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

4150

2009-2010 Regular Sessions

I N A S S E M B L Y

January 30, 2009

Introduced by M. of A. BRODSKY, CAHILL, HOYT, COLTON, KOON -- Multi-Sponsored by -- M. of A. COOK, GALEF -- read once and referred to the Committee on Corporations, Authorities and Commissions

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to section 5 of article 10 of the constitution, in relation to prohibiting the establishment of certain new public corporations and providing for the dissolution of certain public corporations

Section 1. Resolved (if the Senate concur), That the opening paragraph of section 5 of article 10 of the constitution be amended to read as follows:

No public corporation (other than a county, city, town, village, school district or fire district or an improvement district established in a town or towns) possessing both the power to contract indebtedness and the power to collect rentals, charges, rates or fees for the services or facilities furnished or supplied by it shall hereafter be created [except by special act of the legislature] PURSUANT TO THE AUTHORITY OF THIS CONSTITUTION OR ANY OTHER LAW, GENERAL, SPECIAL, OR LOCAL, EXCEPT AS AUTHORIZED PURSUANT TO ARTICLE EIGHTEEN OF THIS CONSTITUTION. ALL PUBLIC CORPORATIONS (OTHER THAN A COUNTY, CITY, TOWN, VILLAGE, SCHOOL DISTRICT OR FIRE DISTRICT OR AN IMPROVEMENT DISTRICT ESTABLISHED IN A TOWN OR TOWNS) HERETOFORE CREATED BY SPECIAL ACT OF THE LEGISLATURE SHALL BE DISSOLVED ONE YEAR AFTER THIS SENTENCE SHALL HAVE BECOME LAW, EXCEPT ANY SUCH CORPORATION AUTHORIZED PURSUANT TO ARTICLE EIGHTEEN OF THIS CONSTITUTION. UPON THE DISSOLUTION OF ANY PUBLIC CORPORATION PURSUANT TO THIS SECTION, ANY DEBT OF SUCH CORPORATION OUTSTANDING AT THE TIME OF ITS DISSOLUTION SHALL BE ASSUMED BY THE STATE. ANY LAW OR LAWS AUTHORIZING THE ASSUMPTION OF SUCH DEBT SHALL TAKE EFFECT WITHOUT SUBMISSION TO THE PEOPLE.

S 2. Resolved (if the Senate concur), That the foregoing amendment be referred to the first regular legislative session convening after the next succeeding general election of members of the assembly, and, in conformity with section 1 of article 19 of the constitution, be 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.

LBD89082-01-9