S T A T E O F N E W Y O R K

1810

2009-2010 Regular Sessions

I N A S S E M B L Y

January 12, 2009

Introduced by M. of A. NOLAN, MARKEY -- Multi-Sponsored by -- M. of A. COLTON, DINOWITZ, GLICK, PHEFFER, SWEENEY -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to requiring a quorum of members of the board of the New York city transit authority and the board of the metropolitan transportation authority to attend certain public hearings conducted by such authorities

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision 5 of section 1201 of the public authorities law, as amended by chapter 929 of the laws of 1986, is amended to read as follows:

5. A majority of the whole number of members of the authority then in office shall constitute a quorum for the transaction of any business or the exercise of any power of the authority. A QUORUM SHALL BE PRESENT AT ANY PUBLIC HEARING REQUIRED BY LAW TO CONSIDER A PROPOSAL: (A) TO INCREASE THE RATE OF FARES OR TOLLS TO BE CHARGED; (B) TO CLOSE OR REDUCE ACCESS TO A PASSENGER STATION; OR (C) TO DISCONTINUE OR REDUCE SERVICE TO ANY RAPID TRANSIT OR OMNIBUS ROUTE. IN THE CASE OF ANY OTHER PUBLIC HEARINGS REQUIRED BY LAW, THERE SHALL BE NO LESS THAN FOUR MEMBERS OF THE AUTHORITY PRESENT; PROVIDED, HOWEVER, THAT SUCH REQUIREMENT SHALL NOT APPLY TO HEARINGS REQUIRED BY THE FEDERAL TRANSIT ADMINISTRATION OR THE EMINENT DOMAIN PROCEDURE LAW. Except as otherwise specified in this title, for the transaction of any business or the exercise of any power of the authority, the authority shall have the power to act by a majority vote of the members present at any meeting at which a quorum is in attendance. In the event of a tie vote the chairman shall cast one additional vote. For the purposes of the voting and quorum requirements of this subdivision, the voting and quorum requirements set forth in subdivision three of section twelve hundred sixty-three of this article and in any by-law of the metropolitan transportation authority

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

LBD02117-01-9

adopted pursuant to the provisions of such subdivision shall be applicable hereto.

S 2. Paragraph (a) of subdivision 3 of section 1263 of the public authorities law, as amended by chapter 929 of the laws of 1986, is amended to read as follows:

(a) A majority of the whole number of members of the authority then in office shall constitute a quorum for the transaction of any business or the exercise of any power of the authority. A QUORUM SHALL BE PRESENT AT ANY PUBLIC HEARING REQUIRED BY LAW TO CONSIDER A PROPOSAL: (1) TO INCREASE THE RATE OF FARES OR TOLLS TO BE CHARGED; (2) TO CLOSE OR REDUCE ACCESS TO A PASSENGER STATION; OR (3) TO DISCONTINUE OR REDUCE SERVICE TO ANY RAPID TRANSIT OR OMNIBUS ROUTE. IN THE CASE OF ANY OTHER PUBLIC HEARINGS REQUIRED BY LAW, THERE SHALL BE NO LESS THAN FOUR MEMBERS OF THE AUTHORITY PRESENT; PROVIDED, HOWEVER, THAT SUCH REQUIREMENT SHALL NOT APPLY TO HEARINGS REQUIRED BY THE FEDERAL TRANSIT ADMINISTRATION OR THE EMINENT DOMAIN PROCEDURE LAW. Except as otherwise specified in this title, for the transaction of any business or the exercise of any power of the authority, the authority shall have power to act by a majority vote of the members present at any meeting at which a quorum is in attendance and except further, that in the event of a tie vote the chairman shall cast one additional vote.

S 3. This act shall take effect on the first of September next succeeding the date on which it shall have become a law.