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I N   A S S E M B L Y

January 28, 2010

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Introduced by M. of A. GUNTHER, JAFFEE, ZEBROWSKI, GALEF, SKARTADOS, RABBITT, CALHOUN, MOLINARO -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to granting each of the representatives of the counties of Dutchess, Putnam, Orange and Rockland on the metropolitan transportation authority a vote

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

1     Section 1. Subparagraph 1 of paragraph (a) of subdivision 1 of section  
2     1263 of the public authorities law, as amended by section 3 of part H of  
3     chapter 25 of the laws of 2009, is amended to read as follows:  
4     (1) There is hereby created the "metropolitan transportation authori-  
5     ty." The authority shall be a body corporate and politic constituting a  
6     public benefit corporation. The authority shall consist of a chairman,  
7     sixteen other voting members, and two non-voting and four alternate  
8     non-voting members, as described in subparagraph two of this paragraph  
9     appointed by the governor by and with the advice and consent of the  
10    senate. Any member appointed to a term commencing on or after June thir-  
11    tieth, two thousand nine shall have experience in one or more of the  
12    following areas: transportation, public administration, business manage-  
13    ment, finance, accounting, law, engineering, land use, urban and  
14    regional planning, management of large capital projects, labor  
15    relations, or have experience in some other area of activity central to  
16    the mission of the authority. Four of the sixteen voting members other  
17    than the chairman shall be appointed on the written recommendation of  
18    the mayor of the city of New York; and each of seven other voting  
19    members other than the chairman shall be appointed after selection from  
20    a written list of three recommendations from the chief executive officer  
21    of the county in which the particular member is required to reside  
22    pursuant to the provisions of this subdivision. Of the members appointed  
23    on recommendation of the chief executive officer of a county, one such  
24    member shall be, at the time of appointment, a resident of the county of  
25    Nassau, one a resident of the county of Suffolk, one a resident of the  
26    county of Westchester, one a resident of the county of Dutchess, one a

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

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1 resident of the county of Orange, one a resident of the county of Putnam  
2 and one a resident of the county of Rockland, provided that the term of  
3 any member who is a resident of a county that has withdrawn from the  
4 metropolitan commuter transportation district pursuant to section twelve  
5 hundred seventy-nine-b of this article shall terminate upon the effective  
6 date of such county's withdrawal from such district. Of the five  
7 voting members, other than the chairman, appointed by the governor without  
8 recommendation from any other person, three shall be, at the time of  
9 appointment, residents of the city of New York and two shall be, at the  
10 time of appointment, residents of such city or of any of the aforementioned  
11 counties in the metropolitan commuter transportation district. The chairman  
12 and each of the members shall be appointed for a term of six years,  
13 provided however, that the chairman first appointed shall serve for a term  
14 ending June thirtieth, nineteen hundred eighty-one, provided that thirty  
15 days after the effective date of the chapter of the laws of two thousand  
16 nine which amended this subparagraph, the term of the chairman shall expire;  
17 provided, further, that such chairman may continue to discharge the duties  
18 of his or her office until the position of chairman is filled by appointment  
19 by the governor upon the advice and consent of the senate and the term of  
20 such new chairman shall terminate June thirtieth, two thousand fifteen. The  
21 sixteen other members first appointed shall serve for the following terms:  
22 The members from the counties of Nassau and Westchester shall each serve  
23 for a term ending June thirtieth, nineteen hundred eighty-five; the  
24 members from the county of Suffolk and from the counties of Dutchess,  
25 Orange, Putnam and Rockland shall each serve for a term ending June  
26 thirtieth, nineteen hundred eighty-two; two of the members appointed on  
27 recommendation of the mayor of the city of New York shall each serve for  
28 a term ending June thirtieth, nineteen hundred eighty-four and, two shall  
29 each serve for a term ending June thirtieth, nineteen hundred eighty-one;  
30 two of the members appointed by the governor without the recommendation of  
31 any other person shall each serve for a term ending June thirtieth,  
32 nineteen hundred eighty-two, two shall each serve for a term ending June  
33 thirtieth, nineteen hundred eighty and one shall serve for a term ending  
34 June thirtieth, nineteen hundred eighty-five. The two non-voting and  
35 four alternate non-voting members shall serve until January first, two  
36 thousand one. [The members from the counties of Dutchess, Orange, Putnam  
37 and Rockland shall cast one collective vote.]

