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

5388--A

2009-2010 Regular Sessions

I N S E N A T E

April 27, 2009

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

Section 1. Section 1263 of the public authorities law is amended by adding a new subdivision 10 to read as follows:

10. WHERE A SUBSTANTIAL NUMBER OF PERSONS ARE UNABLE TO ATTEND A PUBLIC HEARING AS THE RESULT OF INSUFFICIENT SEATING CAPACITY, ONE SUBSEQUENT, ADDITIONAL HEARING SHALL BE REQUIRED IN ORDER TO COMPLY WITH PUBLIC HEARING REQUIREMENTS. SUCH SUBSEQUENT HEARING SHALL BE HELD IN REASONABLE PROXIMITY TO THE LOCATION OF THE HEARING WHICH DID NOT PROVIDE ADEQUATE PUBLIC ACCOMMODATIONS. AN OFFICER OR EMPLOYEE OF THE AUTHORITY SHALL RECORD THE NAMES AND ADDRESSES OF ANY INTERESTED PERSONS WHO ARE UNABLE TO ENTER A HEARING ROOM DUE TO CAPACITY LIMITATIONS AND SHALL NOTIFY SUCH PERSONS BY MAIL OF THE DATE AND LOCATION OF THE SUBSEQUENT HEARING, IN ADDITION TO ANY OTHER HEARING NOTICE REQUIREMENTS. WHERE THE AUTHORITY DETERMINES THAT EXTENSIVE PUBLIC INTEREST IS ANTICIPATED REGARDING THE ISSUE BEING ADDRESSED, A REQUIRED HEARING SHALL BE HELD IN A VENUE DESIGNED TO ACCOMMODATE SUCH PUBLIC PARTICIPATION. THE AUTHORITY SHALL PRESUME THAT THERE IS A SUBSTANTIAL PUBLIC INTEREST IN FARE INCREASES OR SERVICE REDUCTIONS. FOR THE PURPOSES OF THIS SUBDIVISION, "SUBSTANTIAL NUMBER" SHALL BE INTERPRETED TO MEAN MORE THAN SEVENTY-FIVE PERSONS.

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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