STATE OF NEW YORK

7637

IN SENATE

February 1, 2018

Introduced by Sen. DeFRANCISCO -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing amendments to section 4 of article 5, section 4 of article 8 and section 2 of article 11 of the constitution, in relation to abolishing The Regents of the University of the State of New York

Section 1. Resolved (if the Assembly concur), That section 4 of article 5 of the constitution be amended to read as follows:

§ 4. The head of the department of audit and control shall be the comptroller and of the department of law, the attorney-general. The head of the [~~department of~~] education *department* shall be [~~The Regents of the University of the State of New York, who shall appoint and at pleasure remove a~~] *the* commissioner of education [~~to be the chief administrative officer of the department~~]*, who shall be appointed by the governor with the advice and consent of the senate, and may be removed by and shall serve at the pleasure of the governor*. The head of the department of agriculture and markets shall be appointed in a manner to be prescribed by law. Except as otherwise provided in this constitution, the heads of all other departments and the members of all boards and commissions, excepting temporary commissions for special purposes, shall be appointed by the governor by and with the advice and consent of the senate and may be removed by the governor, in a manner to be prescribed by law.

§ 2. Resolved (if the Assembly concur), That paragraph 2 of subdivision (h) of section 4 of article 8 of the constitution be amended to read as follows:

(2) the consent of [~~The Regents of the University of the State of New York~~] *the commissioner of education* and

§ 3. Resolved (if the Assembly concur), That section 2 of article 11 of the constitution be amended to read as follows:

§ 2. The corporation created in the year one thousand seven hundred eighty-four, under the name of The Regents of the University of the State of New York, is hereby [~~continued under the name of The~~] *abolished, and all the functions and powers possessed by and all of the obligations and duties of such regents are transferred and assigned to, assumed by and devolved upon the commissioner of education, including*

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

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the direction and control of the education department and the University of the State of New York. [~~**It shall be governed and its corporate powers, which may be increased, modified or diminished by the legislature, shall be exercised by not less than nine regents.**~~]

§ 4. Resolved (if the Assembly concur), That the foregoing be referred to the first regular legislative session convening after the next succeeding general election of members of the assembly, and, in conformity with section 1 of article 19 of the constitution, be published for 3 months previous to the time of such election.