

Legislative Law Article 5-A (§§82-83) – Legislative Commissions

Legislative Law §83-a. Legislative commission on critical transportation choices.

1. (a) The legislature hereby finds and declares that the economic and social well-being of the people of the state are inextricably linked to the quality of the state's transportation services and that the delivery of that service has grown increasingly expensive for governmental agencies at all levels as well as for individuals and families in the state.

(b) Recent surveys of New York's transportation system indicate that portions of said system are badly in need of rehabilitation and improvement and such surveys warn that the transportation infrastructure may begin to deteriorate rapidly unless action is taken quickly to prevent such deterioration. The transportation systems serving the regions of the state can be characterized as contributing to or having facilitated sprawling and inefficient land use patterns and as a result are also subject to severe dislocations or disruptions of fuel supplies in the future, which will affect appreciably the standard of living of all New York residents and call into question the ability to sustain the system in light of relatively new energy and environmental policy goals.

2. There is hereby created a legislative commission to be known as the legislative commission on critical transportation choices. Such commission shall consist of ten members to be appointed as follows: three members of the senate shall be appointed by the temporary president of the senate; three members of the assembly shall be appointed by the speaker of the assembly; two members of the senate shall be appointed by the minority leader of the senate; and two members of the assembly shall be appointed by the minority leader of the assembly. From among the members as appointed, a chairman and vice chairman shall be appointed jointly by the temporary president of the senate and the speaker of the assembly. Any vacancy that occurs in the chairmanship, vice chairmanship or other membership of the commission shall be filled in the same manner in which the original appointment was made. No member, officer, or employee of the commission shall be disqualified from holding any other public office or employment, nor shall he forfeit any such office or employment by reason of his appointment hereunder, notwithstanding the provisions of any general, special, or local law, ordinance, or city charter.

3. The commission hereby created shall have the power to: (a) recommend a statewide plan of action to meet critical transportation needs within the state; (b) assess the transportation needs of localities with respect to various modes of moving people and goods and their energy efficiency and environmental sustainability thereof; (c) evaluate probable impact of energy shortages on the ability to sustain the various modes of transportation; (d) identify and study long-term transportation needs under attenuated energy supplies and new environmental policy objectives; (e) assess impact of federal and state regulations on transportation systems; (f) evaluate the impact of public projects on existing transportation networks; (g) study and assess the future of commercial and private air service and make recommendations for the preservation and improvement of such service; (h) undertake research and develop proposals in

connection with the development of ports, free trade zones, transportation hubs and facilities related thereto; (i) undertake research and develop proposals in connection with safety and safety related programs in the various transportation modes; (j) evaluate the short-term and long-term capital needs and operating assistance requirements of the state's public transit systems; (k) identify and study potential revenue sources for the dedicated highway and bridge trust fund; (l) cooperate with local, state and federal officials in the analysis of possible changes in rules, regulations and laws relating to transportation; (m) assess the relationship between transportation, the environment and long term, sustainable economic development; (n) research and evaluate proposals related to the federal, state and local government organizational environment with respect to planning, design and construction of transportation programs, projects and services; and (o) evaluate the transportation system in light of the current social, economic and environmental regulatory climate including but not limited to energy efficiency, air quality, quality communities or smart growth objectives, environmental justice, sustainability and costs per household.

4. The commission may employ and at pleasure remove such personnel as it may deem necessary for the performance of the commission's functions and fix their compensation within the amount appropriated therefore. The commission may hold public and private hearings and otherwise have all of the powers of a legislative committee under this chapter. The members of the commission shall receive no compensation for their services but shall be allowed their actual and necessary expenses incurred in the performance of their duties hereunder.

5. Employees of the commission shall be considered to be employees of the legislature for all purposes.

6. The commission may request and shall receive from any subdivision, department, board, bureau, commission, office, agency or other instrumentality of the state or of any political subdivision thereof, such facilities, assistance and data as it deems necessary or desirable for the proper execution of its powers and duties.

7. The commission is hereby authorized and empowered to make and sign any agreements, and to do and perform any acts that may be necessary, desirable or proper to carry out the purposes and objectives of this section.