

689

2013-2014 Regular Sessions

I N S E N A T E

(PREFILED)

January 9, 2013

Introduced by Sen. AVELLA -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions

AN ACT to amend chapter 154 of the laws of 1921, relating to the port authority of New York and New Jersey, in relation to requiring a noise and land use compatibility study

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Section 1 of chapter 154 of the laws of 1921, relating to
2 the port authority of New York and New Jersey, is amended by adding a
3 new article 15-B to read as follows:

4 ARTICLE XV-B

5 1. THE PORT AUTHORITY SHALL CONDUCT A NOISE AND LAND USE COMPATIBILITY
6 STUDY. SUCH STUDY SHALL BE CONDUCTED IN THE MANNER OUTLINED BY FEDERAL
7 AVIATION REGULATIONS, AS SET FORTH IN 14 CODE OF FEDERAL REGULATIONS
8 PART 150, AND SHALL RECOMMEND OPERATIONAL AND LAND USE MEASURES TO
9 IMPROVE THE COMPATIBILITY OF AIR TERMINALS WITH SURROUNDING LAND USES,
10 OR SUCH STUDY SHALL RESULT IN SUFFICIENT DETAIL TO SUPPORT A REQUEST FOR
11 NOISE MITIGATION FUNDING TO BE USED BY THE PORT AUTHORITY TO NOISE INSU-
12 LATE HOMES IMPACTED BY OPERATIONS AT AIRPORTS UNDER THE CONTROL OF THE
13 PORT AUTHORITY.

14 2. THE PORT AUTHORITY SHALL SUBMIT TO THE GOVERNORS AND THE LEGISLA-
15 TURES OF EACH STATE A REPORT DETAILING THE PORT AUTHORITY'S FINDINGS
16 PURSUANT TO THE STUDY REQUIRED BY THIS ARTICLE. THE PORT AUTHORITY SHALL
17 MAKE SUCH REPORT AVAILABLE TO THE PUBLIC BY JUNE FIRST, TWO THOUSAND
18 FOURTEEN.

19 3. THE PORT AUTHORITY SHALL HOLD BIENNIAL PUBLIC HEARINGS, AT WHICH
20 MEMBERS OF THE PUBLIC SHALL HAVE THE RIGHT TO BE HEARD REGARDING THE
21 IDENTIFICATION OF AIRCRAFT NOISE ISSUES. SUCH PUBLIC HEARINGS SHALL BE
22 HELD IN THE COUNTIES OF KINGS, QUEENS AND NASSAU, STATE OF NEW YORK, AND

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

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1 IN THE COUNTIES OF UNION AND ESSEX, STATE OF NEW JERSEY, AND SHALL BE
2 ATTENDED BY AT LEAST ONE COMMISSIONER APPOINTED BY EACH STATE. THE PORT
3 AUTHORITY SHALL DEVELOP AMENDMENTS AND CHANGES TO THE REPORT REQUIRED BY
4 THIS ARTICLE, AS MAY BE NECESSARY AND PRACTICABLE TO ADDRESS PUBLIC
5 INPUT.

6 S 2. This act shall take effect upon the enactment into law by the
7 state of New Jersey of legislation having an identical effect with this
8 act, but if the state of New Jersey shall have already enacted such
9 legislation this act shall take effect immediately. The chairman of the
10 port authority of New York and New Jersey shall notify the legislative
11 bill drafting commission upon the occurrence of the enactment of article
12 15-B of chapter 154 of the laws of 1921 in order that the commission may
13 maintain an accurate and timely effective data base of the official text
14 of the laws of the state of New York in furtherance of effecting the
15 provisions of section 44 of the legislative law and section 70-b of the
16 public officers law.