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

2063

2009-2010 Regular Sessions

I N A S S E M B L Y

January 15, 2009

Introduced by M. of A. SCHROEDER -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to create a temporary state commission to review and report on the usefulness of the state authorities 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:

Section 1. A temporary state commission created to review and report on the usefulness of all state authorities, as defined in subdivision 1 of section 2 of the public authorities law, hereinafter referred to as the commission, is hereby created to develop and propose legislation recommending which state authorities shall remain and which state authorities shall be dissolved and/or consolidated, and the appropriate state and local agencies or offices to assume the various responsibilities and obligations of such authorities.

S 2. The commission shall consist of fifteen members to be appointed as follows: seven members to be appointed by the governor; three members to be appointed by the temporary president of the senate; three members to be appointed by the speaker of the assembly; one member to be appointed by the minority leader of the senate; and one to be appointed by the minority leader of the assembly. A chair of the commission shall be appointed by the governor from among his appointees. Vacancies shall be filled in the same manner as the original appointments.

S 3. The members of the commission shall receive no compensation for their services, but shall be allowed their actual and necessary expenses incurred in the performance of their duties hereunder.

S 4. To the maximum extent feasible, the commission shall be entitled to request and receive and shall utilize and be provided with such facilities, resources, and data of any department, division, board, bureau, commission, or agency of the state or any political subdivision

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

LBD03137-01-9

thereof as it deems necessary or desirable to carry out properly its powers and duties hereunder.

S 5. The commission is hereby empowered to subpoena and enforce the attendance of witnesses, to administer oaths or affirmations and examine witnesses under oath, to require the production of any books, records or papers deemed relevant or material, and to perform any other functions that are necessary or appropriate to fulfill its duties and responsibilities, and the governor shall give and grant to the commissioners all powers and authority that may be given or granted to persons appointed by the governor for such purpose pursuant to section 6 of the executive law.

S 6. The commission shall issue a final report no later than December 1, 2010, setting forth its findings and conclusions and making such recommendations as it shall deem necessary and proper. In addition, the commission shall issue such interim reports as it shall deem necessary, including an interim report no later than May 15, 2010.

S 7. The commission shall submit its report and recommendation for each state authority. Such recommendation may include, but not be limited to; leaving an authority in its current form, the dissolution of an authority, consolidation of similar authorities, and the transfer of responsibilities and obligations to state agencies.

S 8. The commission's report shall include, but shall not be limited to:

1. the number of state authorities which are currently in existence;

2. the name and location of each state authority;

3. the number of employees, and the salary of each person employed by a state authority;

4. the operating budget of each state authority;

5. the expenditures of each state authority;

6. the debts and assets of each state authority;

7. the extent to which there is oversight and accountability for each state authority; and

8. the public perception of each state authority.

S 9. Once the commission created in section one of this act is established, each state authority shall submit a letter to such commission justifying such state authority's existence.

S 10. This act shall take effect immediately, provided that the members of the commission created by this act shall be appointed within thirty days of such date; and provided, further, that this act shall remain in effect until one hundred twenty days after the commission submits the report required by section six of this act, at which time this act shall expire and be deemed repealed.