

2123

2009-2010 Regular Sessions

I N S E N A T E

February 11, 2009

Introduced by Sens. GOLDEN, LANZA, SALAND -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to section 4 of article 5 of the constitution, in relation to the appointment of the commissioner of education

1 Section 1. Resolved (if the Assembly concur), That section 4 of arti-
2 cle 5 of the constitution be amended to read as follows:
3 S 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]. THE GOVERNOR, BY AND WITH THE
7 CONSENT OF THE SENATE, SHALL appoint and at pleasure remove a commis-
8 sioner of education to be the chief administrative officer of the
9 department. The head of the department of agriculture and markets shall
10 be appointed in a manner to be prescribed by law. Except as otherwise
11 provided in this constitution, the heads of all other departments and
12 the members of all boards and commissions, excepting temporary commis-
13 sions for special purposes, shall be appointed by the governor by and
14 with the advice and consent of the senate and may be removed by the
15 governor, in a manner to be prescribed by law.
16 S 2. Resolved (if the Assembly concur), That the foregoing amendment
17 be referred to the first regular legislative session convening after the
18 next succeeding general election of members of the assembly, and, in
19 conformity with section 1 of article 19 of the constitution, be
20 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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