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

3788

2011-2012 Regular Sessions

I N A S S E M B L Y

January 27, 2011

Introduced by M. of A. MORELLE, DESTITO -- read once and referred to the Committee on Transportation

AN ACT providing for the creation of a temporary state commission to determine the legal issues and costs regarding the future of the New York State thruway authority 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, to be known as the commission on the future of the New York State thruway authority, hereinafter referred to as the commission, is hereby created to examine, evaluate and to determine the legal issues and costs regarding the future of the New York State thruway authority. Specifically the commission shall examine at least the following:

(a) the legal implications if the New York State thruway authority is abolished;

(b) the projected costs if the New York State thruway authority is abolished; and

(c) the projected time frame if the New York State thruway authority is abolished.

S 2. The commission shall consist of thirteen members to be appointed as follows: seven members to be appointed by the governor; two members to be appointed by the temporary president of the senate; two 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 commissioner 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. To the maximum

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

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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 court, department, division, board, bureau, commission, or agency of the state or any political subdivision thereof as it deems necessary or desirable to carry out properly its powers and duties hereunder.

S 4. The commission may employ and at pleasure remove such personnel as it may deem necessary for the performance of its functions and fix their compensation within the amounts made available therefor.

S 5. The commission shall meet within the state, shall hold public hearings, and shall have all the powers of a legislative committee pursuant to the legislative law.

S 6. The commission shall submit its findings and recommendations for the future of the New York State thruway authority in a report to the governor, the temporary president of the senate, and the speaker of the assembly not later than one year after it first convenes.

S 7. This act shall take effect on the one hundred twentieth day after it shall have become a law, provided, 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. Provided that the commissioner of the commission on the future of the New York state thruway authority shall notify the legislative bill drafting commission upon the occurrence of the enactment of the legislation provided for in this act in order that the commission may maintain as accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made on or before such date.