

# STATE OF NEW YORK

1148

2025-2026 Regular Sessions

## IN SENATE

January 8, 2025

Introduced by Sens. GOUNARDES, CLEARE, COMRIE, FERNANDEZ, GIANARIS, HARCKHAM, HOYLMAN-SIGAL, JACKSON, KAVANAGH, LIU, MARTINEZ, MAYER, MYRIE, RAMOS, SALAZAR, SCARCELLA-SPANTON, SEPULVEDA, WEBER -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

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 68 of the laws of 2024, is amended to read  
6 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  
19 activity central to the mission of the authority. Four of the sixteen  
20 voting members other than the chairperson shall be appointed on the  
21 written recommendation of the mayor of the city of New York; one of the  
22 twenty voting members other than the chairperson shall be appointed on

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

LBD01670-01-5

1 the written recommendation of the New York city transit authority advisory  
2 council; one of the twenty voting members other than the chair-  
3 person shall be appointed on the written recommendation of the Metro-  
4 North rail commuter council; one of the twenty voting members other than  
5 the chairperson shall be appointed on the written recommendation of the  
6 Long Island Rail Road commuter's council; one of the twenty voting  
7 members other than the chairperson shall be appointed on the written  
8 recommendation of the commissioner of the New York city mayor's office  
9 for people with disabilities, as such office is defined in section  
10 22-301 of the administrative code of the city of New York, provided that  
11 such commissioner shall consult with disability advisory bodies to the  
12 authority and external disability advocacy organizations when making  
13 such appointment; and each of seven other voting members other than the  
14 chairperson shall be appointed after selection from a written list of  
15 three recommendations from the chief executive officer of the county in  
16 which the particular member is required to reside pursuant to the  
17 provisions of this subdivision. Of the members appointed on recommenda-  
18 tion of the chief executive officer of a county, one such member shall  
19 be, at the time of appointment, a resident of the county of Nassau, one  
20 a resident of the county of Suffolk, one a resident of the county of  
21 Westchester, one a resident of the county of Dutchess, one a resident of  
22 the county of Orange, one a resident of the county of Putnam and one a  
23 resident of the county of Rockland, provided that the term of any member  
24 who is a resident of a county that has withdrawn from the metropolitan  
25 commuter transportation district pursuant to section twelve hundred  
26 seventy-nine-b of this title shall terminate upon the effective date of  
27 such county's withdrawal from such district. Of the five voting members,  
28 other than the chairperson, appointed by the governor without recommen-  
29 dation from any other person, three shall be, at the time of appoint-  
30 ment, residents of the city of New York and two shall be, at the time of  
31 appointment, residents of such city or of any of the aforementioned  
32 counties in the metropolitan commuter transportation district. Provided  
33 however, notwithstanding the foregoing residency requirement, one of the  
34 five voting members appointed by the governor without recommendation  
35 from any other person, other than the chairperson, may be the director  
36 of the New York state division of the budget, and provided further that,  
37 in the event of such appointment, the budget director's membership in  
38 the authority shall be deemed ex-officio. Provided further, one of the  
39 twelve voting members, other than the chairperson, appointed by the  
40 governor without recommendation by any other person, or on the recommen-  
41 dation of the mayor of the city of New York, or of the chief executive  
42 officer of the counties of Westchester, Nassau, or Suffolk shall be a  
43 transit dependent individual. A "transit dependent individual" shall  
44 mean an individual who is limited to public transit as their primary  
45 mode of transportation because the individual has a permanent disabili-  
46 ty, provided that any local or statewide transit advocacy organization  
47 may recommend one or more transit dependent individuals to be considered  
48 for appointment pursuant to this section. The chairperson and each of  
49 the members shall be appointed for a term of six years, provided howev-  
50 er, that the chairperson first appointed shall serve for a term ending  
51 June thirtieth, nineteen hundred eighty-one, provided that thirty days  
52 after the effective date of the chapter of the laws of two thousand nine  
53 which amended this subparagraph, the term of the chairperson shall  
54 expire; provided, further, that such chairperson may continue to  
55 discharge the duties of [~~his or her~~] their office until the position of  
56 chairperson is filled by appointment by the governor upon the advice and

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

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

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

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

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

1 member shall become the non-voting member and the rotation shall contin-  
2 ue until each alternate member has served at least one eighteen month  
3 term as a non-voting member. [~~The transit authority and the commuter~~  
4 ~~railroads shall not be represented concurrently by the two non-voting~~  
5 ~~members during any such eighteen month period.~~]

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

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

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

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

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

50 (ii) Notwithstanding any inconsistent provision of this section, the  
51 term of any [~~chairman~~ chairperson or any voting member shall expire  
52 upon the expiration of the term in office being served by the city or  
53 state elected official upon whose recommendation they were appointed;  
54 provided, however, that in such circumstance the [~~chairman~~ chairperson  
55 or such member may serve as a holdover appointee until such time as a  
56 new [~~chairman~~ chairperson or member is appointed. The term of any

1 [~~chairman~~] chairperson or member appointed to replace such a holdover  
2 appointee shall expire at the end of the term in office of the city or  
3 state elected official upon whose recommendation such [~~chairman~~] chair-  
4 person or member was appointed.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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