

3552

2011-2012 Regular Sessions

I N A S S E M B L Y

January 25, 2011

Introduced by M. of A. KAVANAGH, JEFFRIES -- read once and referred to
the Committee on Corporations, Authorities and Commissions

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 ASSEM-
BLY, 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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