

407

2011-2012 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 5, 2011

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.

LBD02328-01-1

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 six years,
17 provided however, that the chairman first appointed shall serve for a term
18 ending June thirtieth, nineteen hundred eighty-one, provided that thirty
19 days after the effective date of the chapter of the laws of two thousand
20 nine which amended this subparagraph, the term of the chairman shall
21 expire; provided, further, that such chairman may continue to discharge
22 the duties of his or her office until the position of chairman is filled
23 by appointment by the governor upon the advice and consent of the senate
24 and the term of such new chairman shall terminate June thirtieth, two
25 thousand fifteen. The sixteen other members first appointed shall serve
26 for the following terms: The members from the counties of Nassau and
27 Westchester shall each serve for a term ending June thirtieth, nineteen
28 hundred eighty-five; the members from the county of Suffolk and from the
29 counties of Dutchess, Orange, Putnam and Rockland shall each serve for
30 a term ending June thirtieth, nineteen hundred ninety-two; two of the
31 members appointed on recommendation of the mayor of the city of New York
32 shall each serve for a term ending June thirtieth, nineteen hundred
33 eighty-four and, two shall each serve for a term ending June thirtieth,
34 nineteen hundred eighty-one; two of the members appointed by the governor
35 without the recommendation of any other person shall each serve for a
36 term ending June thirtieth, nineteen hundred eighty-two, two shall each
37 serve for a term ending June thirtieth, nineteen hundred eighty and one
38 shall serve for a term ending June thirtieth, nineteen hundred eighty-five.
39 The two non-voting and four alternate non-voting members shall serve
40 until January first, two thousand one. [The members from the counties of
41 Dutchess, Orange, Putnam and 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 public
48 benefit corporation. The authority shall consist of a chairman and sixteen
49 other members appointed by the governor by and with the advice and consent
50 of the senate. Any member appointed to a term commencing on or after
51 June thirtieth, two thousand nine shall have experience in one or more
52 of the following areas of expertise: transportation, public administration,
53 business management, finance, accounting, law, engineering, land use,
54 urban and regional planning, management of large capital projects, labor
55 relations, or have experience in some other area of activity central to
56 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.