Minutes:

On a motion to approve the minutes of the November 30, 2022, meeting of the Committee, all were in favor and the minutes were approved.

### Staff Activities:

The Executive Director reported for the period November 2022 through June 2023, representing the period since the Committee's last meeting, the following activities: 1128 calls handled; 1558 informal advisory opinions issued; 21 formal advisory opinions issued; 3297 appeals/determinations reviewed; 34 training sessions (both virtual and in-person) provided to 4905 people, and 23 foil requests received.

### Legislative Review/Update:

Staff reported on proposed legislation relating to open government statutes currently active and provided details on the movement of the few bills that have advanced to Committee. A member suggested that we continue our practice of including a discussion of all bills with movement in our Annual Report.

### Discussion of Topics for 2023 Annual Report:

The members continued their discussion of the topic of algorithms used to facilitate government decision making (such as parole or benefits determinations) that appeared in the 2022 Annual Report. Members suggested that the legislature might benefit from a discussion of identifiable use cases from New York to understand the scope of the issue in New York. Members suggested that the Committee

reach out to legislative members and interest groups to collect use case information. The Director will contact Senate and Assembly counsel's offices to gauge awareness and interest.

**Special Report to Governor and Legislature concerning Open Meetings Law § 103-a:**

The Committee is required to submit a special report to the Governor and Legislature on the implementation of OML § 103-a by January 2024. To this end, Director's staff have prepared a comprehensive survey/questionnaire to solicit feedback and have hired an intern to conduct the survey. The team is contacting state entities, municipalities, local public entities, public interest groups, the media, and the public to gather responsive data. Data from this survey will form the basis of this special report, which will be included with the 2023 Annual Report in December.

**Invited Presentations:**

Invited speakers Reinvent Albany and the New York Coalition for Open Government presented their concerns and topics for Committee members to consider for inclusion in the 2023 Annual Report.

**Public Comment:**

The Committee heard comments from WebEx attendees Ann Marie Reeb and Michelle A.

**Other or New Business:**

Executive Law 203-b requires that the Committee post on its website the county of residence of each member of the Committee (including each ex officio member's designee) and a brief biography of each member. Staff requested that members and designees submit this information as soon as possible to ensure compliance with law.

A member raised the issue of gubernatorial appointee vacancies in Committee membership.

Adjourn at 12:02 pm.