

STATE OF NEW YORK

923--A

2023-2024 Regular Sessions

IN ASSEMBLY

January 11, 2023

Introduced by M. of A. DINOWITZ, STERN, HYNDMAN, EPSTEIN, SIMON, REYES, GLICK, WILLIAMS, CRUZ, FALL, RAMOS, SHRESTHA, SEPTIMO, MITAYNES, SEAWRIGHT, SIMONE, GALLAGHER, CUNNINGHAM, COLTON -- Multi-Sponsored by -- M. of A. COOK, DE LOS SANTOS, SAYEGH -- read once and referred to the Committee on Corporations, Authorities and Commissions -- recommended to the Committee on Corporations, Authorities and Commissions in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public authorities law, in relation to enacting the rider representation act

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

1 Section 1. Short title. This act shall be known and may be cited as
2 the "rider representation act".
3 § 2. Paragraph (a) of subdivision 1 of section 1263 of the public
4 authorities law, as amended by chapter 549 of the laws of 1994, subpara-
5 graph 1 as amended by chapter 672 of the laws of 2023, is amended to
6 read as follows:
7 (a) (1) There is hereby created the "metropolitan transportation
8 authority." The authority shall be a body corporate and politic consti-
9 tuting a public benefit corporation. The authority shall consist of a
10 chairperson, [~~sixteen~~] twenty other voting members, and [~~two~~] one non-
11 voting and [~~four~~] two alternate non-voting members, as described in
12 subparagraph two of this paragraph appointed by the governor by and with
13 the advice and consent of the senate. Any member appointed to a term
14 commencing on or after June thirtieth, two thousand nine shall have
15 experience in one or more of the following areas: transportation, public
16 administration, business management, finance, accounting, law, engineer-
17 ing, land use, urban and regional planning, management of large capital
18 projects, labor relations, or have experience in some other area of

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

LBD00710-07-4

1 activity central to the mission of the authority. Four of the [~~sixteen~~
2 twenty voting members other than the chairperson shall be appointed on
3 the written recommendation of the mayor of the city of New York; one of
4 the twenty voting members other than the chairperson shall be appointed
5 on the written recommendation of the New York city transit authority
6 advisory council; one of the twenty voting members other than the
7 chairperson shall be appointed on the written recommendation of the
8 Metro-North rail commuter council; one of the twenty voting members
9 other than the chairperson shall be appointed on the written recommenda-
10 tion of the Long Island Rail Road commuter's council; one of the twenty
11 voting members other than the chairperson shall be appointed on the
12 written recommendation of the commissioner of the New York city mayor's
13 office for people with disabilities, as such office is defined in
14 section 22-301 of the New York city administrative code, provided that
15 such commissioner shall consult with disability advisory bodies to the
16 authority and external disability advocacy organizations when making
17 such appointment; and each of seven other voting members other than the
18 chairperson shall be appointed after selection from a written list of
19 three recommendations from the chief executive officer of the county in
20 which the particular member is required to reside pursuant to the
21 provisions of this subdivision. Of the members appointed on recommenda-
22 tion of the chief executive officer of a county, one such member shall
23 be, at the time of appointment, a resident of the county of Nassau, one
24 a resident of the county of Suffolk, one a resident of the county of
25 Westchester, one a resident of the county of Dutchess, one a resident of
26 the county of Orange, one a resident of the county of Putnam and one a
27 resident of the county of Rockland, provided that the term of any member
28 who is a resident of a county that has withdrawn from the metropolitan
29 commuter transportation district pursuant to section twelve hundred
30 seventy-nine-b of this title shall terminate upon the effective date of
31 such county's withdrawal from such district. Of the five voting members,
32 other than the chairperson, appointed by the governor without recommen-
33 dation from any other person, three shall be, at the time of appoint-
34 ment, residents of the city of New York and two shall be, at the time of
35 appointment, residents of such city or of any of the aforementioned
36 counties in the metropolitan commuter transportation district. Provided
37 however, notwithstanding the foregoing residency requirement, one of the
38 five voting members appointed by the governor without recommendation
39 from any other person, other than the chairperson, may be the director
40 of the New York state division of the budget, and provided further that,
41 in the event of such appointment, the budget director's membership in
42 the authority shall be deemed ex-officio. Provided further, one of the
43 five voting members, other than the chairperson, appointed by the gover-
44 nor without recommendation by any other person shall be a transit
45 dependent individual. A "transit dependent individual" shall mean an
46 individual who is limited to public transit as their primary mode of
47 transportation because the individual has a permanent disability,
48 provided that any local or statewide transit advocacy organization may
49 recommend one or more transit dependent individuals to be considered for
50 appointment pursuant to this section. The chairperson and each of the
51 members shall be appointed for a term of six years, provided however,
52 that the chairperson first appointed shall serve for a term ending June
53 thirtieth, nineteen hundred eighty-one, provided that thirty days after
54 the effective date of the chapter of the laws of two thousand nine which
55 amended this subparagraph, the term of the chairperson shall expire;
56 provided, further, that such chairperson may continue to discharge the

