

5794

2015-2016 Regular Sessions

I N S E N A T E

June 3, 2015

Introduced by Sen. O'MARA -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the transportation law, in relation to the interagency coordinating committee on rural public transportation

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

1 Section 1. Section 73-d of the transportation law, as amended by chap-
2 ter 562 of the laws of 1987, is amended to read as follows:
3 S 73-d. Interagency coordinating committee on rural public transporta-
4 tion. 1. There is hereby created a committee to be known as the "intera-
5 gency coordinating committee on rural public transportation", to be
6 comprised of nineteen members. The commissioner or his or her designee
7 shall serve as chairperson. Twelve of such members shall be the follow-
8 ing or his or her duly designated representative: the director of the
9 office for the aging; the commissioner of education; the commissioner of
10 labor; the commissioner of health; the commissioner of the office of
11 mental health; THE COMMISSIONER OF THE OFFICE OF ALCOHOLISM AND
12 SUBSTANCE ABUSE; the commissioner of the office [of mental retardation
13 and] FOR PEOPLE WITH developmental disabilities; the commissioner of
14 [social services; state advocate for the disabled] THE OFFICE FOR TEMPO-
15 RARY AND DISABILITY ASSISTANCE; THE EXECUTIVE DIRECTOR OF THE NEW YORK
16 STATE JUSTICE CENTER FOR THE PROTECTION OF PEOPLE WITH SPECIAL NEEDS;
17 THE secretary of state; THE commissioner of agriculture and markets[;
18 the director of the office of rural affairs] and the [director of the
19 division for youth] COMMISSIONER OF THE OFFICE OF CHILDREN AND FAMILY
20 SERVICES. Six additional members, all of whom shall be transportation
21 providers or consumers representing rural counties shall be appointed to
22 serve a term of three years as follows: two by the [president pro-tem-
23 pore] TEMPORARY PRESIDENT of the senate, two by the speaker of the
24 assembly, one by the minority leader of the senate, and one by the
25 minority leader of the assembly. Efforts shall be made to provide a

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

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1 broad representation of consumers and providers of transportation
2 services in rural counties when making such appointments. [Members of
3 the committee shall receive no salary.] THE SIX MEMBERS APPOINTED BY THE
4 LEGISLATURE, AS WELL AS THE COMMISSIONER OR HIS OR HER DESIGNEE, SHALL
5 BE THE VOTING MEMBERS. THE BALANCE OF THE COMMITTEE WILL SERVE IN AN
6 ADVISORY OR CONSULTING CAPACITY. THE COMMITTEE SHALL KEEP A RECORD OF
7 ITS OFFICIAL ACTIONS.

8 The commissioner shall cause the department to provide staff assist-
9 ance necessary for the efficient and effective operation of the commit-
10 tee.

11 2. The committee shall[:] MEET AT LEAST ONCE EVERY THREE MONTHS AND
12 SHALL REPORT TO THE SPEAKER OF THE ASSEMBLY, THE TEMPORARY PRESIDENT OF
13 THE SENATE, AND THE GOVERNOR ANNUALLY, BEGINNING OCTOBER FIRST, TWO
14 THOUSAND FIFTEEN. THE ANNUAL REPORT SHALL:

15 A. IDENTIFY EXISTING RURAL TRANSPORTATION SYSTEMS AND PROVIDE DATA ON
16 RIDERSHIP, REVENUE, AND FINANCIAL CHALLENGES FOR EACH SYSTEM;

17 B. IDENTIFY RURAL POPULATIONS CURRENTLY UTILIZING PUBLIC TRANSPORTA-
18 TION, AS WELL AS POPULATIONS IN NEED OF PUBLIC TRANSPORTATION WITHOUT
19 ACCESS, AND DISCUSS RECOMMENDATIONS FOR MAINTAINING AND EXPANDING
20 SERVICES;

21 C. INCLUDE A BREAKDOWN BY COUNTY OF COST SAVINGS, MODES OF TRANSPORTA-
22 TION PROVIDED TO MEDICAID PATIENTS, AND RATES OF UTILIZATION OF PUBLIC
23 TRANSPORTATION BY MEDICAID PATIENTS;

