STATE OF NEW YORK

9031--A

Cal. No. 1197

IN SENATE

May 4, 2022

Introduced by Sen. KAVANAGH -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions -- reported favorably from said committee, ordered to first report, amended on first report, ordered to a second report and ordered reprinted, retaining its place in the order of second report

AN ACT to amend the public authorities law, in relation to the appointment of members of the Battery Park city authority

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

Section 1. Subdivision 1 of section 1973 of the public authorities law, as amended by chapter 63 of the laws of 2018, is amended to read as follows:

(1) There is hereby created the battery park city authority which shall be a body corporate and politic, constituting a public benefit corporation. Its membership shall consist of [~~seven~~] **nine** members to be appointed by the governor with the advice and consent of the senate. One of the members first appointed shall serve for a term ending four years from January first next succeeding his appointment; one of such members shall serve for a term ending five years from such date; and one of such members shall serve for a term ending six years from such date. Provided, however, that two board members first appointed on or after the effective date of chapter seven hundred sixty-six of the laws of two thousand five shall serve an initial term of two years; provided further that two other board members first appointed on or after the effective date of chapter seven hundred sixty-six of the laws of two thousand five shall serve an initial term of four years. **Provided, however, that one board member first appointed on or after the effective date of the chapter of the laws of two thousand twenty-two which amended this subdivision shall serve an initial term of two years; provided further that the other board member first appointed on or after the effective date of the chapter of the laws of two thousand twenty-two which amended this subdivision shall serve an initial term of four years.** Their successors shall serve for terms of six years each. Members shall continue in office until their successors have been appointed and qualified and the

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

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provisions of section thirty-nine of the public officers law shall apply. In the event of a vacancy occurring in the office of a member by death, resignation or otherwise, the governor shall appoint a successor with the advice and consent of the senate to serve for the balance of the unexpired term. After the effective date of the chapter of the laws of two thousand [~~seventeen~~] twenty-two that amended this subdivision, if the membership of the corporation is such that less than [~~two~~] five of the members are primary residents of Battery Park city as described by the Battery Park project area defined by subdivision five of section nineteen hundred seventy-two of this title, any appointments made shall be primary residents of Battery Park city. Appointments shall continue in such a manner until [~~two~~] five of the members of the corporation are primary residents of Battery Park city. Thereafter, [~~two~~] five of the corporation's members shall be primary residents of Battery Park city.

§ 2. This act shall take effect immediately.