

4219

2009-2010 Regular Sessions

I N   A S S E M B L Y

February 2, 2009

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Introduced by M. of A. BRODSKY, PAULIN -- Multi-Sponsored by -- M. of A. CANESTRARI, COLTON, COOK, CYMBROWITZ, GLICK, GREENE, HIKIND, McENENY, PERRY, SWEENEY -- read once and referred to the Committee on Transportation

AN ACT to amend the transportation law, in relation to the erection of certain towers on special parkway lands

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

1     Section 1. The transportation law is amended by adding a new section  
2     71-a to read as follows:  
3     S 71-A. SPECIAL PARKWAYS; ERECTION OF TOWERS. NOTWITHSTANDING ANY  
4     INCONSISTENT PROVISION OF LAW, THE COMMISSIONER SHALL NOT ERECT, CAUSE  
5     OR PERMIT TO BE ERECTED, GRANT EASEMENTS OR LICENSES FOR, OR OTHERWISE  
6     FACILITATE THE ERECTION OF, ANY TOWER, INCLUDING BUT NOT LIMITED TO ANY  
7     TOWER USED FOR TELECOMMUNICATIONS, CELLULAR TELEPHONE, POLICE, OR OTHER  
8     EMERGENCY OR PUBLIC SERVICES COMMUNICATIONS, SATELLITE COMMUNICATIONS,  
9     OR DIGITAL OR PCS COMMUNICATIONS, ON LANDS OF ANY SPECIAL PARKWAY WITH-  
10    OUT THE CONSENT OF THE CITY, TOWN, OR VILLAGE IN WHICH SUCH LANDS ARE  
11    LOCATED. ANY SUCH USE SHALL CONFORM IN ALL RESPECTS TO ANY AND ALL LOCAL  
12    LAWS, ORDINANCES, RESOLUTIONS, RULES, AND REGULATIONS.  
13    S 2. This act shall take effect immediately.

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

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