

# STATE OF NEW YORK

2545

2023-2024 Regular Sessions

## IN ASSEMBLY

January 26, 2023

Introduced by M. of A. GUNTHER, ZEBROWSKI, BARRETT, WALKER -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to granting each of the representatives of the counties of Dutchess, Putnam, Orange and Rockland on the metropolitan transportation authority a vote

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  
23 on recommendation of the chief executive officer of a county, one such

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

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1 member shall be, at the time of appointment, a resident of the county of  
2 Nassau, one a resident of the county of Suffolk, one a resident of the  
3 county of Westchester, one a resident of the county of Dutchess, one a  
4 resident of the county of Orange, one a resident of the county of Putnam  
5 and one a resident of the county of Rockland, provided that the term of  
6 any member who is a resident of a county that has withdrawn from the  
7 metropolitan commuter transportation district pursuant to section twelve  
8 hundred seventy-nine-b of this title shall terminate upon the effective  
9 date of such county's withdrawal from such district. Of the five voting  
10 members, other than the chairman, appointed by the governor without  
11 recommendation from any other person, three shall be, at the time of  
12 appointment, residents of the city of New York and two shall be, at the  
13 time of appointment, residents of such city or of any of the aforemen-  
14 tioned counties in the metropolitan commuter transportation district.  
15 Provided however, notwithstanding the foregoing residency requirement,  
16 one of the five voting members appointed by the governor without recom-  
17 mendation from any other person, other than the chairman, may be the  
18 director of the New York state division of the budget, and provided  
19 further that, in the event of such appointment, the budget director's  
20 membership in the authority shall be deemed ex-officio. The chairman and  
21 each of the members shall be appointed for a term of six years, provided  
22 however, that the chairman first appointed shall serve for a term ending  
23 June thirtieth, nineteen hundred eighty-one, provided that thirty days  
24 after the effective date of the chapter of the laws of two thousand nine  
25 which amended this subparagraph, the term of the chairman shall expire;  
26 provided, further, that such chairman may continue to discharge the  
27 duties of his or her office until the position of chairman is filled by  
28 appointment by the governor upon the advice and consent of the senate  
29 and the term of such new chairman shall terminate June thirtieth, two  
30 thousand fifteen. The sixteen other members first appointed shall serve  
31 for the following terms: The members from the counties of Nassau and  
32 Westchester shall each serve for a term ending June thirtieth, nineteen  
33 hundred eighty-five; the members from the county of Suffolk and from the  
34 counties of Dutchess, Orange, Putnam and Rockland shall each serve for a  
35 term ending June thirtieth, nineteen hundred ninety-two; two of the  
36 members appointed on recommendation of the mayor of the city of New York  
37 shall each serve for a term ending June thirtieth, nineteen hundred  
38 eighty-four and, two shall each serve for a term ending June thirtieth,  
39 nineteen hundred eighty-one; two of the members appointed by the gover-  
40 nor without the recommendation of any other person shall each serve for  
41 a term ending June thirtieth, nineteen hundred eighty-two, two shall  
42 each serve for a term ending June thirtieth, nineteen hundred eighty and  
43 one shall serve for a term ending June thirtieth, nineteen hundred  
44 eighty-five. The two non-voting and four alternate non-voting members  
45 shall serve until January first, two thousand one. [~~The members from the  
46 counties of Dutchess, Orange, Putnam and Rockland shall cast one collec-  
47 tive vote.~~]

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

51 (a) There is hereby created the "metropolitan transportation authori-  
52 ty." The authority shall be a body corporate and politic constituting a  
53 public benefit corporation. The authority shall consist of a chairman  
54 and sixteen other members appointed by the governor by and with the  
55 advice and consent of the senate. Any member appointed to a term  
56 commencing on or after June thirtieth, two thousand nine shall have