1 duties of [~~his or her~~] their office until the position of chairperson is
2 filled by appointment by the governor upon the advice and consent of the
3 senate and the term of such new chairperson shall terminate June thirti-
4 eth, two thousand fifteen. [~~The sixteen~~] Sixteen of the other members
5 first appointed shall serve for the following terms: The members from
6 the counties of Nassau and Westchester shall each serve for a term
7 ending June thirtieth, nineteen hundred eighty-five; the members from
8 the county of Suffolk and from the counties of Dutchess, Orange, Putnam
9 and Rockland shall each serve for a term ending June thirtieth, nineteen
10 hundred ninety-two; two of the members appointed on recommendation of
11 the mayor of the city of New York shall each serve for a term ending
12 June thirtieth, nineteen hundred eighty-four and, two shall each serve
13 for a term ending June thirtieth, nineteen hundred eighty-one; two of
14 the members appointed by the governor without the recommendation of any
15 other person shall each serve for a term ending June thirtieth, nineteen
16 hundred eighty-two, two shall each serve for a term ending June thirti-
17 eth, nineteen hundred eighty and one shall serve for a term ending June
18 thirtieth, nineteen hundred eighty-five. [~~The two non-voting and four~~
19 ~~alternate non-voting members shall serve until January first, two thou-~~
20 ~~sand one.~~] The members from the counties of Dutchess, Orange, Putnam and
21 Rockland shall cast one collective vote.

22 (2) There shall be [~~two~~] one non-voting [~~members~~] member and [~~four~~]
23 two alternate non-voting members of the authority, as referred to in
24 subparagraph one of this paragraph.

25 The first non-voting member shall be [~~a regular mass transit user of~~
26 ~~the facilities of the authority and be recommended to the governor by~~
27 ~~the New York city transit authority advisory council. The first alter-~~
28 ~~nate non-voting member shall be a regular mass transit user of the~~
29 ~~facilities of the authority and be recommended to the governor by the~~
30 ~~Metro-North commuter council. The second alternate non-voting member~~
31 ~~shall be a regular mass transit user of the facilities of the authority~~
32 ~~and be recommended to the governor by the Long Island Rail Road~~
33 ~~commuter's council.~~

34 [~~The second non-voting member shall be~~] recommended to the governor by
35 the labor organization representing the majority of employees of the
36 Long Island Rail Road. The [~~third~~] first alternate non-voting member
37 shall be recommended to the governor by the labor organization repres-
38 enting the majority of employees of the New York city transit authority.
39 The [~~fourth~~] second alternate non-voting member shall be recommended to
40 the governor by the labor organization representing the majority of
41 employees of the Metro-North Commuter Railroad Company. The [~~chairman~~]
42 chairperson of the authority, at [~~his~~] their direction, may exclude
43 [~~such~~] any non-voting member or alternate non-voting member from attend-
44 ing any portion of a meeting of the authority or of any committee estab-
45 lished pursuant to paragraph (b) of subdivision four of this section
46 held for the purpose of discussing negotiations with labor organiza-
47 tions.

