

3708

2013-2014 Regular Sessions

I N A S S E M B L Y

January 28, 2013

Introduced by M. of A. PRETLOW -- read once and referred to the Committee on Transportation

AN ACT to amend the transportation law, in relation to reestablishing the Westchester parkway commission

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

1 Section 1. The transportation law is amended by adding a new article
2 14 to read as follows:

3 ARTICLE 14

4 WESTCHESTER PARKWAY COMMISSION

5 SECTION 310. WESTCHESTER PARKWAY COMMISSION.

6 311. GENERAL POWERS AND DUTIES OF THE COMMISSION.

7 312. MEETINGS OF THE COMMISSION.

8 S 310. WESTCHESTER PARKWAY COMMISSION. 1. THERE IS HEREBY CREATED THE
9 WESTCHESTER PARKWAY COMMISSION. THE COMMISSION SHALL BE AN ADVISORY
10 COUNCIL TO THE COMMISSIONER WITH RESPECT TO THE OPERATION AND MAINTENANCE
11 OF THE SPECIAL PARKWAYS WITHIN THE COUNTY OF WESTCHESTER DESIGNATED
12 IN SECTION SEVENTY OF THIS CHAPTER AND WITH RESPECT TO CAPITAL
13 PROJECTS TO BE UNDERTAKEN.

14 2. THE COMMISSION SHALL BE COMPOSED OF FIVE MEMBERS. THE MEMBERS SHALL
15 BE RESIDENTS OF THE COUNTY OF WESTCHESTER. THE MEMBERS SHALL BE
16 APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE AND,
17 EXCEPT FOR THE INITIAL APPOINTMENT TERMS, SHALL SERVE FOR A TERM OF FOUR
18 YEARS. THE GOVERNOR SHALL MAKE SUCH APPOINTMENTS, ONE UPON THE RECOMMENDATION
19 OF THE TEMPORARY PRESIDENT OF THE SENATE AND ONE UPON THE RECOMMENDATION
20 OF THE SPEAKER OF THE ASSEMBLY, EACH INITIAL APPOINTEE TO
21 SERVE FOR A TERM OF ONE YEAR; ONE FROM A LIST OF NAMES SUBMITTED BY THE
22 COUNTY EXECUTIVE, WHICH INITIAL APPOINTEE SHALL SERVE A TERM OF THREE
23 YEARS; ONE FROM A LIST OF NAMES SUBMITTED BY THE CHAIRPERSON OF THE
24 COUNTY LEGISLATIVE BODY, WHICH INITIAL APPOINTEE SHALL SERVE FOR A TERM
25 OF TWO YEARS; AND ONE WHO SHALL BE THE CHAIRPERSON AS DESIGNATED BY THE

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

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1 GOVERNOR, WHICH INITIAL APPOINTEE SHALL SERVE FOR A TERM OF FOUR YEARS.
2 IN THE EVENT OF A VACANCY, THE VACANCY SHALL BE FILLED IN THE SAME
3 MANNER AS THE ORIGINAL APPOINTMENT. THE COMMISSIONER, OR HIS OR HER
4 DESIGNEE, SHALL BE AN EX OFFICIO MEMBER OF THE COMMISSION. MEMBERS SHALL
5 NOT RECEIVE A SALARY OR OTHER COMPENSATION, BUT SHALL BE REIMBURSED
6 THEIR ACTUAL AND NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF THEIR
7 OFFICIAL DUTIES.

8 S 311. GENERAL POWERS AND DUTIES OF THE COMMISSION. THE WESTCHESTER
9 PARKWAY COMMISSION SHALL HAVE THE FOLLOWING POWERS AND DUTIES:

10 1. TO ASSIST IN THE DEVELOPMENT OF STANDARDS FOR THE OPERATION AND
11 MAINTENANCE OF THE SPECIAL PARKWAYS IN WESTCHESTER COUNTY AND TO ADVISE
12 THE COMMISSIONER WITH REGARD TO SUCH STANDARDS FOR OPERATION AND MAINTENANCE
13 ON SUCH PARKWAYS.

14 2. TO MONITOR THE PARKWAY OPERATION AND MAINTENANCE ACTIVITIES
15 PERFORMED ON THE SPECIAL PARKWAYS IN WESTCHESTER COUNTY BY THE DEPARTMENT
16 AND TO ADVISE AND REPORT TO THE COMMISSIONER WHETHER OR NOT SUCH
17 STANDARDS AS MAY HAVE BEEN ADOPTED ARE BEING MET.

18 3. TO ACT IN CONJUNCTION WITH THE COMMISSIONER WITH RESPECT TO ASSESSMENT
19 OF PARKWAY CAPITAL NEEDS AND EVALUATION OF PROJECT ALTERNATIVES,
20 AND PRIORITIES RELATING THERETO.

21 S 312. MEETINGS OF THE COMMISSION. THE WESTCHESTER PARKWAY COMMISSION
22 SHALL MEET AT LEAST FOUR TIMES A YEAR AT THE CALL OF THE COMMISSIONER
23 AND SHALL KEEP A RECORD OF ALL OF ITS PROCEEDINGS AND RECOMMENDATIONS.
24 STAFF SERVICES FOR THE COMMISSION SHALL BE PERFORMED BY PERSONNEL OF THE
25 DEPARTMENT. THE COMMISSIONER SHALL DESIGNATE AN EXECUTIVE SECRETARY FROM
26 AMONG THE STAFF OF THE DEPARTMENT, WHO SHALL ACT AS THE ADMINISTRATIVE
27 AGENT OF THE COMMISSION AND ASSIST THE COMMISSION IN FULFILLING ITS
28 DUTIES AND FUNCTIONS.

29 S 2. This act shall take effect on the sixtieth day after it shall
30 have become a law.