

# STATE OF NEW YORK

860

2019-2020 Regular Sessions

## IN ASSEMBLY

January 11, 2019

Introduced by M. of A. KOLB, FINCH, HAWLEY, RAIA, MONTESANO, GIGLIO,  
BRABENEC -- Multi-Sponsored by -- M. of A. STEC -- read once and  
referred to the Committee on Education

### CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to the Constitution, in relation to appointment  
of the commissioner of education

1 Section 1. Resolved (if the Senate concur), That section 4 of article  
2 5 of the constitution be amended to read as follows:

3 § 4. The head of the department of audit and control shall be the  
4 comptroller and of the department of law, the attorney-general. The head  
5 of the department of education shall be The Regents of the University of  
6 the State of New York[, ~~who shall appoint and at pleasure remove a~~  
7 ~~commissioner of education to be~~] and the chief administrative officer of  
8 the department shall be the commissioner of education, who shall be  
9 appointed by the governor by and with the advice and consent of the  
10 senate and may be removed by the governor, in a manner to be prescribed  
11 by law. The head of the department of agriculture and markets shall be  
12 appointed in a manner to be prescribed by law. Except as otherwise  
13 provided in this constitution, the heads of all other departments and  
14 the members of all boards and commissions, excepting temporary commis-  
15 sions for special purposes, shall be appointed by the governor by and  
16 with the advice and consent of the senate and may be removed by the  
17 governor, in a manner to be prescribed by law.

18 § 2. Resolved (if the Senate concur), That the foregoing amendment be  
19 referred to the first regular legislative session convening after the  
20 next succeeding general election of members of the assembly, and, in  
21 conformity with section 1 of article 19 of the constitution, be  
22 published for 3 months previous to the time of such election.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[~~-~~] is old law to be omitted.

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