

STATE OF NEW YORK

4504--A

2023-2024 Regular Sessions

IN ASSEMBLY

February 16, 2023

Introduced by M. of A. EPSTEIN, CRUZ, SEAWRIGHT, GIBBS, COOK, DINOWITZ, COLTON, GLICK, SANTABARBARA, REYES, SHIMSKY, STERN, CUNNINGHAM, RAGA -- read once and referred to the Committee on Corporations, Authorities and Commissions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public authorities law, in relation to requiring one voting member of the metropolitan transportation authority be a transit dependent individual

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 chairperson, sixteen 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 voting members other
17 than the [~~chairman~~ chairperson shall be appointed on the written recom-
18 mendation of the mayor of the city of New York; and each of seven other
19 voting members other than the [~~chairman~~ chairperson shall be appointed
20 after selection from a written list of three recommendations from the
21 chief executive officer of the county in which the particular member is

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

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1 required to reside pursuant to the provisions of this subdivision. Of
2 the members appointed on recommendation of the chief executive officer
3 of a county, one such member shall be, at the time of appointment, a
4 resident of the county of Nassau, one a resident of the county of
5 Suffolk, one a resident of the county of Westchester, one a resident of
6 the county of Dutchess, one a resident of the county of Orange, one a
7 resident of the county of Putnam and one a resident of the county of
8 Rockland, provided that the term of any member who is a resident of a
9 county that has withdrawn from the metropolitan commuter transportation
10 district pursuant to section twelve hundred seventy-nine-b of this title
11 shall terminate upon the effective date of such county's withdrawal from
12 such district. Of the five voting members, other than the [~~chairman~~
13 chairperson], appointed by the governor without recommendation from any
14 other person, three shall be, at the time of appointment, residents of
15 the city of New York and two shall be, at the time of appointment, resi-
16 dents of such city or of any of the aforementioned counties in the
17 metropolitan commuter transportation district. Provided however,
18 notwithstanding the foregoing residency requirement, one of the five
19 voting members appointed by the governor without recommendation from any
20 other person, other than the [~~chairman~~ chairperson], may be the director
21 of the New York state division of the budget, and provided further that,
22 in the event of such appointment, the budget director's membership in
23 the authority shall be deemed ex-officio. Provided further, one of the
24 five voting members, other than the chairperson, appointed by the gover-
25 nor without recommendation by any other person shall be a transit
26 dependent individual. A "transit dependent individual" shall mean an
27 individual who is limited to public transit as their primary mode of
28 transportation because the individual has a permanent disability,
29 provided that any local or statewide transit advocacy organization may
30 recommend one or more transit dependent individuals to be considered for
31 appointment pursuant to this section. The [~~chairman~~ chairperson] and
32 each of the members shall be appointed for a term of six years, provided
33 however, that the [~~chairman~~ chairperson] first appointed shall serve for
34 a term ending June thirtieth, nineteen hundred eighty-one, provided that
35 thirty days after the effective date of the chapter of the laws of two
36 thousand nine which amended this subparagraph, the term of the [~~chair-~~
37 man] chairperson shall expire; provided, further, that such [~~chairman~~
38 chairperson] may continue to discharge the duties of his or her office
39 until the position of [~~chairman~~ chairperson] is filled by appointment by
40 the governor upon the advice and consent of the senate and the term of
41 such new [~~chairman~~ chairperson] shall terminate June thirtieth, two
42 thousand fifteen. The sixteen other members first appointed shall serve
43 for the following terms: The members from the counties of Nassau and
44 Westchester shall each serve for a term ending June thirtieth, nineteen
45 hundred eighty-five; the members from the county of Suffolk and from the
46 counties of Dutchess, Orange, Putnam and Rockland shall each serve for a
47 term ending June thirtieth, nineteen hundred ninety-two; two of the
48 members appointed on recommendation of the mayor of the city of New York
49 shall each serve for a term ending June thirtieth, nineteen hundred
50 eighty-four and, two shall each serve for a term ending June thirtieth,
51 nineteen hundred eighty-one; two of the members appointed by the gover-
52 nor without the recommendation of any other person shall each serve for
53 a term ending June thirtieth, nineteen hundred eighty-two, two shall
54 each serve for a term ending June thirtieth, nineteen hundred eighty and
55 one shall serve for a term ending June thirtieth, nineteen hundred
56 eighty-five. The two non-voting and four alternate non-voting members

1 shall serve until January first, two thousand one. The members from the
2 counties of Dutchess, Orange, Putnam and Rockland shall cast one collec-
3 tive vote.

4 § 2. This act shall take effect immediately; provided, however, that
5 the amendments to subparagraph 1 of paragraph (a) of subdivision 1 of
6 section 1263 of the public authorities law made by section one of this
7 act shall not affect the expiration of such paragraph and shall be
8 deemed expired therewith.