S T A T E O F N E W Y O R K

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2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. MILLMAN -- Multi-Sponsored by -- M. of A. BROOK-KRASNY, CAMARA, CHRISTENSEN, COLTON, COOK, DelMONTE, DESTITO, EDDINGTON, ESPAILLAT, FIELDS, GALEF, GIANARIS, GLICK, GOTTFRIED, GREENE, JAFFEE, JEFFRIES, JOHN, KAVANAGH, KELLNER, KOON, MAGNARELLI, MAISEL, MARKEY, MAYERSOHN, O'DONNELL, ORTIZ, PERRY, REILLY, P. RIVERA, ROSENTHAL, SCHROEDER, TOWNS -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to the terms of members appointed by the governor to boards of public authorities

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The public authorities law is amended by adding a new section 2829 to read as follows:

S 2829. APPOINTMENTS BY GOVERNOR; TERM. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, DURING THE FIRST ONE HUNDRED EIGHTY DAYS OF THE INITIAL TERM OF A NEWLY ELECTED GOVERNOR, SUCH GOVERNOR SHALL HAVE THE POWER TO REMOVE ANY MEMBER OF ANY BOARD, AUTHORITY, COMMISSION OR OTHER BODY CREATED PURSUANT TO THIS CHAPTER FROM SUCH BOARD, AUTHORITY, COMMISSION OR OTHER BODY WITHOUT CAUSE AND FILL THE VACANCY CREATED BY SUCH REMOVAL WITH HIS OR HER APPOINTEE. MEMBERS APPOINTED PURSUANT TO THIS SECTION SHALL BE APPOINTED IN A MANNER CONSISTENT WITH THE ORIGINAL APPOINTMENT AND SHALL SERVE FOR THE REMAINDER OF THE TERM SERVED BY SUCH REMOVED MEMBER. SUCH POWER TO REMOVE WITHOUT CAUSE SHALL ONLY APPLY TO MEMBERS ORIGINALLY APPOINTED BY THE GOVERNOR. NOTHING CONTAINED IN THIS SECTION SHALL BE CONSTRUED TO:

1. PREVENT OR LIMIT ANY POWER OF THE GOVERNOR TO REMOVE A MEMBER OF SUCH BOARD, AUTHORITY, COMMISSION OR BODY FROM SUCH BOARD, AUTHORITY, COMMISSION OR BODY FOR CAUSE;

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

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2. ALTER OR AFFECT IN ANY WAY THE GOVERNOR'S POWER TO MAKE APPOINTMENTS CONSISTENT WITH THE MANNER OF THE ORIGINAL APPOINTMENT PURSUANT TO AND CONSISTENT WITH THE PROVISIONS OF THIS CHAPTER; OR

3. LENGTHEN THE TERM OF ANY MEMBER OF SUCH BOARD, AUTHORITY, COMMISSION OR OTHER BODY.

S 2. This act shall take effect immediately and shall apply to appointments made by the governor on or after such date.