48 [~~The non-voting member and the two alternate non-voting members~~
49 ~~representing the New York city transit authority advisory council,~~
50 ~~the Metro-North commuter council, and the Long Island Rail Road~~
51 ~~commuter's council shall serve eighteen month rotating terms, after~~
52 ~~which time an alternate non-voting member shall become the non-voting~~
53 ~~member and the rotation shall continue until each alternate member has~~
54 ~~served at least one eighteen month term as a non-voting member.~~] The
55 [~~other~~] non-voting member and alternate non-voting members representing
56 the New York city transit authority, Metro-North Commuter Railroad

1 Company, and the Long Island Rail Road labor organizations shall serve
2 eighteen month rotating terms, after which time an alternate non-voting
3 member shall become the non-voting member and the rotation shall contin-
4 ue until each alternate member has served at least one eighteen month
5 term as a non-voting member. [~~The transit authority and the commuter
6 railroads shall not be represented concurrently by the two non-voting
7 members during any such eighteen month period.~~]

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

11 (a) There is hereby created the "metropolitan transportation authori-
12 ty." The authority shall be a body corporate and politic constituting a
13 public benefit corporation. The authority shall consist of a [~~chairman~~
14 chairperson and [~~sixteen~~ twenty other members appointed by the governor
15 by and with the advice and consent of the senate. Any member appointed
16 to a term commencing on or after June thirtieth, two thousand nine shall
17 have experience in one or more of the following areas of expertise:
18 transportation, public administration, business management, finance,
19 accounting, law, engineering, land use, urban and regional planning,
20 management of large capital projects, labor relations, or have experi-
21 ence in some other area of activity central to the mission of the
22 authority. Four of the [~~sixteen~~ twenty members other than the [~~chair-~~
23 ~~man~~ chairperson shall be appointed on the written recommendation of the
24 mayor of the city of New York; one of the twenty voting members other
25 than the chairperson shall be appointed on the written recommendation of
26 the New York city transit authority advisory council; one of the twenty
27 voting members other than the chairperson shall be appointed on the
28 written recommendation of the Metro-North rail commuter council; one of
29 the twenty voting members other than the chairperson shall be appointed
30 on the written recommendation of the Long Island Rail Road commuter's
31 council; one of the twenty voting members other than the chairperson
32 shall be appointed on the written recommendation of the commissioner of
33 the New York city mayor's office for people with disabilities, as such
34 office is defined in section 22-1301 of the New York city administrative
35 code, provided that such commissioner shall consult with disability
36 advisory bodies to the authority and external disability advocacy organ-
37 izations when making such appointment; and each of seven other members
38 other than the [~~chairman~~ chairperson shall be appointed after selection
39 from a written list of three recommendations from the chief executive
40 officer of the county in which the particular member is required to
41 reside pursuant to the provisions of this subdivision. Of the members
42 appointed on recommendation of the chief executive officer of a county,
43 one such member shall be, at the time of appointment, a resident of the
44 county of Nassau; one a resident of the county of Suffolk; one a resi-
45 dent of the county of Westchester; and one a resident of the county of
46 Dutchess, one a resident of the county of Orange, one a resident of the
47 county of Putnam and one a resident of the county of Rockland, provided
48 that the term of any member who is a resident of a county that has with-
49 drawn from the metropolitan commuter transportation district pursuant to
50 section twelve hundred seventy-nine-b of this title shall terminate upon
51 the effective date of such county's withdrawal from such district. Of
52 the five members, other than the [~~chairman~~ chairperson, appointed by
53 the governor without recommendation from any other person, three shall
54 be, at the time of appointment, residents of the city of New York and
55 two shall be, at the time of appointment, residents of such city or of
56 any of the aforementioned counties in the metropolitan commuter trans-

