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2015-2016 Regular Sessions

I N   S E N A T E

January 22, 2015

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Introduced by Sens. GRIFFO, DeFRANCISCO, FUNKE, LARKIN, RANZENHOFER --  
read twice and ordered printed, and when printed to be committed to  
the Committee on Finance

AN ACT establishing a temporary state commission to study and investi-  
gate reducing the number of public authorities and their subsidiaries  
in the state of New York; making an appropriation therefor; and  
providing for the repeal of such provisions upon expiration thereof

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1     Section 1. A temporary state commission, to be known as the commission  
2     on public authority reform, hereafter referred to as the commission, is  
3     hereby created to investigate, evaluate and make recommendations  
4     concerning the scope and effectiveness involving the elimination,  
5     dissolution, consolidation or merger of public authorities and their  
6     subsidiaries in the state of New York.  
7     S 2. (a) The commission shall consist of thirteen members, to be  
8     appointed as follows: three members to be appointed by the governor;  
9     three members to be appointed by the temporary president of the senate;  
10    three members to be appointed by the speaker of the assembly; one member  
11    to be appointed by the minority leader of the senate; one member to be  
12    appointed by the minority leader of the assembly; one member shall be  
13    appointed by the comptroller, and one member shall be appointed by the  
14    attorney general. The appointees shall have demonstrated expertise in  
15    the development and financing of public authorities. The governor shall  
16    designate the chairperson and vice-chairperson of the commission.  
17    Vacancies in the membership of the commission and among its officers  
18    shall be filled in the manner provided for original appointments or  
19    designations.  
20    (b) The members of the commission shall receive no compensation for  
21    their services, but shall be allowed their actual and necessary expenses  
22    incurred in the performance of their duties under this act. The commis-

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

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1 sion may employ and at pleasure remove such personnel as it may deem  
2 necessary for the performance of its functions and fix their compen-  
3 sation within the amounts made available by appropriation therefor.

4 (c) The New York state public authorities control board shall provide  
5 the commission such facilities, assistance, and data as will enable the  
6 commission to carry out its powers and duties. Additionally, all other  
7 departments or agencies of the state or subdivisions thereof shall, at  
8 the request of the chairperson, provide the commission such facilities,  
9 assistance, and data as will enable the commission to carry out its  
10 powers and duties.

11 S 3. Specifically the commission shall investigate at least the  
12 following:

13 (a) the opportunities for the elimination, dissolution, consolidation  
14 or merger of public authorities and their subsidiaries in the state of  
15 New York; and

16 (b) reducing the number of all existing public authorities in the  
17 state of New York by fifty percent and reducing the number of all exist-  
18 ing subsidiaries in the state of New York by seventy-five percent.

19 S 4. (a) For the accomplishment of its purposes, the commission may  
20 meet and hold public and/or private hearings within or without the  
21 state, and shall have all the powers of a legislative committee pursuant  
22 to the legislative law. The commission is authorized and empowered to  
23 undertake any studies, inquiries, surveys or analyses it may deem rele-  
24 vant through its own personnel or in cooperation with or by agreement  
25 with any other public or private agency.

26 (b) To the maximum extent feasible, the commission may request and  
27 shall be entitled to receive and shall utilize and be provided with such  
28 facilities, resources and data from any court in the state and from any  
29 subdivision, department, board, bureau, commission, office, agency or  
30 other instrumentality of the state or of any political subdivision ther-  
31 eof as it deems necessary or desirable for the proper execution of its  
32 powers and duties and to effectuate the purposes set forth in this act.

33 (c) The commission is hereby authorized and empowered to enter into  
34 any agreements and to do and perform any acts that may be necessary,  
35 desirable or proper to carry out the purposes and objectives of this  
36 act.

37 S 5. The commission shall make recommendations and a report of its  
38 findings. The commission shall submit such recommendations and report  
39 developed by it relating to issues involving the elimination, dissol-  
40 ution, consolidation or merger of public authorities and their subsid-  
41 iaries in the state of New York, including any recommendations for  
42 legislative action as it may deem necessary and appropriate, to the  
43 governor, the temporary president of the senate and the speaker of the  
44 assembly no later than the thirty-first day of December in the year next  
45 succeeding the year in which this act shall have become a law. The  
46 commission shall issue a binding recommendation which shall be presented  
47 to the legislature to completely accept or reject such recommendation.

48 S 6. The sum of one hundred thousand dollars (\$100,000), or so much  
49 thereof as may be necessary, is hereby appropriated to pay the expenses  
50 incurred, including personal service, in carrying out the provisions of  
51 this act. Such moneys shall be payable out of the state treasury in the  
52 general fund to the credit of the state purposes account after audit by  
53 and on the warrant of the comptroller upon vouchers certified or  
54 approved by the chairperson or vice-chairperson of the commission as  
55 prescribed by law.

1 S 7. This act shall take effect immediately; provided that the  
2 provisions of this act shall expire and be deemed repealed on the first  
3 day next succeeding the date of the submission of the report as required  
4 in section five of this act; and provided further, however, that the  
5 chairperson of the temporary commission on public authority reform shall  
6 notify the legislative bill drafting commission upon the submission of  
7 its report as provided for in section five of this act in order that the  
8 commission may maintain an accurate and timely effective data base of  
9 the official text of the laws of the state of New York in furtherance of  
10 effecting the provisions of section 44 of the legislative law and  
11 section 70-b of the public officers law.