

4230

2009-2010 Regular Sessions

I N S E N A T E

April 17, 2009

Introduced by Sen. SAVINO -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the public authorities law, in relation to providing a voting membership on the metropolitan transportation authority board to a Richmond county resident

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) and paragraph (b) of subdi-
2 vision 1 of section 1263 of the public authorities law, subparagraph 1
3 of paragraph (a) as amended by chapter 549 of the laws of 1994 and para-
4 graph (b) as amended by chapter 727 of the laws of 1979, are amended and
5 a new paragraph (c) is added to read as follows:
6 (1) There is hereby created the "metropolitan transportation authori-
7 ty." The authority shall be a body corporate and politic constituting a
8 public benefit corporation. [The] EXCEPT AS PROVIDED IN PARAGRAPH (C) OF
9 THIS SUBDIVISION, THE authority shall consist of a chairman, sixteen
10 other voting members, and two non-voting and four alternate non-voting
11 members, as described in subparagraph two of this paragraph appointed by
12 the governor by and with the advice and consent of the senate. Four of
13 the sixteen voting members other than the chairman shall be appointed on
14 the written recommendation of the mayor of the city of New York; and
15 each of seven other voting members other than the chairman shall be
16 appointed after selection from a written list of three recommendations
17 from the chief executive officer of the county in which the particular
18 member is required to reside pursuant to the provisions of this subdivi-
19 sion. Of the members appointed on recommendation of the chief executive
20 officer of a county, one such member shall be, at the time of appoint-
21 ment, a resident of the county of Nassau; one a resident of the county
22 of Suffolk; one a resident of the county of Westchester; and one a resi-
23 dent of the county of Dutchess, one a resident of the county of Orange,
24 one a resident of the county of Putnam and one a resident of the county

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

LBD10958-01-9

1 of Rockland, provided that the term of any member who is a resident of a
2 county that has withdrawn from the metropolitan commuter transportation
3 district pursuant to section twelve hundred seventy-nine-b of this arti-
4 cle shall terminate upon the effective date of such county's withdrawal
5 from such district. Of the five voting members, other than the chairman,
6 appointed by the governor without recommendation from any other person,
7 three shall be, at the time of appointment, residents of the city of New
8 York and two shall be, at the time of appointment, residents of such
9 city or of any of the aforementioned counties in the metropolitan commu-
10 ter transportation district. The chairman and each of the members shall
11 be appointed for a term of six years, provided however, that the chair-
12 man first appointed shall serve for a term ending June thirtieth, nine-
13 teen hundred eighty-one, and the sixteen other members first appointed
14 shall serve for the following terms: The members from the counties of
15 Nassau and Westchester shall each serve for a term ending June thirti-
16 eth, nineteen hundred eighty-five; the members from the county of
17 Suffolk and from the counties of Dutchess, Orange, Putnam and Rockland
18 shall each serve for a term ending June thirtieth, nineteen hundred
19 ninety-two; two of the members appointed on recommendation of the mayor
20 of the city of New York shall each serve for a term ending June thirti-
21 eth, nineteen hundred eighty-four and, two shall each serve for a term
22 ending June thirtieth, nineteen hundred eighty-one; two of the members
23 appointed by the governor without the recommendation of any other person
24 shall each serve for a term ending June thirtieth, nineteen hundred
25 eighty-two, two shall each serve for a term ending June thirtieth, nine-
26 teen hundred eighty and one shall serve for a term ending June thirti-
27 eth, nineteen hundred eighty-five. The two non-voting and four alternate
28 non-voting members shall serve until January first, two thousand one.
29 The members from the counties of Dutchess, Orange, Putnam and Rockland
30 shall cast one collective vote.

31 (b) [Vacancies] EXCEPT AS PROVIDED IN PARAGRAPH (C) OF THIS SUBDIVI-
32 SION, VACANCIES occurring otherwise than by expiration of term shall be
33 filled in the same manner as original appointments for the balance of
34 the unexpired term.

35 (C) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPHS (A) AND (B) OF THIS
36 SUBDIVISION, THE SEVEN VOTING MEMBERS, OTHER THAN THE CHAIRMAN APPOINTED
37 BY THE GOVERNOR AFTER SELECTION FROM A WRITTEN LIST OF THREE RECOMMENDA-
38 TIONS FROM THE CHIEF EXECUTIVE OFFICER OF THE COUNTY IN WHICH THE
39 PARTICULAR MEMBER IS REQUIRED TO RESIDE, SHALL BE INCREASED TO EIGHT
40 VOTING MEMBERS BY ADDING ONE, A RESIDENT OF RICHMOND COUNTY. THE TOTAL
41 NUMBER OF BOARD MEMBERS SHALL NOT INCREASE AS THE NUMBER OF VOTING
42 MEMBERS APPOINTED BY THE GOVERNOR WITHOUT RECOMMENDATION FROM ANY OTHER
43 PERSON, SHALL DECREASE FROM THREE RESIDENTS OF THE CITY OF NEW YORK TO
44 TWO RESIDENTS OF THE CITY OF NEW YORK. THE VOTING MEMBER APPOINTED FROM
45 RICHMOND COUNTY SHALL SERVE A SIX YEAR TERM, AND SHALL BE SEATED AT THE
46 FIRST AVAILABLE VACANCY AMONG THE FIVE VOTING MEMBERS OTHER THAN THE
47 CHAIRMAN APPOINTED BY THE GOVERNOR WITHOUT RECOMMENDATION FROM ANY OTHER
48 PERSON.

49 S 2. Paragraph (a) of subdivision 1 of section 1263 of the public
50 authorities law, as amended by chapter 929 of the laws of 1986, is
51 amended to read as follows:

52 (a) There is hereby created the "metropolitan transportation authori-
53 ty." The authority shall be a body corporate and politic constituting a
54 public benefit corporation. [The] EXCEPT AS PROVIDED IN PARAGRAPH (C) OF
55 THIS SUBDIVISION, THE authority shall consist of a chairman and sixteen
56 other members appointed by the governor by and with the advice and

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

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