1 portation district. Provided however, notwithstanding the foregoing
2 residency requirement, one of the five voting members appointed by the
3 governor without recommendation from any other person, other than the
4 [~~chairman~~] chairperson, may be the director of the New York state divi-
5 sion of the budget, and provided further that, in the event of such
6 appointment, the budget director's membership in the authority shall be
7 deemed ex-officio. The [~~chairman~~] chairperson and each of the members
8 shall be appointed for a term of six years, provided however, that the
9 [~~chairman~~] chairperson first appointed shall serve for a term ending
10 June thirtieth, nineteen hundred eighty-one, provided that thirty days
11 after the effective date of the chapter of the laws of two thousand nine
12 which amended this paragraph, the term of the [~~chairman~~] chairperson
13 shall expire; provided, further, that such [~~chairman~~] chairperson may
14 continue to discharge the duties of [~~his~~] their office until the posi-
15 tion of [~~chairman~~] chairperson is filled by appointment by the governor
16 upon the advice and consent of the senate and the term of such new
17 [~~chairman~~] chairperson shall terminate June thirtieth, two thousand
18 fifteen. [~~The sixteen~~] Sixteen of the other members first appointed
19 shall serve for the following terms: The members from the counties of
20 Nassau and Westchester shall each serve for a term ending June thirti-
21 eth, nineteen hundred eighty-five; the members from the county of
22 Suffolk and from the counties of Dutchess, Orange, Putnam and Rockland
23 shall each serve for a term ending June thirtieth, nineteen hundred
24 ninety-two; two of the members appointed on recommendation of the mayor
25 of the city of New York shall each serve for a term ending June thirti-
26 eth, nineteen hundred eighty-four and, two shall each serve for a term
27 ending June thirtieth, nineteen hundred eighty-one; two of the members
28 appointed by the governor without the recommendation of any other person
29 shall each serve for a term ending June thirtieth, nineteen hundred
30 eighty-two, two shall each serve for a term ending June thirtieth, nine-
31 teen hundred eighty and one shall serve for a term ending June thirti-
32 eth, nineteen hundred eighty-five. The members from the counties of
33 Dutchess, Orange, Putnam and Rockland shall cast one collective vote.

34 § 4. Paragraph (c) of subdivision 1 of section 1263 of the public
35 authorities law, as added by section 3 of subpart B of part ZZZ of chap-
36 ter 59 of the laws of 2019, is amended to read as follows:

37 (c) (i) Notwithstanding any inconsistent provision of this section,
38 the term of any voting member shall expire upon the expiration of the
39 term in office being served by the county elected official upon whose
40 recommendation they were appointed; provided, however, that in such
41 circumstance such member may serve as a holdover appointee for sixty
42 days, or until such time as a new member is appointed, whichever is
43 less. The term of any member appointed to replace such a holdover
44 appointee shall expire at the end of the term in office of the county
45 elected official upon whose recommendation such member was appointed. If
46 a county elected official leaves office because of death, resignation,
47 removal or disability, however, a member appointed upon such official's
48 recommendation shall continue to serve until such time as such county
49 elected office is filled, at which time such member will become a hold-
50 over appointee and may serve for sixty days, or until such time as a new
51 member is appointed, whichever is less.

52 (ii) Notwithstanding any inconsistent provision of this section, the
53 term of any [~~chairman~~] chairperson or any voting member shall expire
54 upon the expiration of the term in office being served by the city or
55 state elected official upon whose recommendation they were appointed;
56 provided, however, that in such circumstance the [~~chairman~~] chairperson

1 or such member may serve as a holdover appointee until such time as a
2 new [~~chairman~~] chairperson or member is appointed. The term of any
3 [~~chairman~~] chairperson or member appointed to replace such a holdover
4 appointee shall expire at the end of the term in office of the city or
5 state elected official upon whose recommendation such [~~chairman~~] chair-
6 person or member was appointed.

