

STATE OF NEW YORK

9524

IN ASSEMBLY

March 16, 2022

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

AN ACT to amend the public authorities law, in relation to the appointment of members of the Battery Park city authority

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 1 of section 1973 of the public authorities
2 law, as amended by chapter 63 of the laws of 2018, is amended to read as
3 follows:

4 (1) There is hereby created the battery park city authority which
5 shall be a body corporate and politic, constituting a public benefit
6 corporation. Its membership shall consist of seven members to be
7 appointed by the governor with the advice and consent of the senate. One
8 of the members first appointed shall serve for a term ending four years
9 from January first next succeeding his appointment; one of such members
10 shall serve for a term ending five years from such date; and one of such
11 members shall serve for a term ending six years from such date.
12 Provided, however, that two board members first appointed on or after
13 the effective date of chapter seven hundred sixty-six of the laws of two
14 thousand five shall serve an initial term of two years; provided further
15 that two other board members first appointed on or after the effective
16 date of chapter seven hundred sixty-six of the laws of two thousand five
17 shall serve an initial term of four years. Their successors shall serve
18 for terms of six years each. Members shall continue in office until
19 their successors have been appointed and qualified and the provisions of
20 section thirty-nine of the public officers law shall apply; provided,
21 however, no member shall continue to serve in office for a period longer
22 than sixty days after the expiration of his or her term. Any member
23 currently serving in an expired term upon the effective date of the
24 chapter of the laws of two thousand twenty-two that amended this subdi-
25 vision shall continue to serve for a period of sixty days after such
26 effective date or until the appointment and qualification of his or her
27 successor, whichever is earlier. In the event of a vacancy occurring in
28 the office of a member by death, resignation or otherwise, the governor

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

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1 shall appoint a successor with the advice and consent of the senate to
2 serve for the balance of the unexpired term. The governor shall appoint
3 a successor to fill any vacancy with the advice and consent of the
4 senate no later than sixty days after such vacancy occurs. After the
5 effective date of the chapter of the laws of two thousand [~~seventeen~~]
6 twenty-two that amended this subdivision, if the membership of the
7 corporation is such that less than [~~two~~] a majority of the members are
8 residents of Battery Park city as described by the Battery Park project
9 area defined by subdivision five of section nineteen hundred seventy-two
10 of this title, any appointments made shall be residents of Battery Park
11 city. Appointments shall continue in such a manner until [~~two~~] a majori-
12 ty of the members of the corporation are residents of Battery Park city.
13 Thereafter, [~~two~~] a majority of the corporation's members shall be resi-
14 dents of Battery Park city. Any member appointed on the basis of being
15 a resident of Battery Park city shall resign such membership upon ceas-
16 ing to be a resident of Battery Park city. For the purposes of this
17 subdivision, "resident" shall mean a member's primary residence is
18 located in Battery Park city.

19 § 2. This act shall take effect immediately.