

3827--A

2009-2010 Regular Sessions

I N S E N A T E

April 2, 2009

Introduced by Sen. GRIFFO -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- recommitted to the Committee on Finance in accordance with Senate Rule 6, sec. 8 -- committee discharged and said bill committed to the Committee on Corporations, Authorities and Commissions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT establishing a temporary state commission to study and investigate reducing the number of public authorities and their subsidiaries in the state of New York; making an appropriation therefor; and providing for the repeal of such provisions upon expiration thereof

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

1 Section 1. A temporary state commission, to be known as the commission
2 on public authority reform, hereafter referred to as the commission, is
3 hereby created to investigate, evaluate and make recommendations
4 concerning the scope and effectiveness involving the elimination,
5 dissolution, consolidation or merger of public authorities and their
6 subsidiaries in the state of New York.
7 S 2. (a) The commission shall consist of thirteen members, to be
8 appointed as follows: three members to be appointed by the governor;
9 three members to be appointed by the temporary president of the senate;
10 three members to be appointed by the speaker of the assembly; one member
11 to be appointed by the minority leader of the senate; one member to be
12 appointed by the minority leader of the assembly; one member shall be
13 appointed by the comptroller, and one member shall be appointed by the
14 attorney general. The appointees shall have demonstrated expertise in
15 the development and financing of public authorities. The governor shall
16 designate the chairperson and vice-chairperson of the commission.
17 Vacancies in the membership of the commission and among its officers

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

LBD03163-02-0

1 shall be filled in the manner provided for original appointments or
2 designations.

3 (b) The members of the commission shall receive no compensation for
4 their services, but shall be allowed their actual and necessary expenses
5 incurred in the performance of their duties under this act. The commis-
6 sion may employ and at pleasure remove such personnel as it may deem
7 necessary for the performance of its functions and fix their compen-
8 sation within the amounts made available by appropriation therefor.

9 (c) The New York state public authorities control board shall provide
10 the commission such facilities, assistance, and data as will enable the
11 commission to carry out its powers and duties. Additionally, all other
12 departments or agencies of the state or subdivisions thereof shall, at
13 the request of the chairperson, provide the commission such facilities,
14 assistance, and data as will enable the commission to carry out its
15 powers and duties.

16 S 3. Specifically the commission shall investigate at least the
17 following:

18 (a) the opportunities for the elimination, dissolution, consolidation
19 or merger of public authorities and their subsidiaries in the state of
20 New York; and

21 (b) reducing the number of all existing public authorities in the
22 state of New York by fifty percent and reducing the number of all exist-
23 ing subsidiaries in the state of New York by seventy-five percent.

24 S 4. (a) For the accomplishment of its purposes, the commission may
25 meet and hold public and/or private hearings within or without the
26 state, and shall have all the powers of a legislative committee pursuant
27 to the legislative law. The commission is authorized and empowered to
28 undertake any studies, inquiries, surveys or analyses it may deem rele-
29 vant through its own personnel or in cooperation with or by agreement
30 with any other public or private agency.

31 (b) To the maximum extent feasible, the commission may request and
32 shall be entitled to receive and shall utilize and be provided with such
33 facilities, resources and data from any court in the state and from any
34 subdivision, department, board, bureau, commission, office, agency or
35 other instrumentality of the state or of any political subdivision ther-
36 eof as it deems necessary or desirable for the proper execution of its
37 powers and duties and to effectuate the purposes set forth in this act.

38 (c) The commission is hereby authorized and empowered to enter into
39 any agreements and to do and perform any acts that may be necessary,
40 desirable or proper to carry out the purposes and objectives of this
41 act.

42 S 5. The commission shall make recommendations and a report of its
43 findings. The commission shall submit such recommendations and report
44 developed by it relating to issues involving the elimination, dissol-
45 ution, consolidation or merger of public authorities and their subsid-
46 iaries in the state of New York, including any recommendations for
47 legislative action as it may deem necessary and appropriate, to the
48 governor, the temporary president of the senate and the speaker of the
49 assembly no later than the thirty-first day of December in the year next
50 succeeding the year in which this act shall have become a law. The
51 commission shall issue a binding recommendation which shall be presented
52 to the legislature to completely accept or reject such recommendation.

53 S 6. The sum of one hundred thousand dollars (\$100,000), or so much
54 thereof as may be necessary, is hereby appropriated to pay the expenses
55 incurred, including personal service, in carrying out the provisions of
56 this act. Such moneys shall be payable out of the state treasury in the

1 general fund to the credit of the state purposes account after audit by
2 and on the warrant of the comptroller upon vouchers certified or
3 approved by the chairperson or vice-chairperson of the commission as
4 prescribed by law.

5 S 7. This act shall take effect immediately; provided that the
6 provisions of this act shall expire and be deemed repealed on the first
7 day next succeeding the date of the submission of the report as required
8 in section five of this act; and provided further, however, that the
9 chairperson of the temporary commission on public authority reform shall
10 notify the legislative bill drafting commission upon the submission of
11 its report as provided for in section five of this act in order that the
12 commission may maintain an accurate and timely effective data base of
13 the official text of the laws of the state of New York in furtherance of
14 effecting the provisions of section 44 of the legislative law and
15 section 70-b of the public officers law.