

407

2011-2012 Regular Sessions

I N   A S S E M B L Y

(PREFILED)

January 5, 2011

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Introduced by M. of A. GUNTHER, JAFFEE, ZEBROWSKI, GALEF, CAHILL, 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

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

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7 any member who is a resident of a county that has withdrawn from the  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

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

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

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

48 S 3. This act shall take effect immediately, provided that the amend-  
49 ments to subparagraph 1 of paragraph (a) of subdivision 1 of section  
50 1263 of the public authorities law made by section one of this act shall  
51 be subject to the expiration and reversion of such paragraph pursuant to  
52 section 3 of chapter 549 of the laws of 1994, as amended, when upon such  
53 date the provisions of section two of this act shall take effect.