

# 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 abol-  
ishing The Regents of the University of the State of New York

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

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

17 § 2. Resolved (if the Assembly concur), That paragraph 2 of subdivi-  
18 sion (h) of section 4 of article 8 of the constitution be amended to  
19 read as follows:

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

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

24 § 2. The corporation created in the year one thousand seven hundred  
25 eighty-four, under the name of The Regents of the University of the  
26 State of New York, is hereby [~~continued under the name of The~~] abol-  
27 ished, and all the functions and powers possessed by and all of the  
28 obligations and duties of such regents are transferred and assigned to,  
29 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.

LBD89130-01-8

1 the direction and control of the education department and the University  
2 of the State of New York. [~~It shall be governed and its corporate~~  
3 ~~powers, which may be increased, modified or diminished by the legisla-~~  
4 ~~ture, shall be exercised by not less than nine regents.~~]  
5 § 4. Resolved (if the Assembly concur), That the foregoing be referred  
6 to the first regular legislative session convening after the next  
7 succeeding general election of members of the assembly, and, in conform-  
8 ity with section 1 of article 19 of the constitution, be published for 3  
9 months previous to the time of such election.