

# STATE OF NEW YORK

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201

2017-2018 Regular Sessions

## IN ASSEMBLY

(Prefiled)

January 4, 2017

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Introduced by M. of A. GANTT -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to the composition of the Rochester-Genesee regional transportation authority

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

1 Section 1. Subdivision 1 of section 1299-dd of the public authorities  
2 law, as amended by chapter 388 of the laws of 2007, is amended to read  
3 as follows:

4 1. (a) There is hereby created the Rochester-Genesee regional trans-  
5 portation authority. The authority shall be a body corporate and politic  
6 constituting a public benefit corporation. It shall consist of at least  
7 one member from each county that elects to join the authority except  
8 that the county of Monroe shall have seven members of whom three shall  
9 be appointed from the city of Rochester and four at large from the coun-  
10 ty of Monroe and shall have [~~one~~] two non-voting [~~member~~] members as  
11 described in [~~paragraph~~] paragraphs (b) and (c) of this subdivision. The  
12 members shall be appointed by the governor by and with the advice and  
13 consent of the senate. The governor shall make initial appointments to  
14 the authority in such number and from lists submitted as follows: three  
15 members shall be appointed to the authority from a list of not less than  
16 six names, all of whom must be residents of the city of Rochester,  
17 submitted to the governor by the council of the city of Rochester; four  
18 persons from a list of not less than eight persons, all of whom must be  
19 residents of the county of Monroe submitted by the legislature of the  
20 county of Monroe. Other counties electing to participate shall each  
21 submit to the governor a list of not less than two persons for each one  
22 hundred thousand or major fraction of the total population, as deter-  
23 mined by the last federal decennial or federal county-wide special  
24 census. From the counties outside the county of Monroe which shall elect

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

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1 to participate, the governor shall appoint one member for each one  
2 hundred thousand or major fraction of the total population, as deter-  
3 mined by the last federal decennial or federal county-wide special  
4 census, with a minimum of one member to represent each county outside  
5 the county of Monroe so electing to participate. All members of the  
6 authority shall be residents of the area from which they are nominated.

7 (b) [~~There shall also be one~~] The first non-voting member of the  
8 authority[~~, which~~] who shall not be considered in determining a quorum[~~,  
9 The non-voting member~~], shall be recommended to the governor by the  
10 labor organization representing the plurality of the employees within  
11 the authority and shall be a resident of the Rochester-Genesee regional  
12 transportation district as described in section twelve hundred ninety-  
13 nine-cc of this title. [~~The~~] Such first non-voting member shall be  
14 appointed for a term of five years, provided, however, that if at any  
15 time during the term of appointment [~~the~~] such non-voting member ceases  
16 to be affiliated with the labor organization representing the plurality  
17 of employees within the authority, then such labor organization may at  
18 any time during such term recommend a new member to the governor who  
19 shall serve the remainder of the term. If the local bargaining unit  
20 decertifies its existing union affiliation and certifies a new union,  
21 the union which represents the plurality of the employees may recommend  
22 a new member to the governor who shall serve the remainder of the term.  
23 The chairman of the authority, at his or her discretion, may exclude  
24 such non-voting member from attending any portion of a meeting of the  
25 authority or of any committee held for the purpose of discussing negoti-  
26 ations with labor organizations, pending litigation involving the labor  
27 organization, or the investigation, evaluation, or discipline of an  
28 employee.

29 (c) There shall also be a second non-voting member of the authority,  
30 who shall not be considered in determining a quorum. The second non-vot-  
31 ing member shall be appointed by the governor as a representative of the  
32 transit dependent and/or disabled community. The second non-voting  
33 member shall be appointed for a term of five years. The chair of the  
34 authority, at his or her discretion, may exclude such non-voting member  
35 from attending any portion of a meeting of the authority or of any  
36 committee held pursuant to the executive session provisions of the open  
37 meetings law.

38 § 2. This act shall take effect immediately.