S T A T E O F N E W Y O R K

9051--A

2009-2010 Regular Sessions

I N A S S E M B L Y

June 22, 2009

Introduced by M. of A. SKARTADOS, BRODSKY, CHRISTENSEN, CAHILL, REILLY, GOTTFRIED, GALEF, KOON -- Multi-Sponsored by -- M. of A. BACALLES, BARRON, BOYLAND, CROUCH, FINCH, GLICK, McENENY, J. MILLER, MOLINARO -- (at request of the Governor) -- read once and referred to the Committee on Corporations, Authorities and Commissions -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public authorities law, in relation to the powers of the New York state bridge authority

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

Section 1. Legislative findings and declaration. The legislature hereby finds that Poughkeepsie-Highland railroad bridge played an important role in the cultural and economic development of the state; that the bridge was superbly designed and constructed and properly maintained; that the bridge is listed on the state and national registers of historic places; that the continued integrity of the superstructure is necessary to protect public safety, the Franklin Delano Roosevelt Mid-Hudson bridge located one-quarter mile downstream, and the commercial and recreational vessel traffic of the Hudson river; that the deck of the bridge should serve as a recreational asset to the people of the state and provide a connection to existing and future Hudson valley trails; that the preservation of the bridge will provide an alternative route for emergency vehicles in the event of closure or blockage of the Franklin Delano Roosevelt Mid-Hudson bridge; that the preservation of the bridge will contribute to tourism and economic development within the region; and that the preservation of the bridge to be known as the walkway over the Hudson should be a legacy of the Hudson-Fulton-Champlain Quadricentennial commemoration. Therefore, the legislature declares the acquisition and preservation of the Poughkeepsie-Highland railroad

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

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bridge, which will be known as the walkway over the Hudson bridge, to be a public purpose.

S 2. Section 526 of the public authorities law is amended by adding a new subdivision 7-b to read as follows:

7-B. THE TERM "WALKWAY OVER THE HUDSON BRIDGE" SHALL BE DEEMED TO MEAN THE POUGHKEEPSIE-HIGHLAND RAILROAD BRIDGE WHICH WAS CONSTRUCTED ACROSS THE HUDSON RIVER NORTH OF THE FRANKLIN DELANO ROOSEVELT MID-HUDSON BRIDGE.

S 3. Subdivision 9 of section 526 of the public authorities law, as amended by chapter 698 of the laws of 1994, is amended to read as follows:

9. The term "bridges" shall be deemed to mean collectively Mid-Hudson bridge, Rip Van Winkle bridge, Bear Mountain bridge, Kingston-Rhinecliff bridge, both spans of the Hamilton Fish Newburgh-Beacon bridge, WALKWAY OVER THE HUDSON BRIDGE, and incidental roads, approaches, structures and facilities;

S 4. Subdivision 1-a of section 528 of the public authorities law, as amended by chapter 420 of the laws of 1968, is amended to read as follows:

1-a. To hold in the name of the state any real property acquired for its corporate purposes and, with the approval of the commissioner, to sell, lease, exchange, or otherwise dispose of any real property or rights or easements therein, heretofore or hereafter acquired pursuant to the "state bridge authority act", determined by it to be not necessary for its corporate purposes, AND SHALL ACCEPT OWNERSHIP OF THE WALKWAY OVER THE HUDSON BRIDGE IN THE NAME OF THE STATE, AND ACQUIRE SUCH INCIDENTAL ROADS, APPROACHES, STRUCTURES AND FACILITIES AS MAY BE NECESSARY.

S 5. Section 528 of the public authorities law is amended by adding a new subdivision 1-b to read as follows:

1-B. TO ACCEPT FROM ANY PERSON GIFTS OF MONEY OR PROPERTY FOR ITS CORPORATE PURPOSES.

S 6. Subdivision 8 of section 528 of the public authorities law, as amended by chapter 698 of the laws of 1994, is amended to read as follows:

8. To charge tolls for the use of the bridges, WITH THE EXCEPTION OF THE WALKWAY OVER THE HUDSON BRIDGE, subject to and in accordance with such agreements with bondholders and noteholders as may be made as hereinafter provided, except, however, that subject to such agreements the rates of tolls charged on the Franklin Delano Roosevelt Mid-Hudson bridge, the Kingston Rhinecliff bridge, the Bear Mountain bridge, the Rip Van Winkle bridge, and the Hamilton Fish Newburgh-Beacon bridge shall be the same.

S 7. Section 528 of the public authorities law is amended by adding a new subdivision 17 to read as follows:

17. TO ENTER INTO A LEASE OR OPERATING AGREEMENT, FOR A PERIOD NOT TO EXCEED NINETY-NINE YEARS, WITH THE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION FOR ALL OR A PORTION OF THE WALKWAY OVER THE HUDSON BRIDGE FOR THE PURPOSE OF A STATE PARK. SUCH AGREEMENT MAY ASSIGN OR ALLOCATE RESPONSIBILITY FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, REPLACEMENT AND MANAGEMENT OF THE DECK AND APPROACHES AND STRUCTURES PROVIDING PUBLIC ACCESS TO THE STATE PARK, BUT THE AUTHORITY SHALL RETAIN RESPONSIBILITY FOR MAINTAINING THE SUPERSTRUCTURE OF THE WALKWAY OVER THE HUDSON BRIDGE. THE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION IS AUTHORIZED TO ENTER INTO SUCH AGREEMENT, WHICH MAY INCLUDE THE INSTALLATION AND MAINTENANCE BY THE OFFICE OF PARKS, RECRE-

ATION AND HISTORIC PRESERVATION OF ANY PERSONAL PROPERTY AND EQUIPMENT USED IN CONNECTION THEREWITH. THE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION SHALL PROPOSE IN ITS ANNUAL BUDGET AN AMOUNT FOR ALL COSTS AND OBLIGATIONS UNDER SUCH AGREEMENT AND THESE COSTS MAY BE SUPPLEMENTED BY PRIVATE DONATIONS.

S 8. Subdivision 2 of section 529 of the public authorities law, as amended by chapter 516 of the laws of 1980, is amended to read as follows:

2. Notwithstanding the provisions of any other law, the board of supervisors of any county, the town board of any town, THE COMMON OR CITY COUNCIL OF ANY CITY, or the trustees of any village, without any election or meeting of the taxpayers or voters or other authorization, is hereby authorized to dedicate to the state for any of the bridges or for highway connections, any real property, easements or rights in land owned by such county, town, CITY or village which the authority may deem necessary.

S 9. This act shall take effect immediately.