STATE OF NEW YORK

815

2023-2024 Regular Sessions

IN SENATE

January 6, 2023

Introduced by Sen. KENNEDY -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

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 **individual**" shall mean an individual who is limited to public transit as their primary mode of transportation because the individual has [~~either~~] a permanent [~~or temporary~~] disability.

§ 2. Paragraph (c) of subdivision 1 of section 1299-c 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:

(c) The transit dependent individual appointed pursuant to [~~subdivision (a) of this section~~] **paragraph (a) of this subdivision** shall be appointed by the governor [~~at the recommendation of a local or statewide transit advocacy organization~~]. Such member shall be a resident of a county described in paragraph (a) of this subdivision. If a vacancy shall occur, a replacement shall be appointed within six months, subject to the same appointment process set forth in this paragraph. **Any local or statewide transit advocacy organization may recommend one or more transit dependent individuals to be considered for appointment pursuant to this section.**

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

LBD03967-01-3

§ 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 [~~or temporary~~] 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 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 process. **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

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

26. "Transit dependent **individual**" 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:

(a) There is hereby created the Capital District transportation authority. The authority shall be a body corporate and politic constituting a public benefit corporation. It shall consist of not less than eight nor more than fifteen members, including a chairman and shall have one non-voting member as described in paragraph (b) of this subdivision. At least one voting member shall be a transit dependent individual who shall be appointed by the governor [~~at the recommendation of a local or statewide 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 process within this paragraph. 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 six names, all of whom shall be residents of the county of Albany, four of which names shall be submitted to the governor by the majority party of the legislature of the county of Albany and two of which names shall be submitted by the minority party of such legislature; two members shall be appointed to the authority from a list of four names, all of whom shall be residents of the county of Schenectady, three of which names shall be submitted to the governor by the majority party of the legislature of the county of Schenectady and one of which names shall be submitted by the minority party of such legislature; two members shall be appointed to the authority from a list of four names, all of whom shall be residents of the county of Rensselaer, three of which names shall be submitted to the 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 of such legislature; two members shall be appointed to the authority from a list of four names, all of whom shall be residents of the county of Saratoga, three of which names shall be submitted to the governor by the majority party of the legislature of the county of Saratoga and one of which names shall be submitted by the minority party of such legislature. 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 county, one of which names shall be submitted to the governor by the majority party of the legislature of such county and one of which names shall be submitted by the minority party of such legislature, from which number the governor shall appoint one member for each such county so electing to participate. **In addition to the members representing each county, the governor shall appoint one voting member who is a transit dependent individual who resides in a county within the district. Any local or statewide transit advocacy organization may recommend one or more transit dependent individuals to be considered for appointment pursuant to this section.**

§ 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 **individual**" 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.

§ 8. Paragraph (a) of subdivision 1 of section 1328 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:

(a) There is hereby created the central New York regional transportation authority. The authority shall be a body corporate and politic constituting a public benefit corporation. It shall consist of not more than twelve members, including a chairman and shall have one non-voting member as described in paragraph (b) of this subdivision. At least one voting member shall be a transit dependent individual who shall be appointed by the governor [~~at the recommendation of a local or statewide 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 process within this paragraph. 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, submitted to the governor by the common council of the city of Syracuse, five [~~persons~~] **members** from a list of not less than ten names, submitted by the legislature of the county of Onondaga and two members shall be appointed from a list of not less than four names submitted by the legislature of the county of Oneida. 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 nineteen hundred seventy or any subsequent federal decennial or federal county-wide special census, of the counties outside the county of Onondaga which shall elect to participate, from which number the governor shall appoint one member for each one hundred thousand or major fraction of the total population, as determined by such federal decennial or federal county-wide special census, with a maximum of three members to represent such counties outside the county of Onondaga so electing to participate. **In addition to the members specified above, the governor shall appoint a transit dependent individual as a voting member who resides within a county within the district. Any local or statewide transit advocacy organization may recommend one or more transit dependent individuals to be considered for appointment pursuant to 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.