

STATE OF NEW YORK

202

2021-2022 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 6, 2021

Introduced by M. of A. GUNTHER, ZEBROWSKI, GALEF, CAHILL, BARRETT, WALKER -- Multi-Sponsored by -- M. of A. J. RIVERA -- read once and referred to the Committee on Corporations, Authorities and Commissions

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
20 a written list of three recommendations from the chief executive officer
21 of the county in which the particular member is required to reside
22 pursuant to the provisions of this subdivision. Of the members appointed

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

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7 any member who is a resident of a county that has withdrawn from the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

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

52 (a) There is hereby created the "metropolitan transportation authori-
53 ty." The authority shall be a body corporate and politic constituting a
54 public benefit corporation. The authority shall consist of a chairman
55 and sixteen other members appointed by the governor by and with the
56 advice and consent of the senate. Any member appointed to a term

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

1 eth, nineteen hundred eighty-five. [~~The members from the counties of~~
2 ~~Dutchess, Orange, Putnam and Rockland shall cast one collective vote.~~]
3 § 3. This act shall take effect immediately, provided that the amend-
4 ments to subparagraph 1 of paragraph (a) of subdivision 1 of section
5 1263 of the public authorities law made by section one of this act shall
6 be subject to the expiration and reversion of such paragraph pursuant to
7 section 3 of chapter 549 of the laws of 1994, as amended, when upon such
8 date the provisions of section two of this act shall take effect.