

# STATE OF NEW YORK

10936

## IN ASSEMBLY

May 29, 2018

Introduced by M. of A. PAULIN -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT establishing a temporary state commission to study and investigate 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 Assembly, 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 § 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-  
23 sion may employ and at pleasure remove such personnel as it may deem  
24 necessary for the performance of its functions and fix their compen-  
25 sation within the amounts made available by appropriation therefor.

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

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

8 § 3. Specifically the commission shall investigate at least the  
9 following:

10 (a) the opportunities for the elimination, dissolution, consolidation  
11 or merger of public authorities and their subsidiaries in the state of  
12 New York; and

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

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

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

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

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

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

53 § 7. This act shall take effect immediately; provided that the  
54 provisions of this act shall expire and be deemed repealed on the first  
55 day next succeeding the date of the submission of the report as required  
56 in section five of this act; and provided further, however, that the

1 chairperson of the temporary commission on public authority reform shall  
2 notify the legislative bill drafting commission upon the submission of  
3 its report as provided for in section five of this act in order that the  
4 commission may maintain an accurate and timely effective data base of  
5 the official text of the laws of the state of New York in furtherance of  
6 effecting the provisions of section 44 of the legislative law and  
7 section 70-b of the public officers law.