

# STATE OF NEW YORK

---

3795

2021-2022 Regular Sessions

## IN SENATE

January 30, 2021

---

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

### CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to section 4 of article 5 of the constitution, in relation to election of public service commissioners

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 shall be The Regents of the University of  
6 the State of New York, who shall appoint and at pleasure remove a  
7 commissioner of education to be the chief administrative officer of the  
8 department. The head of the department of agriculture and markets shall  
9 be appointed in a manner to be prescribed by law. The commissioners of  
10 public service shall be elected in a manner to be prescribed by law.  
11 Except as otherwise provided in this constitution, the heads of all  
12 other departments and the members of all boards and commissions, except-  
13 ing temporary commissions for special purposes, shall be appointed by  
14 the governor by and with the advice and consent of the senate and may be  
15 removed by the governor, in a manner to be prescribed by law.

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

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

LBD89098-01-1