MEMO OF SUPPORT

S2459 (Comrie)

Repeals 2019 changes to Public Authorities Control Board

November 9, 2026

TITLE OF BILL
An act to repeal subdivision 6 of section 51 of the public authorities law, relating to voting by members of the New York state authorities control board.

SUMMARY OF PROVISIONS
This bill repeals subdivision 6 of section 51 of the public authorities law, relating to voting by members of the New York state authorities control board.

STATEMENT OF SUPPORT
This bill would repeal changes passed at former Governor Cuomo's urging without public debate or discussion during the FY 2019-2020 budget cycle. At the time, the law was changed to give the governor the power to remove legislative members of the Public Authorities Control Board (PACB) and limit their approval authority to a yes/no determination of whether projects had adequate funding and financing streams. This legislation restores the independence of the PACB and ensures that the legislative and other representatives on this body are given the power to conduct proper oversight of public authority proposals without fear of retribution.

The move by the former governor to limit PACB members' authority is counter to the purposes of the PACB, which was founded in the wake of the Urban Development Corporation (now ESD) crisis of the mid-1970s. Then, as now, it was crucial that an informed board act independently and in the public interest to determine project feasibility. To make such a determination, the board is tasked with analyzing fee, revenue, and securities projections, among other details. When the former governor limited board members' powers and empowered the executive to unilaterally remove members of the PACB, it subverted the board's very reason for existing.

We urge the Legislature to pass and Gov. Hochul to sign this bill restoring the independence of the PACB and improving oversight of authorities.