STATE OF NEW YORK

520

2021-2022 Regular Sessions

IN SENATE

(Prefiled)

January 6, 2021

Introduced by Sen. GOUNARDES -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the public authorities law, in relation to the composition of the metropolitan transportation authority

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subparagraph 1 of paragraph (a) of subdivision 1 of section 1263 of the public authorities law, as amended by section 1 of part E of chapter 39 of the laws of 2019, is amended to read as follows:

(1) There is hereby created the "metropolitan transportation authority." The authority shall be a body corporate and politic constituting a public benefit corporation. The authority shall consist of a chairman, [~~sixteen~~] twenty-one other voting members, and two non-voting and four alternate non-voting members, as described in subparagraph two of this paragraph appointed by the governor by and with the advice and consent of the senate; provided, however, that there shall be one voting member appointed by each of the five borough presidents in the city of New York. Any member appointed to a term commencing on or after June thirtieth, two thousand nine shall have experience in one or more of the following areas: transportation, public administration, business management, finance, accounting, law, engineering, land use, urban and regional planning, management of large capital projects, labor relations, or have experience in some other area of activity central to the mission of the authority. [~~Four~~] There shall be one voting member appointed by the borough president of Staten Island, who shall be, at the time of appointment, a resident of Staten Island. There shall be one voting member appointed by the borough president of Manhattan, who shall be, at the time of appointment, a resident of Manhattan. There shall be one voting member appointed by the borough president of the Bronx, who shall be, at the time of appointment, a resident of the Bronx. There

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

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shall be one voting member appointed by the borough president of Brooklyn, who shall be, at the time of appointment, a resident of Brooklyn. There shall be one voting member appointed by the borough president of Queens, who shall be, at the time of appointment, a resident of Queens. Two of the [~~sixteen~~] **twenty-one** voting members other than the chairman shall be appointed on the written recommendation of the mayor of the city of New York; and each of seven other voting members other than the chairman shall be appointed after selection from a written list of three recommendations from the chief executive officer of the county in which the particular member is required to reside pursuant to the provisions of this subdivision. Of the members appointed on recommendation of the chief executive officer of a county, one such member shall be, at the time of appointment, a resident of the county of Nassau, one a resident of the county of Suffolk, one a resident of the county of Westchester, one a resident of the county of Dutchess, one a resident of the county of Orange, one a resident of the county of Putnam and one a resident of the county of Rockland, provided that the term of any member who is a resident of a county that has withdrawn from the metropolitan commuter transportation district pursuant to section twelve hundred seventy-nine-b of this title shall terminate upon the effective date of such county's withdrawal from such district. Of the [~~five~~] **seven** voting members, other than the chairman, appointed by the governor without recommendation from any other person, three shall be, at the time of appointment, residents of the city of New York and two shall be, at the time of appointment, residents of such city or of any of the aforementioned counties in the metropolitan commuter transportation district. Provided however, notwithstanding the foregoing residency requirement, one of the [~~five~~] **seven** voting members appointed by the governor without recommendation from any other person, other than the chairman, may be the director of the New York state division of the budget, and provided further that, in the event of such appointment, the budget director's membership in the authority shall be deemed ex-officio. The chairman and each of the members shall be appointed for a term of six years, provided however, that the chairman first appointed shall serve for a term ending June thirtieth, nineteen hundred eighty-one, provided that thirty days after the effective date of [~~the~~] chapter **twenty-five** of the laws of two thousand nine [~~which amended this subparagraph~~], the term of the chairman shall expire; provided, further, that such chairman may continue to discharge the duties of his or her office until the position of chairman is filled by appointment by the governor upon the advice and consent of the senate and the term of such new chairman shall terminate June thirtieth, two thousand fifteen. The [~~sixteen~~] **twenty-one** other members first appointed shall serve for the following terms: The members from the counties of Nassau and Westchester shall each serve for a term ending June thirtieth, nineteen hundred eighty-five; the members from the county of Suffolk and from the counties of Dutchess, Orange, Putnam and Rockland shall each serve for a term ending June thirtieth, nineteen hundred ninety-two; two of the members appointed on recommendation of the mayor of the city of New York shall each serve for a term ending June thirtieth, nineteen hundred eighty-four and, two shall each serve for a term ending June thirtieth, nineteen hundred eighty-one; two of the members appointed by the governor without the recommendation of any other person shall each serve for a term ending June thirtieth, nineteen hundred eighty-two, two shall each serve for a term ending June thirtieth, nineteen hundred eighty and one shall serve for a term ending June thirtieth, nineteen hundred eighty-five**; the members appointed by the**

borough presidents of the five boroughs of the city of New York shall serve for a term ending June thirtieth, two thousand twenty-seven. The two non-voting and four alternate non-voting members shall serve until January first, two thousand one. The members from the counties of Dutchess, Orange, Putnam and Rockland shall cast one collective vote.