7 (iii) Notwithstanding any inconsistent provision of this section, the
8 term of the voting member appointed on the written recommendation of the
9 commissioner of the New York city mayor's office for people with disa-
10 bilities shall expire upon the expiration of the term in office being
11 served by the mayor of the city of New York; provided, however, that in
12 such circumstance such member may serve as a holdover appointee for
13 sixty days, or until such time as a new member is appointed, whichever
14 is sooner. The term of any member appointed to replace such holdover
15 appointee shall expire at the end of the term in office of the mayor of
16 the city of New York.

17 (iv) The provisions of this paragraph shall not apply to the voting
18 members appointed on the written recommendations of the New York city
19 transit authority advisory council, the Metro-North rail commuter coun-
20 cil, the Long Island Rail Road commuter's council, as described in para-
21 graph (a) of subdivision one of this section.

22 § 5. Subdivision 2 of section 1263 of the public authorities law, as
23 amended by chapter 55 of the laws of 1992, is amended to read as
24 follows:

25 2. The [~~chairman~~] chairperson and the first vice [~~chairman~~] chair-
26 person shall be paid a salary in the amount determined by the authority;
27 the other members shall not receive a salary or other compensation. Each
28 member, including the [~~chairman~~] chairperson and the first vice [~~chair-
29 man~~] chairperson, shall be entitled to reimbursement for actual and
30 necessary expenses incurred in the performance of [~~his or her~~] their
31 official duties.

32 § 6. Paragraph (a) of subdivision 4 of section 1263 of the public
33 authorities law, as amended by chapter 506 of the laws of 2009, is
34 amended to read as follows:

35 (a) Notwithstanding any provision of law to the contrary, the [~~chair-
36 man~~] chairperson shall be the chief executive officer of the authority
37 and shall be responsible for the discharge of the executive and adminis-
38 trative functions and powers of the authority. The [~~chairman~~] chair-
39 person may appoint an executive director and such other officials and
40 employees as shall in [~~his or her~~] their judgment be needed to discharge
41 the executive and administrative functions and powers of the authority.

42 § 7. Paragraph (b) of subdivision 4 of section 1263 of the public
43 authorities law, as amended by section 1 of chapter 425 of the laws of
44 2018, is amended to read as follows:

45 (b) The [~~chairman~~] chairperson shall establish committees to assist
46 [~~him~~] them in the performance of [~~his~~] their duties and shall appoint
47 members of the authority to such committees. Among such committees,
48 there shall be a committee on operations of the New York city transit
49 authority, the Manhattan and Bronx surface transit operating authority
50 and the Staten Island rapid transit operating authority; a committee on
51 operations of the Long Island Rail Road and the metropolitan suburban
52 bus authority; a committee on operations of the Metro-North commuter
53 railroad; a committee on operations of the Triborough bridge and tunnel
54 authority; a committee on finance; a committee on capital program over-
55 sight; and a committee on safety. In addition to such appointed members,
56 each of the [~~non-voting~~] members recommended by the New York city trans-

