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

2902

2009-2010 Regular Sessions

I N S E N A T E

March 5, 2009

Introduced by Sen. MAZIARZ -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the public authorities law and the highway law, in relation to removing the Niagara section of the New York state thruway from the control of the thruway authority and to putting the Niagara section of the New York state thruway under the control of the department of transportation; and to repeal certain provisions of the public authorities law and the highway law relating thereto

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

Section 1. Subdivision 8 of section 356 of the public authorities law is REPEALED and subdivision 9 is renumbered subdivision 8.

S 2. Subdivision 4 of section 356-a of the public authorities law is REPEALED and subdivision 5, as added by chapter 741 of the laws of 1957, is amended to read as follows:

[5] 4. The thruway constructed along the route described in subdivision [nine] EIGHT of section three hundred fifty-six of this article shall be known as "The Algonquin Path".

S 3. Subdivision 6 of section 349-a of the highway law is REPEALED and subdivisions 7, 8 and 9 are renumbered subdivisions 6, 7 and 8.

S 4. The highway law is amended by adding a new section 341-b to read as follows:

S 341-B. ACCEPTANCE OF A BRIDGE AND HIGHWAY AS PART OF THE STATE HIGHWAY SYSTEM. THE STATE HEREBY ACCEPTS AS A PART OF THE SYSTEM OF STATE HIGHWAYS A CERTAIN BRIDGE AND HIGHWAY STARTING AT THE JUNCTION OF THE ERIE AND THE ONTARIO SECTIONS OF THE THRUWAY AT A POINT IN THE VICINITY OF THE CROSSING OF DINGENS STREET AND THE LEHIGH VALLEY RAILROAD IN THE TOWN OF CHEEKTOWAGA, THENCE GENERALLY IN A WESTERLY DIRECTION TO ERIE STREET IN THE CITY OF BUFFALO, THENCE CONTINUING IN A GENERAL NORTHWESTERLY DIRECTION TO THE FRONT, THENCE THROUGH THE FRONT AND NORTH BETWEEN NIAGARA STREET AND THE SHIP CANAL TO THE RIGHT OF WAY OF THE ABANDONED

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

LBD02869-01-9

ERIE CANAL NEAR THE NORTHERN END OF SUCH SHIP CANAL, THENCE GENERALLY ALONG SUCH RIGHT OF WAY, DEVIATING THEREFROM TO MAKE A CONNECTION WITH THE EASTERLY APPROACH OF THE SOUTH GRAND ISLAND BRIDGE, THENCE ACROSS THE NIAGARA RIVER, UTILIZING THE EXISTING SOUTH GRAND ISLAND, THENCE ALONG OR PARALLEL TO EXISTING GRAND ISLAND BOULEVARD, ACROSS THE NIAGARA RIVER, UTILIZING THE EXISTING NORTH GRAND ISLAND BRIDGE AND SUCH BRIDGE AND HIGHWAY SHALL HEREAFTER BE A PART OF SUCH SYSTEM, SUBJECT TO THE SUPERVISION AND CONTROL OF THE COMMISSIONER OF TRANSPORTATION, AND BE HEREAFTER MAINTAINED, REPAIRED OR RECONSTRUCTED SOLELY AT THE EXPENSE OF THE STATE, NOTWITHSTANDING THE PROVISIONS OF ANY OTHER PROVISION OF LAW.

THE AFORESAID HIGHWAY SHALL BE UNDER THE JURISDICTION OF THE COMMISSIONER OF TRANSPORTATION AND IN ANY FUTURE IMPROVEMENT SHALL BE ELIGIBLE FOR FEDERAL AID IN THE SAME MANNER AS ANY OTHER STATE HIGHWAY OR BRIDGE.

S 5. This act shall take effect on the one hundred twentieth day after it shall have become a law; provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such date.