

STATE OF NEW YORK

2080--A

2019-2020 Regular Sessions

IN ASSEMBLY

January 22, 2019

Introduced by M. of A. GUNTHER, JAFFEE, ZEBROWSKI, GALEF, CAHILL, BARRETT, BUCHWALD, WALKER -- Multi-Sponsored by -- M. of A. RIVERA -- read once and referred to the Committee on Corporations, Authorities and Commissions -- recommitted to the Committee on Corporations, Authorities and Commissions in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public authorities law, in relation to granting each of the representatives of the counties of Dutchess, Putnam, Orange and Rockland on the metropolitan transportation authority a vote

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

1 Section 1. Subparagraph 1 of paragraph (a) of subdivision 1 of section
2 1263 of the public authorities law, as amended by section 1 of part E of
3 chapter 39 of the laws of 2019, is amended to read as follows:

4 (1) There is hereby created the "metropolitan transportation authori-
5 ty." The authority shall be a body corporate and politic constituting a
6 public benefit corporation. The authority shall consist of a chairman,
7 sixteen other voting members, and two non-voting and four alternate
8 non-voting members, as described in subparagraph two of this paragraph
9 appointed by the governor by and with the advice and consent of the
10 senate. Any member appointed to a term commencing on or after June thir-
11 tieth, two thousand nine shall have experience in one or more of the
12 following areas: transportation, public administration, business manage-
13 ment, finance, accounting, law, engineering, land use, urban and
14 regional planning, management of large capital projects, labor
15 relations, or have experience in some other area of activity central to
16 the mission of the authority. Four of the sixteen voting members other
17 than the chairman shall be appointed on the written recommendation of
18 the mayor of the city of New York; and each of seven other voting
19 members other than the chairman shall be appointed after selection from

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

LBD00664-02-0

1 a written list of three recommendations from the chief executive officer
2 of the county in which the particular member is required to reside
3 pursuant to the provisions of this subdivision. Of the members appointed
4 on recommendation of the chief executive officer of a county, one such
5 member shall be, at the time of appointment, a resident of the county of
6 Nassau, one a resident of the county of Suffolk, one a resident of the
7 county of Westchester, one a resident of the county of Dutchess, one a
8 resident of the county of Orange, one a resident of the county of Putnam
9 and one a resident of the county of Rockland, provided that the term of
10 any member who is a resident of a county that has withdrawn from the
11 metropolitan commuter transportation district pursuant to section twelve
12 hundred seventy-nine-b of this title shall terminate upon the effective
13 date of such county's withdrawal from such district. Of the five voting
14 members, other than the chairman, appointed by the governor without
15 recommendation from any other person, three shall be, at the time of
16 appointment, residents of the city of New York and two shall be, at the
17 time of appointment, residents of such city or of any of the aforemen-
18 tioned counties in the metropolitan commuter transportation district.
19 Provided however, notwithstanding the foregoing residency requirement,
20 one of the five voting members appointed by the governor without recom-
21 mendation from any other person, other than the chairman, may be the
22 director of the New York state division of the budget, and provided
23 further that, in the event of such appointment, the budget director's
24 membership in the authority shall be deemed ex-officio. The chairman and
25 each of the members shall be appointed for a term of six years, provided
26 however, that the chairman first appointed shall serve for a term ending
27 June thirtieth, nineteen hundred eighty-one, provided that thirty days
28 after the effective date of the chapter of the laws of two thousand nine
29 which amended this subparagraph, the term of the chairman shall expire;
30 provided, further, that such chairman may continue to discharge the
31 duties of his or her office until the position of chairman is filled by
32 appointment by the governor upon the advice and consent of the senate
33 and the term of such new chairman shall terminate June thirtieth, two
34 thousand fifteen. The sixteen other members first appointed shall serve
35 for the following terms: The members from the counties of Nassau and
36 Westchester shall each serve for a term ending June thirtieth, nineteen
37 hundred eighty-five; the members from the county of Suffolk and from the
38 counties of Dutchess, Orange, Putnam and Rockland shall each serve for a
39 term ending June thirtieth, nineteen hundred ninety-two; two of the
40 members appointed on recommendation of the mayor of the city of New York
41 shall each serve for a term ending June thirtieth, nineteen hundred
42 eighty-four and, two shall each serve for a term ending June thirtieth,
43 nineteen hundred eighty-one; two of the members appointed by the gover-
44 nor without the recommendation of any other person shall each serve for
45 a term ending June thirtieth, nineteen hundred eighty-two, two shall
46 each serve for a term ending June thirtieth, nineteen hundred eighty and
47 one shall serve for a term ending June thirtieth, nineteen hundred
48 eighty-five. The two non-voting and four alternate non-voting members
49 shall serve until January first, two thousand one. ~~[The members from the~~
50 ~~counties of Dutchess, Orange, Putnam and Rockland shall cast one collec-~~
51 ~~tive vote.]~~

