## STATE OF NEW YORK

1004

2023-2024 Regular Sessions

## IN ASSEMBLY

January 12, 2023

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

AN ACT to amend the public authorities law, in relation to transportation authorities

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

Section 1. Subdivision 18 of section 1299-a of the public authorities law, as added by a chapter of the laws of 2022 amending the public authorities law relating to various transportation authorities, as proposed in legislative bills numbers S. 3959-B and A. 7822-C, is amended to read as follows:

18. "Transit dependent <u>individual</u>" shall mean an individual who is limited to public transit as their primary mode of transportation because the individual has [either] a permanent [error temporary] disability.

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- 10 § 2. Paragraph (c) of subdivision 1 of section 1299-c of the public 11 authorities law, as amended by a chapter of the laws of 2022 amending 12 the public authorities law relating to various transportation authorities, as proposed in legislative bills numbers S. 3959-B and A. 7822-C, 14 is amended to read as follows:
- 15 (c) The transit dependent individual appointed pursuant to [subdivi-16 sion (a) of this section paragraph (a) of this subdivision shall be appointed by the governor [at the recommendation of a local or statewide 17 transit advocacy organization]. Such member shall be a resident of a 18 county described in paragraph (a) of this subdivision. 19 If a vacancy 20 shall occur, a replacement shall be appointed within six months, subject 21 to the same appointment process set forth in this paragraph. Any local 22 or statewide transit advocacy organization may recommend one or more 23 transit dependent individuals to be considered for appointment pursuant 24 to this section.

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

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§ 3. Subdivision 25 of section 1299-bb of the public authorities law, as amended by a chapter of the laws of 2022 amending the public authorities law relating to various transportation authorities, as proposed in legislative bills numbers S. 3959-B and A. 7822-C, is amended to read as follows:

- 25. "Transit dependent individual" shall mean an individual who is limited to public transit as their primary mode of transportation because the individual has [either] a permanent [er temperary] disability.
- § 4. Paragraphs (a) and (c) of subdivision 1 of section 1299-dd of the public authorities law, as amended by a chapter of the laws of 2022 amending the public authorities law relating to various transportation authorities, as proposed in legislative bills numbers S. 3959-B and A. 7822-C, are amended to read as follows:
- (a) There is hereby created the Rochester-Genesee regional transportation authority. The authority shall be a body corporate and politic constituting a public benefit corporation. It shall consist of: (i) at least one member from each county that elects to join the authority except that the county of Monroe shall have seven members of whom three shall be appointed from the city of Rochester and four at large from the county of Monroe, (ii) and a voting member who is a transit dependent individual appointed pursuant to paragraph (c) of this subdivision, and [shall have] (iii) one non-voting member as described in paragraph (b) of this subdivision. The members shall be appointed by the governor by and with the advice and consent of the senate. The governor shall make initial appointments to the authority in such number and from lists submitted as follows: three members shall be appointed to the authority from a list of not less than six names, all of whom must be residents of the city of Rochester, submitted to the governor by the council of the city of Rochester; four persons from a list of not less than eight persons, all of whom must be residents of the county of Monroe submitted 32 by the legislature of the county of Monroe. Other counties electing to participate shall each submit to the governor a list of not less than two persons for each one hundred thousand or major fraction of the total population, as determined by the last federal decennial or federal county-wide special census. From the counties outside the county of Monroe which shall elect to participate, the governor shall appoint one member for each one hundred thousand or major fraction of the total population, as determined by the last federal decennial or federal county-wide special census, with a minimum of one member to represent each county outside the county of Monroe so electing to participate. All members of the authority shall be residents of the area from which they are nominated.
  - (C) The voting member who is a transit dependent individual as described in paragraph (a) of this subdivision shall be appointed by the governor [at the recommendation of a local or statewide transit advocacy organization] for a term of five years. Such member shall be a resident of a county within the district. If a vacancy occurs for such position, a replacement shall be appointed within six months pursuant to this Any local or statewide transit advocacy organization may recommend one or more transit dependent individuals to be considered pursuant to this section.
  - 5. Subdivision 26 of section 1301 of the public authorities law, as amended by a chapter of the laws of 2022 amending the public authorities law relating to various transportation authorities, as proposed in

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1 legislative bills numbers S. 3959-B and A. 7822-C, is amended to read as 2 follows:

- 26. "Transit dependent <u>individual</u>" shall mean an individual who is limited to public transit as their primary mode of transportation because the individual has a [temporary or] permanent disability.
- § 6. Paragraph (a) of subdivision 1 of section 1303 of the public authorities law, as amended by a chapter of the laws of 2022 amending the public authorities law relating to various transportation authorities, as proposed in legislative bills numbers S. 3959-B and A. 7822-C, is amended to read as follows:

