S T A T E O F N E W Y O R K

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:

Section 1. Section 73-d of the transportation law, as amended by chapter 562 of the laws of 1987, is amended to read as follows:

S 73-d. Interagency coordinating committee on rural public transportation. 1. There is hereby created a committee to be known as the "interagency coordinating committee on rural public transportation", to be comprised of nineteen members. The commissioner or his or her designee shall serve as chairperson. Twelve of such members shall be the following or his or her duly designated representative: the director of the office for the aging; the commissioner of education; the commissioner of labor; the commissioner of health; the commissioner of the office of mental health; THE COMMISSIONER OF THE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE; the commissioner of the office [of mental retardation and] FOR PEOPLE WITH developmental disabilities; the commissioner of [social services; state advocate for the disabled] THE OFFICE FOR TEMPORARY AND DISABILITY ASSISTANCE; THE EXECUTIVE DIRECTOR OF THE NEW YORK STATE JUSTICE CENTER FOR THE PROTECTION OF PEOPLE WITH SPECIAL NEEDS; THE secretary of state; THE commissioner of agriculture and markets[; the director of the office of rural affairs] and the [director of the division for youth] COMMISSIONER OF THE OFFICE OF CHILDREN AND FAMILY SERVICES. Six additional members, all of whom shall be transportation providers or consumers representing rural counties shall be appointed to serve a term of three years as follows: two by the [president pro-tempore] TEMPORARY PRESIDENT of the senate, two by the speaker of the assembly, one by the minority leader of the senate, and one by the 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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broad representation of consumers and providers of transportation services in rural counties when making such appointments. [Members of the committee shall receive no salary.] THE SIX MEMBERS APPOINTED BY THE LEGISLATURE, AS WELL AS THE COMMISSIONER OR HIS OR HER DESIGNEE, SHALL BE THE VOTING MEMBERS. THE BALANCE OF THE COMMITTEE WILL SERVE IN AN ADVISORY OR CONSULTING CAPACITY. THE COMMITTEE SHALL KEEP A RECORD OF ITS OFFICIAL ACTIONS.

The commissioner shall cause the department to provide staff assistance necessary for the efficient and effective operation of the committee.

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

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

B. IDENTIFY RURAL POPULATIONS CURRENTLY UTILIZING PUBLIC TRANSPORTATION, AS WELL AS POPULATIONS IN NEED OF PUBLIC TRANSPORTATION WITHOUT ACCESS, AND DISCUSS RECOMMENDATIONS FOR MAINTAINING AND EXPANDING SERVICES;

C. INCLUDE A BREAKDOWN BY COUNTY OF COST SAVINGS, MODES OF TRANSPORTATION PROVIDED TO MEDICAID PATIENTS, AND RATES OF UTILIZATION OF PUBLIC TRANSPORTATION BY MEDICAID PATIENTS;

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

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

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

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

3. THE COMMITTEE SHALL BE REQUIRED TO EXAMINE REIMBURSEMENT RATES DEVELOPED BY TRANSPORTATION MANAGERS PURSUANT TO SUBDIVISION FOUR OF SECTION THREE HUNDRED SIXTY-FIVE-H OF THE SOCIAL SERVICES LAW FOR COUNTIES WITH A POPULATION OF TWO HUNDRED THOUSAND OR LESS. THE COMMITTEE SHALL SUBMIT RECOMMENDATIONS FOR PROPOSED AND EFFECTIVE RATES FOR RURAL COMMUNITIES TO THE COMMISSIONER OF HEALTH WITH RECOMMENDATIONS INCLUDING, BUT NOT LIMITED TO, ADJUSTMENTS TO INDIVIDUAL RIDERSHIP FARES FOR PUBLIC TRANSPORTATION UTILIZATION, RATES FOR LOW-COST COORDINATED TRANSPORTATION WITH OTHER HUMAN SERVICE AGENCIES, AND RATES FOR PRIVATE TRANSPORTATION WITH CONSIDERATIONS OF AVAILABILITY AND COST SAVINGS.

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

4. A MAJORITY OF THE WHOLE NUMBER OF VOTING MEMBERS OF THE COMMITTEE SHALL CONSTITUTE A QUORUM FOR THE TRANSACTION OF THE COMMITTEE'S BUSINESS. THE COMMITTEE SHALL HAVE THE POWER TO ACT BY A MAJORITY VOTE OF

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

S 2. This act shall take effect immediately.