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

6482

2009-2010 Regular Sessions

I N A S S E M B L Y

March 4, 2009

Introduced by M. of A. TOWNS, WALKER, JAFFEE, ROBINSON, CARROZZA, N. RIVERA -- Multi-Sponsored by -- M. of A. BACALLES, BRENNAN, CAMARA, DIAZ, GUNTHER, HOOPER, KOLB, KOON, McDONOUGH, REILLY, J. RIVERA, TITONE, WEISENBERG -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, the environmental conservation law and the highway law, in relation to memorializing Robert F. Kennedy, Dr. Martin Luther King, Jr. and Dr. Pedro Albizu Campos by renaming certain spans of the Triborough bridge after such men

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

Section 1. Legislative findings and intent. The legislature hereby recognizes Robert F. Kennedy by naming after him a span of the Triborough bridge, as a tribute befitting his historic contribution to the state of New York and the nation. Robert F. Kennedy represented the state of New York in the United States Senate with great distinction, from 1965 until his untimely death in 1968, working tirelessly to improve the lives of New Yorkers, fighting poverty and advancing the civil rights movement. The state of New York and our entire nation were further enriched by Robert F. Kennedy's prior service as the sixty-fourth Attorney General of the United States, and trusted advisor to the President. Common throughout his many works was an effort to bridge the gaps among persons of diverse racial, ethnic and economic backgrounds. Accordingly, the legislature hereby names the span of the Triborough bridge which stretches over the East river from the borough of Queens to Ward's Island the Robert F. Kennedy bridge.

The legislature further recognizes Dr. Martin Luther King, Jr., in this fortieth year following his tragic assassination, by naming after him a span of the Triborough bridge, as a tribute befitting his historic contributions to the nation. Dr. King worked tirelessly to improve the lives of the citizens of this country, fighting segregation and discrim-

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

LBD08047-01-9

ination through non-violent protest and advancing the civil rights movement, until his untimely death in 1968. The state of New York and our entire nation were enriched by Dr. King's dedication, example and sacrifices. Common throughout his many works was an effort to bridge the gaps among persons of diverse racial, ethnic and economic backgrounds. Accordingly, the legislature hereby names the span of the Triborough bridge which stretches from Randall's Island to Manhattan the Dr. Martin Luther King, Jr. bridge.

The legislature also hereby recognizes Dr. Pedro Albizu Campos, by naming after him a span of the Triborough bridge, as a tribute befitting his historic contributions to the nation of Puerto Rico. Dr. Albizu Campos, the most prominent Puerto Rican political figure of the 20th century, was instrumental in Puerto Rico's fight for independence until his death in 1965. Accordingly, the legislature hereby names the span of the Triborough bridge which stretches from Randall's Island to the Bronx the Dr. Pedro Albizu Campos bridge.

S 2. Paragraph (a) of subdivision 9 of section 553 of the public authorities law, as amended by chapter 453 of the laws of 2008, is amended to read as follows:

(a) [a bridge] THREE BRIDGES heretofore constructed[, known as Robert F. Kennedy bridge,] over the East river from the borough of Queens to [the boroughs of Manhattan and the Bronx, over and across] Ward's island [and Randall's island in said river] SHALL BE KNOWN AS THE ROBERT F. KENNEDY BRIDGE; OVER THE EAST RIVER FROM RANDALL'S ISLAND IN SAID RIVER TO THE BOROUGH OF MANHATTAN, SHALL BE KNOWN AS THE DR. MARTIN LUTHER KING, JR. BRIDGE; AND OVER THE BRONX KILL FROM RANDALL'S ISLAND IN SAID RIVER TO THE BOROUGH OF THE BRONX, SHALL BE KNOWN AS THE DR. PEDRO ALBIZU CAMPOS BRIDGE, together with such incidental bridges and structures as shall be necessary or convenient in order to give access from the [bridge] BRIDGES to both of said islands, together with approaches to said bridges (herein collectively referred to as the "[Robert F. Kennedy] TRIBUTE bridge project"); and

S 3. Paragraphs (a) and (b) of subdivision 10 of section 553 of the public authorities law, as amended by chapter 453 of the laws of 2008, are amended to read as follows:

(a) in the case of the [Robert F. Kennedy] TRIBUTE bridge project and the Whitestone bridge project to pay to the city not exceeding thirty-five per centum of the cost (including awards for damages and expenses) of the acquisition of land for the widening of existing roads, streets, parkways or avenues and for new roads, streets, parkways or avenues, connecting with the approaches.