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

(a) There is hereby created the "metropolitan transportation authority." The authority shall be a body corporate and politic constituting a public benefit corporation. The authority shall consist of a chairman and [~~sixteen~~] **twenty-one** other members appointed by the governor by and with the advice and consent of the senate**; provided, however, that there shall be one voting member appointed by each of the five borough presidents in the city of New York**. Any member appointed to a term commencing on or after June thirtieth, two thousand nine shall have experience in one or more of the following areas of expertise: transportation, public administration, business management, finance, accounting, law, engineering, land use, urban and regional planning, management of large capital projects, labor relations, or have experience in some other area of activity central to the mission of the authority. [~~Four~~] **There shall be one voting member appointed by the borough president of Staten Island, who shall be, at the time of appointment, a resident of Staten Island. There shall be one voting member appointed by the borough president of Manhattan, who shall be, at the time of appointment, a resident of Manhattan. There shall be one voting member appointed by the borough president of the Bronx, who shall be, at the time of appointment, a resident of the Bronx. There shall be one voting member appointed by the borough president of Brooklyn, who shall be, at the time of appointment, a resident of Brooklyn. There shall be one voting member appointed by the borough president of Queens, who shall be, at the time of appointment, a resident of Queens. Two** of the [~~sixteen~~] **twenty-one** members other than the chairman shall be appointed on the written recommendation of the mayor of the city of New York; and each of seven other members other than the chairman shall be appointed after selection from a written list of three recommendations from the chief executive officer of the county in which the particular member is required to reside pursuant to the provisions of this subdivision. Of the members appointed on recommendation of the chief executive officer of a county, one such member shall be, at the time of appointment, a resident of the county of Nassau; one a resident of the county of Suffolk; one a resident of the county of Westchester; and one a resident of the county of Dutchess, one a resident of the county of Orange, one a resident of the county of Putnam and one a resident of the county of Rockland, provided that the term of any member who is a resident of a county that has withdrawn from the metropolitan commuter transportation district pursuant to section twelve hundred seventy-nine-b of this title shall terminate upon the effective date of such county's withdrawal from such district. Of the [~~five~~] **seven** members, other than the chairman, appointed by the governor without recommendation from any other person, three shall be, at the time of appointment, residents of the city of New York and two shall be, at the time of appointment, residents of such city or of any of the aforementioned counties in the metropolitan commuter transportation district. Provided however, notwithstanding the foregoing residency requirement, one of the [~~five~~] **seven** voting members appointed by the governor without recommendation from any other person, other than the

chairman, may be the director of the New York state division of the budget, and provided further that, in the event of such appointment, the budget director's membership in the authority shall be deemed ex-officio. The chairman and each of the members shall be appointed for a term of six years, provided however, that the chairman first appointed shall serve for a term ending June thirtieth, nineteen hundred eighty-one, provided that thirty days after the effective date of [~~the~~] chapter **twenty-five** of the laws of two thousand nine [~~which amended this paragraph~~], the term of the chairman shall expire; provided, further, that such chairman may continue to discharge the duties of his office until the position of chairman is filled by appointment by the governor upon the advice and consent of the senate and the term of such new chairman shall terminate June thirtieth, two thousand fifteen. The [~~sixteen~~] **twenty-one** other members first appointed shall serve for the following terms: The members from the counties of Nassau and Westchester shall each serve for a term ending June thirtieth, nineteen hundred eighty-five; the members from the county of Suffolk and from the counties of Dutchess, Orange, Putnam and Rockland shall each serve for a term ending June thirtieth, nineteen hundred ninety-two; two of the members appointed on recommendation of the mayor of the city of New York shall each serve for a term ending June thirtieth, nineteen hundred eighty-four and, two shall each serve for a term ending June thirtieth, nineteen hundred eighty-one; two of the members appointed by the governor without the recommendation of any other person shall each serve for a term ending June thirtieth, nineteen hundred eighty-two, two shall each serve for a term ending June thirtieth, nineteen hundred eighty and one shall serve for a term ending June thirtieth, nineteen hundred eighty-five**; the members appointed by the borough presidents of the five boroughs of the city of New York shall serve for a term ending June thirtieth, two thousand twenty-seven**. The members from the counties of Dutchess, Orange, Putnam and Rockland shall cast one collective vote.

§ 3. This act shall take effect immediately, provided that the amendments to paragraph (a) of subdivision 1 of section 1263 of the public authorities law made by section one of this act shall be subject to the expiration and reversion of such paragraph pursuant to section 3 of chapter 549 of the laws of 1994, as amended, when upon such date the provisions of section two of this act shall take effect.