52 § 2. Paragraph (a) of subdivision 1 of section 1263 of the public
53 authorities law, as amended by section 2 of part E of chapter 39 of the
54 laws of 2019, is amended to read as follows:

55 (a) There is hereby created the "metropolitan transportation authori-
56 ty." The authority shall be a body corporate and politic constituting a

1 public benefit corporation. The authority shall consist of a chairman
2 and sixteen other members appointed by the governor by and with the
3 advice and consent of the senate. Any member appointed to a term
4 commencing on or after June thirtieth, two thousand nine shall have
5 experience in one or more of the following areas of expertise: trans-
6 portation, public administration, business management, finance, account-
7 ing, law, engineering, land use, urban and regional planning, management
8 of large capital projects, labor relations, or have experience in some
9 other area of activity central to the mission of the authority. Four of
10 the sixteen members other than the chairman shall be appointed on the
11 written recommendation of the mayor of the city of New York; and each of
12 seven other members other than the chairman shall be appointed after
13 selection from a written list of three recommendations from the chief
14 executive officer of the county in which the particular member is
15 required to reside pursuant to the provisions of this subdivision. Of
16 the members appointed on recommendation of the chief executive officer
17 of a county, one such member shall be, at the time of appointment, a
18 resident of the county of Nassau; one a resident of the county of
19 Suffolk; one a resident of the county of Westchester; and one a resident
20 of the county of Dutchess, one a resident of the county of Orange, one a
21 resident of the county of Putnam and one a resident of the county of
22 Rockland, provided that the term of any member who is a resident of a
23 county that has withdrawn from the metropolitan commuter transportation
24 district pursuant to section twelve hundred seventy-nine-b of this title
25 shall terminate upon the effective date of such county's withdrawal from
26 such district. Of the five members, other than the chairman, appointed
27 by the governor without recommendation from any other person, three
28 shall be, at the time of appointment, residents of the city of New York
29 and two shall be, at the time of appointment, residents of such city or
30 of any of the aforementioned counties in the metropolitan commuter
31 transportation district. Provided however, notwithstanding the foregoing
32 residency requirement, one of the five voting members appointed by the
33 governor without recommendation from any other person, other than the
34 chairman, may be the director of the New York state division of the
35 budget, and provided further that, in the event of such appointment, the
36 budget director's membership in the authority shall be deemed ex-offi-
37 cio. The chairman and each of the members shall be appointed for a term
38 of six years, provided however, that the chairman first appointed shall
39 serve for a term ending June thirtieth, nineteen hundred eighty-one,
40 provided that thirty days after the effective date of the chapter of the
41 laws of two thousand nine which amended this paragraph, the term of the
42 chairman shall expire; provided, further, that such chairman may contin-
43 ue to discharge the duties of his office until the position of chairman
44 is filled by appointment by the governor upon the advice and consent of
45 the senate and the term of such new chairman shall terminate June thir-
46 tieth, two thousand fifteen. The sixteen other members first appointed
47 shall serve for the following terms: The members from the counties of
48 Nassau and Westchester shall each serve for a term ending June thirti-
49 eth, nineteen hundred eighty-five; the members from the county of
50 Suffolk and from the counties of Dutchess, Orange, Putnam and Rockland
51 shall each serve for a term ending June thirtieth, nineteen hundred
52 ninety-two; two of the members appointed on recommendation of the mayor
53 of the city of New York shall each serve for a term ending June thirti-
54 eth, nineteen hundred eighty-four and, two shall each serve for a term
55 ending June thirtieth, nineteen hundred eighty-one; two of the members
56 appointed by the governor without the recommendation of any other person

1 shall each serve for a term ending June thirtieth, nineteen hundred
2 eighty-two, two shall each serve for a term ending June thirtieth, nine-
3 teen hundred eighty and one shall serve for a term ending June thirti-
4 eth, nineteen hundred eighty-five. [~~The members from the counties of~~
5 ~~Dutchess, Orange, Putnam and Rockland shall cast one collective vote.~~]

6 § 3. This act shall take effect immediately, provided that the amend-
7 ments to subparagraph 1 of paragraph (a) of subdivision 1 of section
8 1263 of the public authorities law made by section one of this act shall
9 be subject to the expiration and reversion of such paragraph pursuant to
10 section 3 of chapter 549 of the laws of 1994, as amended, when upon such
11 date the provisions of section two of this act shall take effect.