(b) to purchase from the persons, partnerships, associations or corporations who were the owners of any land acquired for the widening of existing roads, streets, parkways or avenues or for new roads, streets, parkways or avenues connecting with the approaches or of any interest in such land at the date title to such land was vested in the city in any proceeding heretofore or hereafter instituted for the acquisition thereof by condemnation, or from their successors in interest or legal representatives, their right, title, interest and/or claim in and to the award or awards or any part thereof to be made in such proceeding after the date of such purchase, and to take an assignment thereof to the authority, provided, however, that in the case of the [Robert F. Kennedy] TRIBUTE bridge project and the Whitestone bridge project the aggregate amount expended by the authority on account of all such purchases together with the aggregate amount paid to the city in accordance with paragraph (a) of this subdivision, shall not exceed thirty-five per

centum of the cost (including awards for damages and expenses) of the acquisition of land for the widening of existing roads, streets, parkways or avenues, and for new roads, streets, parkways or avenues, connecting with the approaches,

S 4. Subdivision 2 of section 563 of the public authorities law, as amended by chapter 453 of the laws of 2008, is amended to read as follows:

2. The state of New York does covenant and agree with the holders of any bonds issued after January first, nineteen hundred forty that no tunnel, bridge, parkway, causeway, street, road, highway or other connection for vehicular traffic (other than one of the projects), which will be competitive with the [Robert F. Kennedy] TRIBUTE bridge project or the Whitestone bridge project or the Throgs Neck bridge project or the Marine parkway bridge project or the Cross Bay parkway bridge project will be constructed or maintained until the bonds together with interest thereon, interest on any unpaid installments of interest, and all costs and expenses in connection with any action or proceedings by or on behalf of the bondholders, are fully met and discharged; provided that a tunnel, bridge, parkway, causeway, street, road, highway or other connection for vehicular traffic shall be considered as competitive with the [Robert F. Kennedy] TRIBUTE bridge project or Whitestone bridge project or the Throgs Neck bridge project only if it shall form a connection for vehicular traffic over, under, or across the East river north of an extension to the east of the center line of Seventy-third street in the borough of Manhattan, and shall be considered as competitive with the Marine parkway bridge project or Cross Bay parkway bridge project only if such tunnel, bridge, parkway, causeway, street, road, highway or other connection for vehicular traffic shall form a connection for vehicular traffic with Rockaway peninsula across any part of the waters of Jamaica bay or Rockaway inlet west of seventy-three degrees, forty-six minutes of west longitude. The covenant herein contained restricting competitive traffic connections with any project or projects shall be only for the benefit of the holders of bonds secured in whole or in part by the pledge of the revenues of such project or projects. All covenants of the state made with the holders of bonds issued before January first, nineteen hundred and forty, are hereby confirmed and shall not be affected hereby.

S 5. Subdivision 4 of section 13-0341 of the environmental conservation law, as amended by chapter 453 of the laws of 2008, is amended to read as follows:

4. In the Harlem River and the East River east of the Robert F. Kennedy [Bridge], DR. MARTIN LUTHER KING, JR. AND DR. PEDRO ALBIZU CAMPOS BRIDGES and in Long Island Sound west of a line drawn from Hewlett's (King's) Point to the north end of Hart Island, thence to the south end of Glen Island, and in their adjacent bays, coves, creeks and confluent waters.

S 6. Subdivision 3 of section 13-0343 of the environmental conservation law, as amended by chapter 453 of the laws of 2008, is amended to read as follows:

3. In the Harlem River and the East River east of the Robert F. Kennedy [Bridge], DR. MARTIN LUTHER KING, JR. AND DR. PEDRO ALBIZU CAMPOS BRIDGES and in Long Island Sound west of a line drawn from Hewlett's (King's) Point to the north end of Hart Island, thence to the south end of Glen Island, and in their adjacent bays, coves, creeks and confluent waters, only such nets as are used to take lobsters or crabs may be used.

S 7. Subdivision 6 of section 13-0347 of the environmental conservation law, as amended by chapter 453 of the laws of 2008, is amended to read as follows:

6. In all waters from the Robert F. Kennedy [bridge], DR. MARTIN LUTHER KING, JR. AND DR. PEDRO ALBIZU CAMPOS BRIDGES west through the East River, Harlem River and those portions of the Hudson River south of the George Washington bridge to a line drawn from Rockaway Point to Romer Shoals lighthouse, no person shall use a net to take fish, except that landing nets and nets of not more than 10 feet in length, operated by hand, may be used to take bait and shrimp, and cast nets may be used to take Atlantic menhaden and mullets as provided in subdivision one of section 13-0343 of this title.

S 8. The paragraph relating to interstate route connection 512 of section 340-a of the highway law, as amended by chapter 453 of the laws of 2008, is amended to read as follows:

Interstate Route Connection 512. Staten Island expressway from Goethals bridge approach to Verrazano-Narrows bridge approach, Brooklyn-Queens expressway from Verrazano-Narrows bridge approach to Grand Central parkway, Grand Central parkway from Brooklyn-Queens expressway to [Robert F. Kennedy] THE DR. PEDRO ALBIZU CAMPOS bridge approach, Major Deegan expressway from Robert F. Kennedy bridge approach to the Westchester county line connecting with interstate route 502.

S 9. The paragraph relating to interstate route connection 516 of section 340-a of the highway law, as amended by chapter 453 of the laws of 2008, is amended to read as follows:

Interstate Route Connection 516. Bruckner expressway from [Robert F. Kennedy] DR. PEDRO ALBIZU CAMPOS bridge approach to Cross-Bronx expressway.

