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February 11, 2009

Mr. Gregory M. Benson, Jr.  
Executive Director  
New York State Forum  
Rockefeller Institute of Government  
411 State Street  
Albany, NY 12203

Dear Mr. Benson:

On March 10, 1993, the Division of the Budget (DOB) wrote to the Office of the State Comptroller (OSC), expressing the opinion that the New York State Forum (Forum) meets all the requirements of OSC Bulletin G-76, enabling State agencies to expend State funds for Forum membership dues, and to make such payments without advertising in the Contract Reporter. On March 15, 1993, OSC expressed its approval of the DOB opinion.

Recently, you made OSC aware that the Forum was no longer a project of the Research Foundation of the State of New York, Inc. (SUNY RF), but rather was incorporating as a separate and distinct not-for-profit corporation. You now ask if OSC continues to endorse the 1993 DOB opinion.

The fact that the Forum is no longer associated with the SUNY RF does not affect OSC's 1993 approval. As a result, state agencies can continue to expend State funds for membership dues in the Forum without advertising in the Contract Reporter, assuming that (i) the Forum continues to provide activities directly related to the information technology activities of the member State agencies, and (ii) the membership dues remain at a reasonable amount.

Sincerely,

A handwritten signature in cursive script that reads "Joan M. Sullivan".

Joan M. Sullivan  
Executive Deputy Comptroller  
for Operations

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