

STATE OF NEW YORK

6229

2019-2020 Regular Sessions

IN SENATE

May 24, 2019

Introduced by Sens. MAY, 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; and to amend the social services law, in relation to the transportation of eligible persons residing in a rural area

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 chapter 562 of the laws of 1987, is amended to read as follows:

2 § 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
3 comprised of nineteen members. The commissioner or his or her designee
4 shall serve as chairperson. Twelve of such members shall be the following or his or her duly designated representative: the director of the
5 office for the aging; the commissioner of education; the commissioner of
6 labor; the commissioner of health; the commissioner of the office of
7 mental health; the commissioner of the office of alcoholism and
8 substance abuse services; the commissioner of the office [~~of mental~~
9 ~~retardation and~~] for people with developmental disabilities; the commissioner of [~~social services; state advocate for the disabled~~] the office
10 for temporary and disability assistance; the executive director of the
11 New York state justice center for the protection of people with special
12 needs; the secretary of state; the commissioner of agriculture and
13 markets[~~; the director of the office of rural affairs~~] and the [~~director~~
14 ~~of the division for youth~~] commissioner of the office of children and
15 family services. Six additional members, [~~all~~] five of whom shall be
16 transportation providers or consumers representing rural counties and
17 one shall be a representative of a labor union affiliated with rural
18 public transportation systems receiving public transportation systems

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

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1 operating assistance account funds, shall be appointed to serve a term
2 of three years as follows: two by the [~~president pro tempore~~] temporary
3 president of the senate, two by the speaker of the assembly, one by the
4 minority leader of the senate, and one by the minority leader of the
5 assembly. Efforts shall be made to provide a broad representation of
6 consumers and providers of transportation services in rural counties
7 when making such appointments. [~~Members of the committee shall receive~~
8 ~~no salary.~~] The six members appointed by the legislature, as well as the
9 commissioner or his or her designee, shall be the voting members. The
10 balance of the committee will serve in an advisory or consulting capaci-
11 ty. The committee shall keep a record of its official actions.

12 The commissioner shall cause the department to provide staff assist-
13 ance necessary for the efficient and effective operation of the commit-
14 tee.

15 2. The committee shall[+], for a two-year period beginning no later
16 than one year after the effective date of the chapter of the laws of two
17 thousand nineteen that amended this section, meet at least once every
18 three months and at least once every four months thereafter, and shall
19 annually report to the governor, the temporary president of the senate
20 and the speaker of the assembly. The annual report shall:

21 a. identify existing rural transportation systems and provide data on
22 ridership, revenue, and financial challenges for each system;

23 b. identify rural populations currently utilizing public transporta-
24 tion, as well as populations in need of public transportation without
25 access, and discuss recommendations for maintaining, coordinating and
26 expanding services;

27 c. include a breakdown by county of cost savings, modes of transporta-
28 tion provided to Medicaid patients, and rates of utilization of public
29 transportation by Medicaid patients;

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

36 [~~b-~~] e. identify restrictions on existing programs that inhibit funds
37 from such programs being used to pay for a coordinated public transpor-
38 tation service in rural counties;

39 [~~c-~~] f. recommend changes in state or local laws or regulations that
40 would improve the coordination of funds, facilities, vehicles or equip-
41 ment and other resources used for transportation at the local level;

42 [~~d-~~] g. upon request, compile and forward to the commissioner any data
43 or other information required by this section.

44 3. A majority of the whole number of voting members of the committee
45 shall constitute a quorum for the transaction of the committee's busi-
46 ness. The committee shall have the power to act by a majority vote of
47 the voting members. Committee members shall hold office until their
48 successors have been appointed and have qualified. The selection of
49 successors to fill a vacancy shall be made in the same manner in which
50 the retiring committee members shall have been selected. Members of the
51 committee shall receive no salary or other compensation, but shall be
52 entitled to their actual and necessary expenses, including traveling
53 expenses incurred in the discharge of their duties.

54 § 2. The opening paragraph of subdivision 4 of section 365-h of the
55 social services law is designated paragraph (a) and a new paragraph (b)
56 is added to read as follows:

1 (b) Where the commissioner of health elects to assume such responsi-
2 bility from a local social services district authorized transportation
3 for an eligible person, whose originating location exists within a coun-
4 ty defined as a rural area pursuant to subdivision seven of section four
5 hundred eighty-one of the executive law, shall be assigned to an exist-
6 ing public transportation system, as defined in subdivision one of
7 section eighteen-b of the transportation law, if that system provides an
8 appropriate, available and least expensive mode of transportation.

9 § 3. This act shall take effect immediately; provided, however, that
10 section two of this act shall take effect on the thirtieth day after it
11 shall have become a law and that the amendments to subdivision 4 of
12 section 365-h of the social services law, made by section two of this
13 act, shall not affect the expiration and repeal of such section, and
14 shall expire and be deemed repealed therewith.