

# STATE OF NEW YORK

5162

2023-2024 Regular Sessions

## IN ASSEMBLY

March 3, 2023

Introduced by M. of A. TANNOUSIS -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to the membership of 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~~] seventeen other voting members, and two non-voting and four  
8 alternate non-voting members, as described in subparagraph two of this  
9 paragraph appointed by the governor by and with the advice and consent  
10 of the senate. Any member appointed to a term commencing on or after  
11 June thirtieth, two thousand nine shall have experience in one or more  
12 of the following areas: transportation, public administration, business  
13 management, 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~~] seventeen voting  
17 members, one member from each of New York city's five boroughs, as  
18 defined in section 2-202 of the administrative code of the city of New  
19 York, other than the chairman shall be appointed on the written recom-  
20 mendation of the mayor of the city of New York; and each of seven other  
21 voting members other than the chairman shall be appointed after  
22 selection from a written list of three recommendations from the chief  
23 executive officer of the county in which the particular member is  
24 required to reside pursuant to the provisions of this subdivision. Of  
25 the members appointed on recommendation of the chief executive officer

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

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1 of a county, one such member shall be, at the time of appointment, a  
2 resident of the county of Nassau, one a resident of the county of  
3 Suffolk, one a resident of the county of Westchester, one a resident of  
4 the county of Dutchess, one a resident of the county of Orange, one a  
5 resident of the county of Putnam and one a resident of the county of  
6 Rockland, provided that the term of any member who is a resident of a  
7 county that has withdrawn from the metropolitan commuter transportation  
8 district pursuant to section twelve hundred seventy-nine-b of this title  
9 shall terminate upon the effective date of such county's withdrawal from  
10 such district. Of the five voting members, other than the chairman,  
11 appointed by the governor without recommendation from any other person,  
12 three shall be, at the time of appointment, residents of the city of New  
13 York and two shall be, at the time of appointment, residents of such  
14 city or of any of the aforementioned counties in the metropolitan commu-  
15 ter transportation district. Provided however, notwithstanding the fore-  
16 going residency requirement, one of the five voting members appointed by  
17 the governor without recommendation from any other person, other than  
18 the chairman, may be the director of the New York state division of the  
19 budget, and provided further that, in the event of such appointment, the  
20 budget director's membership in the authority shall be deemed ex-offi-  
21 cio. The chairman and each of the members shall be appointed for a term  
22 of six years, provided however, that the chairman first appointed shall  
23 serve for a term ending June thirtieth, nineteen hundred eighty-one,  
24 provided that thirty days after the effective date of the chapter of the  
25 laws of two thousand nine which amended this subparagraph, the term of  
26 the chairman shall expire; provided, further, that such chairman may  
27 continue to discharge the duties of his or her office until the position  
28 of chairman is filled by appointment by the governor upon the advice and  
29 consent of the senate and the term of such new chairman shall terminate  
30 June thirtieth, two thousand fifteen. The sixteen other members first  
31 appointed shall serve for the following terms: The members from the  
32 counties of Nassau and Westchester shall each serve for a term ending  
33 June thirtieth, nineteen hundred eighty-five; the members from the coun-  
34 ty of Suffolk and from the counties of Dutchess, Orange, Putnam and  
35 Rockland shall each serve for a term ending June thirtieth, nineteen  
36 hundred ninety-two; two of the members appointed on recommendation of  
37 the mayor of the city of New York shall each serve for a term ending  
38 June thirtieth, nineteen hundred eighty-four and, two shall each serve  
39 for a term ending June thirtieth, nineteen hundred eighty-one; two of  
40 the members appointed by the governor without the recommendation of any  
41 other person shall each serve for a term ending June thirtieth, nineteen  
42 hundred eighty-two, two shall each serve for a term ending June thirti-  
43 eth, nineteen hundred eighty and one shall serve for a term ending June  
44 thirtieth, nineteen hundred eighty-five. Thirty days after the effec-  
45 tive date of the chapter of the laws of two thousand twenty-three which  
46 amended this subparagraph, the terms of the members appointed on recom-  
47 mendation of the mayor of the city of New York shall expire, provided,  
48 that such members may continue to discharge the duties of his or her  
49 office until the positions are filled by appointment on recommendation  
50 of the mayor of the city of New York and the term of three of such new  
51 members shall terminate June thirtieth, two thousand twenty-six, and the  
52 term of two of such new members shall terminate June thirtieth, two  
53 thousand twenty-nine. The two non-voting and four alternate non-voting  
54 members shall serve until January first, two thousand one. The members  
55 from the counties of Dutchess, Orange, Putnam and Rockland shall cast  
56 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~~ seventeen other members appointed by the governor by and with the advice and consent of the senate. 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~~ Five of the ~~sixteen~~ seventeen members, one member from each of New York city's five boroughs, as defined in section 2-202 of the administrative code of the city of New York, 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 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 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 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 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

1 Suffolk and from the counties of Dutchess, Orange, Putnam and Rockland  
2 shall each serve for a term ending June thirtieth, nineteen hundred  
3 ninety-two; two of the members appointed on recommendation of the mayor  
4 of the city of New York shall each serve for a term ending June thirti-  
5 eth, nineteen hundred eighty-four and, two shall each serve for a term  
6 ending June thirtieth, nineteen hundred eighty-one; two of the members  
7 appointed by the governor without the recommendation of any other person  
8 shall each serve for a term ending June thirtieth, nineteen hundred  
9 eighty-two, two shall each serve for a term ending June thirtieth, nine-  
10 teen hundred eighty and one shall serve for a term ending June thirti-  
11 eth, nineteen hundred eighty-five. Thirty days after the effective date  
12 of the chapter of the laws of two thousand twenty-three which amended  
13 this paragraph, the terms of the members appointed on recommendation of  
14 the mayor of the city of New York shall expire, provided, that such  
15 members may continue to discharge the duties of his or her office until  
16 the positions are filled by appointment on recommendation of the mayor  
17 of the city of New York and the term of three of such new members shall  
18 terminate June thirtieth, two thousand twenty-six, and the term of two  
19 of such new members shall terminate June thirtieth, two thousand twen-  
20 ty-nine. The members from the counties of Dutchess, Orange, Putnam and  
21 Rockland shall cast one collective vote.

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