1 experience in one or more of the following areas of expertise: trans-  
2 portation, public administration, business management, finance, account-  
3 ing, law, engineering, land use, urban and regional planning, management  
4 of large capital projects, labor relations, or have experience in some  
5 other area of activity central to the mission of the authority. Four of  
6 the sixteen members other than the chairman shall be appointed on the  
7 written recommendation of the mayor of the city of New York; and each of  
8 seven other members other than the chairman shall be appointed after  
9 selection from a written list of three recommendations from the chief  
10 executive officer of the county in which the particular member is  
11 required to reside pursuant to the provisions of this subdivision. Of  
12 the members appointed on recommendation of the chief executive officer  
13 of a county, one such member shall be, at the time of appointment, a  
14 resident of the county of Nassau; one a resident of the county of  
15 Suffolk; one a resident of the county of Westchester; and one a resident  
16 of the county of Dutchess, one a resident of the county of Orange, one a  
17 resident of the county of Putnam and one a resident of the county of  
18 Rockland, provided that the term of any member who is a resident of a  
19 county that has withdrawn from the metropolitan commuter transportation  
20 district pursuant to section twelve hundred seventy-nine-b of this title  
21 shall terminate upon the effective date of such county's withdrawal from  
22 such district. Of the five members, other than the chairman, appointed  
23 by the governor without recommendation from any other person, three  
24 shall be, at the time of appointment, residents of the city of New York  
25 and two shall be, at the time of appointment, residents of such city or  
26 of any of the aforementioned counties in the metropolitan commuter  
27 transportation district. Provided however, notwithstanding the foregoing  
28 residency requirement, one of the five voting members appointed by the  
29 governor without recommendation from any other person, other than the  
30 chairman, may be the director of the New York state division of the  
31 budget, and provided further that, in the event of such appointment, the  
32 budget director's membership in the authority shall be deemed ex-offi-  
33 cio. The chairman and each of the members shall be appointed for a term  
34 of six years, provided however, that the chairman first appointed shall  
35 serve for a term ending June thirtieth, nineteen hundred eighty-one,  
36 provided that thirty days after the effective date of the chapter of the  
37 laws of two thousand nine which amended this paragraph, the term of the  
38 chairman shall expire; provided, further, that such chairman may contin-  
39 ue to discharge the duties of his office until the position of chairman  
40 is filled by appointment by the governor upon the advice and consent of  
41 the senate and the term of such new chairman shall terminate June thir-  
42 tieth, two thousand fifteen. The sixteen other members first appointed  
43 shall serve for the following terms: The members from the counties of  
44 Nassau and Westchester shall each serve for a term ending June thirti-  
45 eth, nineteen hundred eighty-five; the members from the county of  
46 Suffolk and from the counties of Dutchess, Orange, Putnam and Rockland  
47 shall each serve for a term ending June thirtieth, nineteen hundred  
48 ninety-two; two of the members appointed on recommendation of the mayor  
49 of the city of New York shall each serve for a term ending June thirti-  
50 eth, nineteen hundred eighty-four and, two shall each serve for a term  
51 ending June thirtieth, nineteen hundred eighty-one; two of the members  
52 appointed by the governor without the recommendation of any other person  
53 shall each serve for a term ending June thirtieth, nineteen hundred  
54 eighty-two, two shall each serve for a term ending June thirtieth, nine-  
55 teen hundred eighty and one shall serve for a term ending June thirti-

1 eth, nineteen hundred eighty-five. [~~The members from the counties of~~  
2 ~~Dutchess, Orange, Putnam and Rockland shall cast one collective vote.~~]  
3 § 3. This act shall take effect immediately, provided that the amend-  
4 ments to subparagraph 1 of paragraph (a) of subdivision 1 of section  
5 1263 of the public authorities law made by section one of this act shall  
6 be subject to the expiration and reversion of such paragraph pursuant to  
7 section 3 of chapter 549 of the laws of 1994, as amended, when upon such  
8 date the provisions of section two of this act shall take effect.