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

3697

2009-2010 Regular Sessions

I N S E N A T E

March 27, 2009

Introduced by Sen. PERKINS -- (at request of the Battery Park City Authority) -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to renaming the battery park city authority to be the Hugh L. Carey battery park city authority

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 1971-a to read as follows:

S 1971-A. DECLARATION. IT IS HEREBY FOUND AND DECLARED THAT THE LEADERSHIP AND FORESIGHT OF HUGH L. CAREY, GOVERNOR OF THE STATE OF NEW YORK FROM NINETEEN HUNDRED SEVENTY-FIVE TO NINETEEN HUNDRED EIGHTY-TWO, WERE CRITICAL TO THE SUCCESS OF THE BATTERY PARK CITY AUTHORITY. GOVERNOR CAREY OVERSAW THE COMPLEX RESTRUCTURING OF THE DEVELOPMENT PROCESS, THE RECONFIGURATION OF THE BATTERY PARK CITY MASTER PLAN, AND THE SHORT-TERM INFUSION OF STATE FUNDS NECESSARY TO PRESERVE THE AUTHORITY'S CREDIT IN THE CAPITAL MARKETS. AS A CONSEQUENCE OF THESE STEPS, BATTERY PARK CITY HAS BECOME INTERNATIONALLY RECOGNIZED FOR EXCELLENCE IN PLANNING AND DESIGN, AS WELL AS FINANCIALLY PROFITABLE.

IT IS HEREBY FOUND AND DECLARED THAT IN RECOGNITION OF GOVERNOR CAREY'S CENTRAL ROLE IN THE DEVELOPMENT OF BATTERY PARK CITY, THE BATTERY PARK CITY AUTHORITY SHOULD BE RENAMED IN HONOR OF GOVERNOR CAREY AND SHOULD HENCEFORTH BE KNOWN AS HUGH L. CAREY BATTERY PARK CITY AUTHORITY.

S 2. Title 12 of article 8 of the public authorities law is amended by adding a new title heading to read as follows:

HUGH L. CAREY BATTERY PARK CITY AUTHORITY

S 3. Section 1970 of the public authorities law, as amended by chapter 624 of the laws of 1969, is amended to read as follows:

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

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S 1970. Short title. This title shall be known and may be cited as the "HUGH L. CAREY battery park city authority act".

S 4. The fifth and sixth undesignated paragraphs of section 1971 of the public authorities law, as amended by chapter 596 of the laws of 1973, are amended to read as follows:

Therefore, it is hereby found and declared that HUGH L. CAREY Battery Park city authority, through the issuance of bonds and notes to the private investing public, by encouraging maximum participation by the private sector of the economy, including the sale or lease of the authority's interest in projects at the earliest time deemed feasible, and through participation in programs undertaken by the state, its agencies and subdivisions, and by the federal government, may provide or obtain the capital resources necessary to provide dwelling accommodations for persons and families of low income, and facilities incidental or appurtenant thereto, and, where necessary, to carry out the clearance, replanning, reconstruction and rehabilitation of such substandard and insanitary areas.

It is hereby further found and declared that the acquisition and construction of adequate, safe and sanitary dwelling accommodations for persons and families of low income and such facilities as may be incidental or appurtenant thereto, are public uses and public purposes for which public money may be loaned and private property may be acquired and tax exemptions granted, and that the powers and duties of HUGH L. CAREY battery park city authority or its subsidiaries as hereinafter recited are necessary and proper for the purpose of achieving the ends here recited.

S 5. The section heading and subdivision 1 of section 1973 of the public authorities law, the section heading as amended by chapter 624 of the laws of 1969, and subdivision 1 as amended by chapter 766 of the laws of 2005, are amended to read as follows:

[Battery] HUGH L. CAREY BATTERY park city authority. (1) There is hereby created the HUGH L. CAREY battery park city authority which shall be a body corporate and politic, constituting a public benefit corporation. Its membership shall consist of seven members to be appointed by the governor with the advice and consent of the senate. One of the members first appointed shall serve for a term ending four years from January first next succeeding his appointment; one of such members shall serve for a term ending five years from such date; and one of such members shall serve for a term ending six years from such date. Provided, however, that two board members first appointed on or after the effective date of [the] chapter SEVEN HUNDRED SIXTY-SIX of the laws of two thousand five which amended this subdivision shall serve an initial term of two years; provided further that two other board members first appointed on or after the effective date of [the] chapter SEVEN HUNDRED SIXTY-SIX of the laws of two thousand five which amended this subdivision shall serve an initial term of four years. Their successors shall serve for terms of six years each. Members shall continue in office until their successors have been appointed and qualified and the provisions of section thirty-nine of the public officers law shall apply. In the event of a vacancy occurring in the office of a member by death, resignation or otherwise, the governor shall appoint a successor with the advice and consent of the senate to serve for the balance of the unexpired term.

S 6. This act shall take effect immediately.