24 D. identify programs and the annual amounts and sources of funds from
25 such programs that are eligible to be used to support a coordinated
26 public transportation service, and the annual amounts and sources of
27 such funds that are actually used for client transportation or for
28 transportation of persons in connection with agency-affiliated programs
29 or services; such data shall be provided on a county basis;

30 [b.] E. identify restrictions on existing programs that inhibit funds
31 from such programs being used to pay for a coordinated public transpor-
32 tation service in rural counties;

33 [c.] F. recommend changes in state or local laws or regulations that
34 would improve the coordination of funds, facilities, vehicles or equip-
35 ment and other resources used for transportation at the local level[;

36 d. upon request, compile and forward to the commissioner any data or
37 other information required by this section].

38 3. THE COMMITTEE SHALL BE REQUIRED TO EXAMINE REIMBURSEMENT RATES
39 DEVELOPED BY TRANSPORTATION MANAGERS PURSUANT TO SUBDIVISION FOUR OF
40 SECTION THREE HUNDRED SIXTY-FIVE-H OF THE SOCIAL SERVICES LAW FOR COUN-
41 TIES WITH A POPULATION OF TWO HUNDRED THOUSAND OR LESS. THE COMMITTEE
42 SHALL SUBMIT RECOMMENDATIONS FOR PROPOSED AND EFFECTIVE RATES FOR RURAL
43 COMMUNITIES TO THE COMMISSIONER OF HEALTH WITH RECOMMENDATIONS INCLUD-
44 ING, BUT NOT LIMITED TO, ADJUSTMENTS TO INDIVIDUAL RIDERSHIP FARES FOR
45 PUBLIC TRANSPORTATION UTILIZATION, RATES FOR LOW-COST COORDINATED TRANS-
46 PORTATION WITH OTHER HUMAN SERVICE AGENCIES, AND RATES FOR PRIVATE
47 TRANSPORTATION WITH CONSIDERATIONS OF AVAILABILITY AND COST SAVINGS.

48 THE COMMISSIONER OF HEALTH SHALL CONSULT WITH THE COMMITTEE PRIOR TO
49 APPROVAL OF RATES PROPOSED UNDER SUBDIVISION FOUR OF SECTION THREE
50 HUNDRED SIXTY-FIVE-H OF THE SOCIAL SERVICES LAW FOR COUNTIES WITH A
51 POPULATION OF TWO HUNDRED THOUSAND OR LESS. ANY PROPOSAL FOR A RATE
52 ADJUSTMENT FOR RURAL COMMUNITIES AFTER APPROVAL SHALL BE EXAMINED BY THE
53 COMMITTEE PRIOR TO APPROVAL BY THE COMMISSIONER.

54 4. A MAJORITY OF THE WHOLE NUMBER OF VOTING MEMBERS OF THE COMMITTEE
55 SHALL CONSTITUTE A QUORUM FOR THE TRANSACTION OF THE COMMITTEE'S BUSI-
56 NESS. THE COMMITTEE SHALL HAVE THE POWER TO ACT BY A MAJORITY VOTE OF

1 THE VOTING MEMBERS. COMMITTEE MEMBERS SHALL HOLD OFFICE UNTIL THEIR
2 SUCCESSORS HAVE BEEN APPOINTED AND HAVE QUALIFIED. THE SELECTION OF
3 SUCCESSORS TO FILL A VACANCY SHALL BE MADE IN THE SAME MANNER IN WHICH
4 THE RETIRING COMMITTEE MEMBERS SHALL HAVE BEEN SELECTED. MEMBERS OF THE
5 COMMITTEE SHALL RECEIVE NO SALARY OR OTHER COMPENSATION, BUT SHALL BE
6 ENTITLED TO THEIR ACTUAL AND NECESSARY EXPENSES, INCLUDING TRAVELING
7 EXPENSES INCURRED IN THE DISCHARGE OF THEIR DUTIES.

8 S 2. This act shall take effect immediately.