38 S 2. Paragraph (a) of subdivision 1 of section 1263 of the public  
39 authorities law, as amended by section 4 of part H of chapter 25 of the  
40 laws of 2009, is amended to read as follows:

41 (a) There is hereby created the "metropolitan transportation authority."  
42 The authority shall be a body corporate and politic constituting a public  
43 benefit corporation. The authority shall consist of a chairman and sixteen  
44 other members appointed by the governor by and with the advice and consent  
45 of the senate. Any member appointed to a term commencing on or after  
46 June thirtieth, two thousand nine shall have experience in one or more of  
47 the following areas of expertise: transportation, public administration,  
48 business management, finance, accounting, law, engineering, land use,  
49 urban and regional planning, management of large capital projects, labor  
50 relations, or have experience in some other area of activity central to the  
51 mission of the authority. Four of the sixteen members other than the  
52 chairman shall be appointed on the written recommendation of the mayor of  
53 the city of New York; and each of seven other members other than the  
54 chairman shall be appointed after selection from a written list of three  
55 recommendations from the chief

1 executive officer of the county in which the particular member is  
2 required to reside pursuant to the provisions of this subdivision. Of  
3 the members appointed on recommendation of the chief executive officer  
4 of a county, one such member shall be, at the time of appointment, a  
5 resident of the county of Nassau; one a resident of the county of  
6 Suffolk; one a resident of the county of Westchester; [and] one a resi-  
7 dent of the county of Dutchess[,]; one a resident of the county of  
8 Orange[,]; one a resident of the county of Putnam; and one a resident of  
9 the county of Rockland, provided that the term of any member who is a  
10 resident of a county that has withdrawn from the metropolitan commuter  
11 transportation district pursuant to section twelve hundred  
12 seventy-nine-b of this article shall terminate upon the effective date  
13 of such county's withdrawal from such district. Of the five members,  
14 other than the chairman, appointed by the governor without recommenda-  
15 tion from any other person, three shall be, at the time of appointment,  
16 residents of the city of New York and two shall be, at the time of  
17 appointment, residents of such city or of any of the aforementioned  
18 counties in the metropolitan commuter transportation district. The  
19 chairman and each of the members shall be appointed for a term of six  
20 years, provided however, that the chairman first appointed shall serve  
21 for a term ending June thirtieth, nineteen hundred eighty-one, provided  
22 that thirty days after the effective date of the chapter of the laws of  
23 two thousand nine which amended this paragraph, the term of the chairman  
24 shall expire; provided, further, that such chairman may continue to  
25 discharge the duties of his office until the position of chairman is  
26 filled by appointment by the governor upon the advice and consent of the  
27 senate and the term of such new chairman shall terminate June thirtieth,  
28 two thousand fifteen. The sixteen other members first appointed shall  
29 serve for the following terms: The members from the counties of Nassau  
30 and Westchester shall each serve for a term ending June thirtieth, nine-  
31 teen hundred eighty-five; the members from the county of Suffolk and  
32 from the counties of Dutchess, Orange, Putnam and Rockland shall each  
33 serve for a term ending June thirtieth, nineteen hundred ninety-two; two  
34 of the members appointed on recommendation of the mayor of the city of  
35 New York shall each serve for a term ending June thirtieth, nineteen  
36 hundred eighty-four and, two shall each serve for a term ending June  
37 thirtieth, nineteen hundred eighty-one; two of the members appointed by  
38 the governor without the recommendation of any other person shall each  
39 serve for a term ending June thirtieth, nineteen hundred eighty-two, two  
40 shall each serve for a term ending June thirtieth, nineteen hundred  
41 eighty and one shall serve for a term ending June thirtieth, nineteen  
42 hundred eighty-five. [The members from the counties of Dutchess, Orange,  
43 Putnam and Rockland shall cast one collective vote.]

44 S 3. This act shall take effect immediately, provided that the amend-  
45 ments to subparagraph 1 of paragraph (a) of subdivision 1 of section  
46 1263 of the public authorities law made by section one of this act shall  
47 be subject to the expiration and reversion of such paragraph pursuant to  
48 section 3 of chapter 549 of the laws of 1994, as amended, when upon such  
49 date the provisions of section two of this act shall take effect.