

# STATE OF NEW YORK

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4035

2021-2022 Regular Sessions

## IN ASSEMBLY

February 1, 2021

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Introduced by M. of A. COLTON, HEVESI, WEPRIN, DAVILA, J. RIVERA, SANTA-BARBARA, SEAWRIGHT, SIMON, MONTESANO, WILLIAMS, BICHOTTE HERMELYN -- Multi-Sponsored by -- M. of A. DE LA ROSA -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to allowing the New York state AFL-CIO to select a member to the metropolitan transportation authority

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 Of these five voting members, one shall be selected from a list submit-  
17 ted to the governor by the New York state AFL-CIO. Provided however,  
18 notwithstanding the foregoing residency requirement, one of the five  
19 voting members appointed by the governor without recommendation from any  
20 other person, other than the chairman, may be the director of the New  
21 York state division of the budget, and provided further that, in the  
22 event of such appointment, the budget director's membership in the  
23 authority shall be deemed ex-officio. The chairman and each of the  
24 members shall be appointed for a term of six years, provided however,  
25 that the chairman first appointed shall serve for a term ending June  
26 thirtieth, nineteen hundred eighty-one, provided that thirty days after  
27 the effective date of the chapter of the laws of two thousand nine which  
28 amended this subparagraph, the term of the chairman shall expire;  
29 provided, further, that such chairman may continue to discharge the  
30 duties of his or her office until the position of chairman is filled by  
31 appointment by the governor upon the advice and consent of the senate  
32 and the term of such new chairman shall terminate June thirtieth, two  
33 thousand fifteen. The sixteen other members first appointed shall serve  
34 for the following terms: The members from the counties of Nassau and  
35 Westchester shall each serve for a term ending June thirtieth, nineteen  
36 hundred eighty-five; the members from the county of Suffolk and from the  
37 counties of Dutchess, Orange, Putnam and Rockland shall each serve for a  
38 term ending June thirtieth, nineteen hundred ninety-two; two of the  
39 members appointed on recommendation of the mayor of the city of New York  
40 shall each serve for a term ending June thirtieth, nineteen hundred  
41 eighty-four and, two shall each serve for a term ending June thirtieth,  
42 nineteen hundred eighty-one; two of the members appointed by the gover-  
43 nor without the recommendation of any other person shall each serve for  
44 a term ending June thirtieth, nineteen hundred eighty-two, two shall  
45 each serve for a term ending June thirtieth, nineteen hundred eighty and  
46 one shall serve for a term ending June thirtieth, nineteen hundred  
47 eighty-five. The two non-voting and four alternate non-voting members  
48 shall serve until January first, two thousand one. The members from the  
49 counties of Dutchess, Orange, Putnam and Rockland shall cast one collec-  
50 tive vote.

51 § 2. This act shall take effect immediately; provided, however, that  
52 the amendments to subparagraph 1 of paragraph (a) of subdivision 1 of  
53 section 1263 of the public authorities law made by section one of this  
54 act shall not affect the expiration of such paragraph and shall be  
55 deemed to expire therewith.