

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

8149--A

2009-2010 Regular Sessions

I N A S S E M B L Y

May 6, 2009

Introduced by M. of A. KAVANAGH -- read once and referred to the Committee on Corporations, Authorities and Commissions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public authorities law, in relation to the conduct of public hearings by the metropolitan transportation authority

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

1 Section 1. Section 1263 of the public authorities law is amended by
2 adding a new subdivision 10 to read as follows:
3 10. WHERE A SUBSTANTIAL NUMBER OF PERSONS ARE UNABLE TO ATTEND A
4 PUBLIC HEARING AS THE RESULT OF INSUFFICIENT SEATING CAPACITY, ONE
5 SUBSEQUENT, ADDITIONAL HEARING SHALL BE REQUIRED IN ORDER TO COMPLY WITH
6 PUBLIC HEARING REQUIREMENTS. SUCH SUBSEQUENT HEARING SHALL BE HELD IN
7 REASONABLE PROXIMITY TO THE LOCATION OF THE HEARING WHICH DID NOT
8 PROVIDE ADEQUATE PUBLIC ACCOMMODATIONS. AN OFFICER OR EMPLOYEE OF THE
9 AUTHORITY SHALL RECORD THE NAMES AND ADDRESSES OF ANY INTERESTED PERSONS
10 WHO ARE UNABLE TO ENTER A HEARING ROOM DUE TO CAPACITY LIMITATIONS AND
11 SHALL NOTIFY SUCH PERSONS BY MAIL OF THE DATE AND LOCATION OF THE SUBSE-
12 QUENT HEARING, IN ADDITION TO ANY OTHER HEARING NOTICE REQUIREMENTS.
13 WHERE THE AUTHORITY DETERMINES THAT EXTENSIVE PUBLIC INTEREST IS ANTIC-
14 IPATED REGARDING THE ISSUE BEING ADDRESSED, A REQUIRED HEARING SHALL BE
15 HELD IN A VENUE DESIGNED TO ACCOMMODATE SUCH PUBLIC PARTICIPATION. THE
16 AUTHORITY SHALL PRESUME THAT THERE IS A SUBSTANTIAL PUBLIC INTEREST IN
17 FARE INCREASES OR SERVICE REDUCTIONS. FOR THE PURPOSES OF THIS SUBDIVI-
18 SION, "SUBSTANTIAL NUMBER" SHALL BE INTERPRETED TO MEAN MORE THAN SEVEN-
19 TY-FIVE PERSONS.
20 S 2. This act shall take effect immediately.

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

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