

1810

2009-2010 Regular Sessions

I N   A S S E M B L Y

January 12, 2009

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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:

1     Section 1. Subdivision 5 of section 1201 of the public authorities  
2 law, as amended by chapter 929 of the laws of 1986, is amended to read  
3 as follows:  
4     5. A majority of the whole number of members of the authority then in  
5 office shall constitute a quorum for the transaction of any business or  
6 the exercise of any power of the authority. A QUORUM SHALL BE PRESENT  
7 AT ANY PUBLIC HEARING REQUIRED BY LAW TO CONSIDER A PROPOSAL: (A) TO  
8 INCREASE THE RATE OF FARES OR TOLLS TO BE CHARGED; (B) TO CLOSE OR  
9 REDUCE ACCESS TO A PASSENGER STATION; OR (C) TO DISCONTINUE OR REDUCE  
10 SERVICE TO ANY RAPID TRANSIT OR OMNIBUS ROUTE. IN THE CASE OF ANY OTHER  
11 PUBLIC HEARINGS REQUIRED BY LAW, THERE SHALL BE NO LESS THAN FOUR  
12 MEMBERS OF THE AUTHORITY PRESENT; PROVIDED, HOWEVER, THAT SUCH REQUIRE-  
13 MENT SHALL NOT APPLY TO HEARINGS REQUIRED BY THE FEDERAL TRANSIT ADMIN-  
14 ISTRATION OR THE EMINENT DOMAIN PROCEDURE LAW. Except as otherwise spec-  
15 ified in this title, for the transaction of any business or the exercise  
16 of any power of the authority, the authority shall have the power to act  
17 by a majority vote of the members present at any meeting at which a  
18 quorum is in attendance. In the event of a tie vote the chairman shall  
19 cast one additional vote. For the purposes of the voting and quorum  
20 requirements of this subdivision, the voting and quorum requirements set  
21 forth in subdivision three of section twelve hundred sixty-three of this  
22 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.

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1 adopted pursuant to the provisions of such subdivision shall be applica-  
2 ble hereto.

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

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

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