**§ 1305. Formulation, filing and adoption of action plan; amendments.** The authority shall formulate an action plan for transportation within the district. In formulating such action plan, the authority shall consult and cooperate with the commissioner, the capital district regional planning commission and the planning authorities in the area of its operations, and shall utilize state, local or regional transportation planning. The authority shall request and use existing studies, plans, surveys, data and other materials completed by or under development by any state agency or municipality or political subdivision of the state. The authority shall file copies of such plan with the commissioner, the capital district regional planning commission, the legislatures of the counties of Albany, Schenectady, Rensselaer and Saratoga, and with the legislative body of any other county within the district affected by such plan, as hereinafter stated, except where applications for state or federal aid have been filed for any particular transportation undertaking prior to the enactment of this legislation. The plan shall contain information regarding the transportation system that the authority intends to provide including information regarding the facilities connected therewith, the services the authority contemplates providing and the estimated costs and the proposed method of financing. During sixty days after the filing of the action plan with the commissioner, the capital district regional planning commission and with the legislative bodies as aforesaid, said plan shall be available for public inspection at the office or offices of the authority and at such other places in the areas affected, within the district, as the authority may designate. Not earlier than thirty days after the filing of said action plan with the commissioner, the capital district regional planning commission and such legislative bodies, a public hearing on said plan shall be held by the authority. Notice of such a hearing shall be given to the commissioner, the capital district regional planning commission, and the legislative bodies as aforesaid and by publication once a week for two weeks prior to the said hearing at the time and place fixed by the authority in newspapers of general circulation within the areas affected, to be selected by the authority. The last publication date shall not be less than five days before said hearing. Within thirty days following said public hearing, the authority shall provide a transcript of such hearing to the commissioner, the capital

district regional planning commission and the legislative bodies as aforesaid, together with any amendments the authority may propose to the action plan. The authority shall request approval of the action plan, including such amendments as the authority may propose, from the commissioner and the aforementioned legislative bodies. Any part of said plan which is disapproved by a county because it alters existing services or the financing thereof within said county shall not become operative. The commissioner may disapprove any part of said plan if he finds that it conflicts with a state-wide comprehensive master plan for transportation or the capital district transportation plan or, in the absence of such plans, would have an adverse effect upon sound transportation development policy and planning. Any part of such plan so disapproved by the commissioner shall not become operative. Disapproval of part or parts of the plan shall not make the entire plan inoperative. If any of such legislative bodies fail to act within sixty days or in the case of the commissioner within ninety days after approval is requested, said failure shall be deemed approval, and the authority may adopt the action plan by a majority vote of its membership and may include changes, if any, recommended by said commissioner, planning commission or said legislative bodies.

The action plan may be amended from time to time in the same manner using the procedures outlined herein for the original adoption, except that a proposed amendment which is recommended by the legislative body or bodies of all the counties affected thereby and approved by the commissioner may be embodied or continued by a majority vote of the authority without additional hearings thereon as required for the amendments proposed to be made.