

# STATE OF NEW YORK

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8107

2019-2020 Regular Sessions

## IN ASSEMBLY

June 3, 2019

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Introduced by M. of A. MAGNARELLI, LUPARDO -- read once and referred 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 labor; the commissioner of health; the commissioner of the office of  
6 mental health; the commissioner of the office of alcoholism and substance abuse services; the commissioner of the office [~~of mental~~  
7 ~~retardation and~~] for people with developmental disabilities; the commissioner of [~~social services, state advocate for the disabled~~] the office  
8 for temporary and disability assistance; the executive director of the New York state justice center for the protection of people with special  
9 needs; the secretary of state; the commissioner of agriculture and markets[~~, the director of the office of rural affairs~~] and the [~~director~~  
10 ~~of the division for youth~~] commissioner of the office of children and family services. Six additional members, [~~all~~] five of whom shall be  
11 transportation providers or consumers representing rural counties and one shall be a representative of a labor union affiliated with rural  
12 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 [~~e.~~] 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.