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

3097

2009-2010 Regular Sessions

I N A S S E M B L Y

January 22, 2009

Introduced by M. of A. GANTT, SILVER, STIRPE, DelMONTE, GORDON, DESTITO, KOON -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to establishing the terms of the members of the board of the New York state thruway authority

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

Section 1. Subdivision 1 of section 352 of the public authorities law, as amended by chapter 766 of the laws of 2005, is amended to read as follows:

1. (A) A board to be known as "New York state thruway authority" is hereby created. Such board shall be a body corporate and politic constituting a public corporation. It shall consist of seven members appointed by the governor by and with the advice and consent of the senate. [The members first appointed shall serve for terms ending three, six and nine years, respectively from January first next succeeding their appointment. Provided, however, that two board members first appointed on or after the effective date of the chapter of the laws of two thousand five which amended this subdivision shall serve an initial term of two years; provided further that two other board members first appointed on or after the effective date of the chapter of the laws of two thousand five which amended this subdivision shall serve an initial term of three years. Their successors shall be appointed for terms of nine years each.] A member to be designated as chairman in his or her appointment as a member shall be chairman of such board until his or her term as member expires. The chairman and the other members shall serve without salary or other compensation, but shall be entitled to reimbursement for their actual and necessary expenses incurred in the performance of their official duties.

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

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(B) NOTWITHSTANDING ANY OTHER PROVISION OF LAW OR THE PROVISIONS OF ANY APPOINTMENT BY A GOVERNOR, THE TERMS OF ALL MEMBERS SERVING AS SUCH ON MARCH THIRTY-FIRST, TWO THOUSAND NINE, OR ON THE EFFECTIVE DATE OF THIS PARAGRAPH, WHICHEVER DATE IS LATER, SHALL IMMEDIATELY TERMINATE EXCEPT THAT SUCH MEMBERS SHALL CONTINUE TO SERVE UNTIL THEIR SUCCESSORS ARE APPOINTED AND HAVE QUALIFIED.

(C) TWO MEMBERS OF THE BOARD APPOINTED ON OR AFTER APRIL FIRST, TWO THOUSAND NINE, SHALL BE APPOINTED TO TERMS OF THREE YEARS; TWO OTHER MEMBERS OF THE BOARD SHALL BE APPOINTED TO TERMS OF FOUR YEARS; AND THREE MEMBERS OF THE BOARD SHALL BE APPOINTED TO TERMS OF FIVE YEARS, PROVIDED, HOWEVER, THAT SUCH MEMBERS SHALL CONTINUE TO SERVE AFTER THE END OF THEIR TERMS UNTIL THEIR SUCCESSORS ARE APPOINTED AND HAVE QUALIFIED, AND PROVIDED FURTHER THAT NOTWITHSTANDING THE TERM TO WHICH ANY SUCH MEMBER SHALL HAVE BEEN APPOINTED, THE TERM OF EACH MEMBER THEN SERVING SHALL TERMINATE ON THE SIXTIETH DAY AFTER THE INAUGURATION OF A GOVERNOR OTHER THAN THE ONE THAT ORIGINALLY APPOINTED SUCH MEMBER UNLESS SUCH NEW GOVERNOR SHALL ORDER THE CONTINUATION OF THE TERM OF SUCH MEMBER. SUCH A CONTINUATION OF THE TERM OF A MEMBER SHALL NOT REQUIRE CONFIRMATION BY THE SENATE.

S 2. This act shall take effect immediately.