S 10. Section 349-f of the highway law, as amended by chapter 453 of the laws of 2008, is amended to read as follows:

S 349-f. New York city routes. The following existing or proposed main routes or thoroughfares, are designated herein, as aforesaid, viz.:

New England thruway from the Westchester county line to Bruckner expressway; Bruckner expressway from New England thruway to [Robert F. Kennedy] DR. PEDRO ALBIZU CAMPOS bridge approach; Hutchinson river parkway from the Westchester county line to the Bronx-Whitestone bridge approach; Bronx river parkway from the Westchester county line to Bruckner expressway; Henry Hudson parkway from the Westchester county line to Miller highway excepting the Henry Hudson bridge, provided that no portion of this route from West Seventy-second street to the Cross Bronx expressway shall be constructed or reconstructed so as to encroach in any way on or over any land mapped or used for park purposes except for such temporary encroachment of no more than ten feet in width from seventy-third street to seventy-sixth street as may be essential during and for the purpose of reconstruction or repair of the existing roadway following which there shall be full restoration of park land; Major Deegan expressway from the [Robert F. Kennedy] DR. PEDRO ALBIZU CAMPOS bridge to Central Park avenue at the Westchester county line together with a connection to Broadway and along Broadway to Manhattan college parkway; Cross Bronx expressway from George Washington bridge approach to Throgs Neck bridge; Throgs Neck expressway from Bruckner expressway to Throgs Neck bridge; Arthur V. Sheridan expressway from Cross-Bronx expressway to Bruckner expressway; Mosholu parkway from Henry Hudson parkway to Bronx river parkway; Bronx and Pelham parkway from Bronx river parkway to New England thruway; Boston road from Bronx and Pelham parkway to New England thruway; Miller highway from Henry Hudson parkway

to the Brooklyn Battery tunnel; and from Brooklyn Battery tunnel to Brooklyn-Queens expressway; Franklin D. Roosevelt drive from the Brooklyn Battery tunnel to [Robert F. Kennedy] THE DR. MARTIN LUTHER KING, JR. bridge approach; Harlem river drive from [Robert F. Kennedy] THE DR. MARTIN LUTHER KING, JR. bridge approach to George Washington bridge approach; Belt parkway including Gowanus parkway to Third avenue and Sixtieth street, Leif Erikson drive to Knapp street, Shore parkway, Belt parkway, Southern parkway and Cross Island parkway from Brooklyn Battery tunnel to Bronx-Whitestone bridge approach; Nassau expressway from Southern parkway to the Nassau county line; Brooklyn-Queens expressway from Gowanus expressway to Grand Central parkway; Prospect expressway from Gowanus expressway to Ocean parkway; Ocean parkway from Prospect expressway to Shore parkway; Interborough parkway from Grand Central Parkway to Belt parkway; Gowanus expressway from the Verrazano-Narrows bridge to Third avenue at Gowanus parkway; Third Avenue from Gowanus expressway to Hamilton avenue; Hamilton Avenue from Third Avenue to Brooklyn Battery tunnel; Queens boulevard from Queensborough bridge approach to Van Wyck expressway; Van Wyck expressway from Whitestone expressway, including a connection to Grand Central parkway, to John F. Kennedy international airport; Woodhaven boulevard from Queens boulevard to Cross Bay parkway bridge northerly approach; Cross Bay parkway from Cross Bay bridge southerly approach to Short Front parkway; Shore Front parkway from Cross Bay parkway generally along the shore line of the Atlantic ocean to the Nassau expressway at the Nassau county line; Queens-Midtown expressway from Queens-Midtown tunnel approach to Queens Boulevard; Horace Harding expressway from Queens Boulevard to the Nassau county line; a connection between Brooklyn-Queens expressway and Northern boulevard in the vicinity of Grand Central parkway; Grand Central parkway from Robert F. Kennedy bridge approach to Nassau county line; Whitestone expressway from Bronx-Whitestone bridge approach to Van Wyck expressway and continuing to Grand Central parkway; Clearview expressway from Throgs Neck bridge to Nassau expressway; Richmond parkway from Staten Island expressway to Outerbridge crossing approach; Staten Island expressway from Goethals bridge to the Verrazano-Narrows bridge with a connection to Bayonne bridge; Willowbrook parkway from Staten Island expressway to Great Kills park; West Shore expressway from Staten Island expressway to Outerbridge crossing; Shore Front drive northerly from the terminus of West Shore expressway at Staten Island expressway, thence generally along the shore lines of Kill Van Kull, the Narrows, Lower New York bay and Raritan bay to the approach to Outerbridge crossing.

S 11. Terms occurring in laws, regulations, contracts and other documents. Whenever Triborough bridge is referred to or designated in any law, regulation, contract or document, such reference or designation shall be deemed to refer to the Robert F. Kennedy, Dr. Martin Luther King, Jr. and Dr. Pedro Albizu Campos bridges, collectively, and no such laws, regulations, contracts or other documents shall be thereby impaired in any way.

S 12. The New York state department of transportation, the New York city department of transportation and the Triborough bridge and tunnel authority shall provide for the installation and maintenance of adequate signage in conformance with paragraph (a) of subdivision 9 of section 553 of the public authorities law, as amended by section two of this act within such time and in such manner as they shall deem appropriate.

S 13. This act shall take effect immediately.