

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:

1 Section 1. The public authorities law is amended by adding a new
2 section 1971-a to read as follows:

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

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

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

20 HUGH L. CAREY BATTERY PARK CITY AUTHORITY

21 S 3. Section 1970 of the public authorities law, as amended by chapter
22 624 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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1 S 1970. Short title. This title shall be known and may be cited as
2 the "HUGH L. CAREY battery park city authority act".

3 S 4. The fifth and sixth undesignated paragraphs of section 1971 of
4 the public authorities law, as amended by chapter 596 of the laws of
5 1973, are amended to read as follows:

6 Therefore, it is hereby found and declared that HUGH L. CAREY Battery
7 Park city authority, through the issuance of bonds and notes to the
8 private investing public, by encouraging maximum participation by the
9 private sector of the economy, including the sale or lease of the
10 authority's interest in projects at the earliest time deemed feasible,
11 and through participation in programs undertaken by the state, its agen-
12 cies and subdivisions, and by the federal government, may provide or
13 obtain the capital resources necessary to provide dwelling accommo-
14 dations for persons and families of low income, and facilities inci-
15 dental or appurtenant thereto, and, where necessary, to carry out the
16 clearance, replanning, reconstruction and rehabilitation of such
17 substandard and insanitary areas.

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

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

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

54 S 6. This act shall take effect immediately.