11 There is hereby created the Capital District transportation 12 authority. The authority shall be a body corporate and politic constituting a public benefit corporation. It shall consist of not less than 13 14 eight nor more than fifteen members, including a chairman and shall have 15 one non-voting member as described in paragraph (b) of this subdivision. At least one voting member shall be a transit dependent individual who 16 17 shall be appointed by the governor [at the recommendation of a local or statewide transit advocacy organization, provided that if ]. If a vacancy 18 occurs for such transit dependent individual member position, a replace-19 20 ment shall be appointed within six months, subject to the 21 appointment process within this paragraph. The members shall be 22 appointed by the governor by and with the advice and consent of the 23 senate. The governor shall make initial appointments to the authority in 24 such number and from lists submitted as follows: three members shall be 25 appointed to the authority from a list of six names, all of whom shall 26 be residents of the county of Albany, four of which names shall be 27 submitted to the governor by the majority party of the legislature of 28 the county of Albany and two of which names shall be submitted by the 29 minority party of such legislature; two members shall be appointed to 30 the authority from a list of four names, all of whom shall be residents 31 of the county of Schenectady, three of which names shall be submitted to 32 the governor by the majority party of the legislature of the county of 33 Schenectady and one of which names shall be submitted by the minority party of such legislature; two members shall be appointed to the author-34 ity from a list of four names, all of whom shall be residents of the 35 36 county of Rensselaer, three of which names shall be submitted to the 37 governor by the majority party of the legislature of the county of Rensselaer and one of which names shall be submitted by the minority party 39 such legislature; two members shall be appointed to the authority 40 from a list of four names, all of whom shall be residents of the county Saratoga, three of which names shall be submitted to the governor by 41 42 the majority party of the legislature of the county of Saratoga and one 43 of which names shall be submitted by the minority party of such legisla-44 ture. Other counties electing to participate shall each submit to the governor a list of two persons each of whom shall be a resident of such 45 46 county, one of which names shall be submitted to the governor by the 47 majority party of the legislature of such county and one of which names 48 shall be submitted by the minority party of such legislature, from which number the governor shall appoint one member for each such county so 49 50 county, the governor shall appoint one voting member who is a transit 51 52 dependent individual who resides in a county within the district. Any 53 local or statewide transit advocacy organization may recommend one or more transit dependent individuals to be considered for appointment pursuant to this section. 55

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§ 7. Subdivision 26 of section 1326 of the public authorities law, as amended by a chapter of the laws of 2022 amending the public authorities law relating to various transportation authorities, as proposed in legislative bills numbers S. 3959-B and A. 7822-C, is amended to read as follows:

- 26. "Transit dependent <u>individual</u>" shall mean an individual who is limited to public transit as their primary mode of transportation because the individual has a [temporary or] permanent disability.
- 9 § 8. Paragraph (a) of subdivision 1 of section 1328 of the public 10 authorities law, as amended by a chapter of the laws of 2022 amending 11 the public authorities law relating to various transportation authorities, as proposed in legislative bills numbers S. 3959-B and A. 7822-C, 13 is amended to read as follows:
- 14 (a) There is hereby created the central New York regional transporta-15 tion authority. The authority shall be a body corporate and politic 16 constituting a public benefit corporation. It shall consist of not more 17 than twelve members, including a chairman and shall have one non-voting member as described in paragraph (b) of this subdivision. At least one 18 voting member shall be a transit dependent individual who shall be 19 appointed by the governor [at the recommendation of a local or statewide 20 21 transit advocacy organization, provided that if ]. If a vacancy occurs for such transit dependent individual member position, a replacement shall be appointed within six months, subject to the same appointment 23 process within this paragraph. The members shall be appointed by the 24 25 governor by and with the advice and consent of the senate. The governor 26 shall make initial appointments to the authority in such number and from 27 lists submitted as follows: three members shall be appointed to the 28 authority from a list of not less than six names, submitted to the governor by the common council of the city of Syracuse, five [persons] 29 members from a list of not less than ten names, submitted by the legis-30 31 lature of the county of Onondaga and two members shall be appointed from 32 a list of not less than four names submitted by the legislature of the 33 county of Oneida. Other counties electing to participate shall each 34 submit to the governor a list of not less than two persons for each one 35 hundred thousand or major fraction of the total population, as deter-36 mined by the nineteen hundred seventy or any subsequent federal decenni-37 or federal county-wide special census, of the counties outside the county of Onondaga which shall elect to participate, from which number 39 the governor shall appoint one member for each one hundred thousand or 40 major fraction of the total population, as determined by such federal decennial or federal county-wide special census, with a maximum of three 41 42 members to represent such counties outside the county of Onondaga so 43 electing to participate. In addition to the members specified above, 44 the governor shall appoint a transit dependent individual as a voting 45 member who resides within a county within the district. Any local or 46 statewide transit advocacy organization may recommend one or more trans-47 it dependent individuals to be considered for appointment pursuant to 48 this section.
- § 9. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2022 amending the public authorities law relating to various transportation authorities, as proposed in legislative bills numbers S. 3959-B and A. 7822-C, takes effect.