

# STATE OF NEW YORK

1597

2019-2020 Regular Sessions

## IN SENATE

January 15, 2019

Introduced by Sens. O'MARA, AKSHAR, AMEDORE, FUNKE, GALLIVAN, RANZENHOFER, SEWARD, YOUNG -- 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 chap-  
2 ter 562 of the laws of 1987, is amended to read as follows:  
3 § 73-d. Interagency coordinating committee on rural public transporta-  
4 tion. 1. There is hereby created a committee to be known as the "intera-  
5 gency coordinating committee on rural public transportation", to be  
6 comprised of nineteen members. The commissioner or his or her designee  
7 shall serve as chairperson. Twelve of such members shall be the follow-  
8 ing or his or her duly designated representative: the director of the  
9 office for the aging; the commissioner of education; the commissioner of  
10 labor; the commissioner of health; the commissioner of the office of  
11 mental health; the commissioner of the office of alcoholism and  
12 substance abuse services; the commissioner of the office [~~of mental~~  
13 ~~retardation and~~] for people with developmental disabilities; the commis-  
14 sioner of [~~social services, state advocate for the disabled~~] the office  
15 for temporary and disability assistance; the executive director of the  
16 New York state justice center for the protection of people with special  
17 needs; the secretary of state; the commissioner of agriculture and  
18 markets[~~, the director of the office of rural affairs~~] and the [~~director~~  
19 ~~of the division for youth~~] commissioner of the office of children and  
20 family services. Six additional members, [~~all~~] five of whom shall be  
21 transportation providers or consumers representing rural counties and  
22 one shall be a representative of a labor union affiliated with public

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

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

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

16 2. The committee shall[+] meet at least once every three months and  
17 shall report to the governor, the temporary president of the senate and  
18 the speaker of the assembly annually, beginning October first, two thou-  
19 sand twenty. The annual report shall:

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

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

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

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

35 [~~b. identify restrictions on existing programs that inhibit funds from~~  
36 ~~such programs being used to pay for a coordinated public transportation~~  
37 ~~service in rural counties;~~

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

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

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

53 § 2. The opening paragraph of subdivision 4 of section 365-h of the  
54 social services law is designated paragraph (a) and a new paragraph (b)  
55 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. A  
9 county defined as a rural area pursuant to subdivision seven of section  
10 four hundred eighty-one of the executive law may opt out of such  
11 election by the commissioner of health by notifying such commissioner in  
12 writing.

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