1 it authority advisory council, the Metro-North rail commuter council,
2 and the Long Island Rail Road commuter's council referred to in [~~subpar-~~
3 ~~agraph two of~~] paragraph (a) of subdivision one of this section shall
4 serve on the committee on capital program oversight, the committee on
5 finance, the committee on safety, the committee on operations of the
6 Triborough bridge and tunnel authority, and the operations committee
7 relevant to the commuter council that recommended such member. [~~The~~
8 ~~alternate non-voting members shall each serve on the respective oper-~~
9 ~~ations committee relevant to the commuter council that recommended each~~
10 ~~member.~~] The committee on capital program oversight and the committee on
11 safety shall include not less than three members, and shall include the
12 chairpersons of the committee on operations of the New York city transit
13 authority, the Manhattan and Bronx surface transit operating authority
14 and the Staten Island rapid transit operating authority, the committee
15 on operations of the Long Island Rail Road and the metropolitan suburban
16 bus authority, and the committee on operations of the Metro-North commu-
17 ter railroad. The committee on safety shall convene at least once annu-
18 ally and each committee chairperson, that is a member of the committee
19 on safety, shall report to the committee on safety any and all initi-
20 atives, concerns, improvements, or failures involving the safety of: (1)
21 customers; (2) employees; and (3) the public at large, in relation to
22 authority facilities and services. The capital program committee shall,
23 with respect to any approved or proposed capital program plans, (i)
24 monitor the current and future availability of funds to be utilized for
25 such plans approved or proposed to be submitted to the metropolitan
26 transportation capital program review board as provided in section
27 twelve hundred sixty-nine-b of this title; (ii) monitor the contract
28 awards of the metropolitan transportation authority and the New York
29 city transit authority to insure that such awards are consistent with
30 (A) provisions of law authorizing United States content and New York
31 state content; (B) collective bargaining agreements; (C) provisions of
32 law providing for participation by minority and women-owned businesses;
33 (D) New York state labor laws; (E) competitive bidding requirements
34 including those regarding sole source contracts; and (F) any other rele-
35 vant requirements established by law; (iii) monitor the award of
36 contracts to determine if such awards are consistent with the manner in
37 which the work was traditionally performed in the past provided, howev-
38 er, that any such determination shall not be admissible as evidence in
39 any arbitration or judicial proceeding; (iv) review the relationship
40 between capital expenditures pursuant to each such capital program plan
41 and current and future operating budget requirements; (v) monitor the
42 progress of capital elements described in each capital program plan
43 approved as provided in section twelve hundred sixty-nine-b of this
44 title; (vi) monitor the expenditures incurred and to be incurred for
45 each such element; and (vii) identify capital elements not progressing
46 on schedule, ascertain responsibility therefor and recommend those
47 actions required or appropriate to accelerate their implementation. The
48 capital program committee shall issue a quarterly report on its activ-
49 ities and findings, and shall in connection with the preparation of such
50 quarterly report, consult with the state division of the budget, the
51 state department of transportation, the members of the metropolitan
52 transportation authority capital program review board, and any other
53 group the committee deems relevant, including public employee organiza-
54 tions, and, at least annually, with a nationally recognized independent
55 transit engineering firm. Such report shall be made available to the
56 members of the authority, to the members of the metropolitan transporta-

1 tion authority capital program review board, and the directors of the
2 municipal assistance corporation for the city of New York.

3 § 8. Paragraph (b) of subdivision 4 of section 1263 of the public
4 authorities law, as amended by section 2 of chapter 425 of the laws of
5 2018, is amended to read as follows:

6 (b) The [~~chairman~~] chairperson shall establish committees to assist
7 [~~him~~] them in the performance of [~~his~~] their duties and shall appoint
8 members of the authority to such committees. Among such committees,
9 there shall be a committee on operations of the New York city transit
10 authority, the Manhattan and Bronx surface transit operating authority
11 and the Staten Island rapid transit operating authority; a committee on
12 operations of the Long Island Rail Road and the metropolitan suburban
13 bus authority; a committee on operations of the Metro-North commuter
14 railroad; a committee on operations of the Triborough bridge and tunnel
15 authority; a committee on finance; a committee on capital program over-
16 sight; and a committee on safety. The committee on capital program over-
17 sight shall include not less than four members, and shall include the
18 chairpersons of the committee on operations of the New York city transit
19 authority, the Manhattan and Bronx surface transit operating authority
20 and the Staten Island rapid transit operating authority, the committee
21 on operations of the Long Island Rail Road and the metropolitan suburban
22 bus authority, the committee on operations of the Metro-North commuter
23 railroad, and the committee on safety. The committee on safety shall
24 convene at least once annually and each committee chairperson, that is a
25 member of the committee on safety, shall report to the committee on
26 safety any and all initiatives, concerns, improvements, or failures
27 involving the safety of: (1) customers; (2) employees; and (3) the
28 public at large, in relation to authority facilities and services. The
29 capital program committee shall, with respect to any approved or
30 proposed capital program plans, (i) monitor the current and future
31 availability of funds to be utilized for such plans approved or proposed
32 to be submitted to the metropolitan transportation capital program
33 review board as provided in section twelve hundred sixty-nine-b of this
34 title; (ii) monitor the contract awards of the metropolitan transporta-
35 tion authority and the New York city transit authority to insure that
36 such awards are consistent with (A) provisions of law authorizing United
37 States content and New York state content; (B) collective bargaining
38 agreements; (C) provisions of law providing for participation by minori-
39 ty and women-owned businesses; (D) New York state labor laws; (E)
40 competitive bidding requirements including those regarding sole source
41 contracts; and (F) any other relevant requirements established by law;
42 (iii) monitor the award of contracts to determine if such awards are
43 consistent with the manner in which the work was traditionally performed
44 in the past provided, however, that any such determination shall not be
45 admissible as evidence in any arbitration or judicial proceeding; (iv)
46 review the relationship between capital expenditures pursuant to each
47 such capital program plan and current and future operating budget
48 requirements; (v) monitor the progress of capital elements described in
49 each capital program plan approved as provided in section twelve hundred
50 sixty-nine-b of this title; (vi) monitor the expenditures incurred and
51 to be incurred for each such element; and (vii) identify capital
52 elements not progressing on schedule, ascertain responsibility therefor
53 and recommend those actions required or appropriate to accelerate their
54 implementation. The capital program committee shall issue a quarterly
55 report on its activities and findings, and shall in connection with the
56 preparation of such quarterly report, consult with the state division of

1 the budget, the state department of transportation, the members of the
2 metropolitan transportation authority capital program review board and
3 any other group the committee deems relevant, including public employee
4 organizations, and, at least annually, with a nationally recognized
5 independent transit engineering firm. Such report shall be made avail-
6 able to the members of the authority, to the members of the metropolitan
7 transportation authority capital program review board, and the directors
8 of the municipal assistance corporation for the city of New York.

9 § 9. Paragraphs (c) and (d) of subdivision 4 of section 1263 of the
10 public authorities law, paragraph (c) as added by chapter 247 of the
11 laws of 1990, paragraph (d) as added by section 5 of part H of chapter
12 25 of the laws of 2009, are amended to read as follows:

13 (c) The [~~chairman~~] chairperson shall ensure that at every meeting of
14 the board and at every meeting of each committee the public shall be
15 allotted a period of time, not less than thirty minutes, to speak on any
16 topic on the agenda.

17 (d) Notwithstanding paragraph (c) of subdivision one of section twen-
18 ty-eight hundred twenty-four of this chapter or any other provision of
19 law to the contrary, the [~~chairman~~] chairperson shall not participate in
20 establishing authority policies regarding the payment of salary, compen-
21 sation, and reimbursement to, nor establish rules for the time and
22 attendance of, the chief executive officer. The salary of the [~~chairman~~]
23 chairperson, as determined pursuant to subdivision two of this section,
24 shall also be compensation for all services performed as chief executive
25 officer.

26 § 10. This act shall take effect immediately; provided that the amend-
27 ments to paragraph (a) of subdivision 1 of section 1263 of the public
28 authorities law made by section two of this act shall be subject to the
29 expiration and reversion of such paragraph pursuant to section 3 of
30 chapter 549 of the laws of 1994, as amended, when upon such date the
31 provisions of section three of this act shall take effect; and provided
32 further that the amendments to paragraph (b) of subdivision 4 of section
33 1263 of the public authorities law made by section seven of this act
34 shall be subject to the expiration and reversion of such subdivision
35 pursuant to section 3 of chapter 549 of the laws of 1994, as amended,
36 when upon such date the provisions of section eight of this act shall
37 take effect.