STATE OF NEW YORK

7284

IN SENATE

January 5, 2018

Introduced by Sen. KAVANAGH -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend to amend the public authorities law, in relation to the qualifications of members of the Battery Park city authority

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision 1 of section 1973 of the public authorities law, as amended by a chapter of the laws of 2017, amending the public authorities law relating to the appointment of members of the Battery Park city authority, as proposed in legislative bills numbers S. 130-B and A. 4002-A, is amended and a new subdivision 1-a is added to read as follows:

(1) There is hereby created the battery park city authority which shall be a body corporate and politic, constituting a public benefit corporation. Its membership shall consist of seven members to be appointed by the governor with the advice and consent of the senate. One of the members first appointed shall serve for a term ending four years from January first next succeeding his appointment; one of such members shall serve for a term ending five years from such date; and one of such members shall serve for a term ending six years from such date. Provided, however, that two board members first appointed on or after the effective date of chapter seven hundred sixty-six of the laws of two thousand five shall serve an initial term of two years; provided further that two other board members first appointed on or after the effective date of chapter seven hundred sixty-six of the laws of two thousand five shall serve an initial term of four years. Their successors shall serve for terms of six years each. Members shall continue in office until their successors have been appointed and qualified and the provisions of section thirty-nine of the public officers law shall apply. In the event of a vacancy occurring in the office of a member by death, resignation or otherwise, the governor shall appoint a successor with the advice and consent of the senate to serve for the balance of the unexpired term. After the effective date of the chapter of the laws of two thousand seventeen that amended this subdivision, if the membership of the corpo-

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

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ration is such that less than two of the members are residents of Battery Park city as described by the Battery Park project area defined by subdivision five of section nineteen hundred seventy-two of this title, any appointments made shall be residents of Battery Park city. Appointments shall continue in such a manner until two of the members of the corporation are residents of Battery Park city. Thereafter, two of the corporation's members shall be residents of Battery Park city.

(1-a) All board members shall recuse themselves from matters pending before the board in the event of a conflict of interest, consistent with the provisions of subdivision three of this section and subdivision two of section twenty-eight hundred twenty-five of this chapter, sections seventy-three and seventy-four of the public officers law, and relevant authorities budget office guidance.

(1-b) All board members appointed under the provisions of this section shall have relevant real estate, corporate board, financial, legal, urban planning and/or design, architectural, governmental or security experience.

§ 2. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2017, amending the public authorities law relating to the appointment of members of the Battery Park city authority, as proposed in legislative bills numbers S. 130-B and A. 4002-A, takes effect.