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

312

2009-2010 Regular Sessions

I N S E N A T E

(PREFILED)

January 7, 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, in relation to acquisition of property by the Niagara frontier transportation authority

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

Section 1. Subdivision 1 of section 1299-g of the public authorities law, as added by chapter 717 of the laws of 1967, is amended to read as follows:

1. In addition to the powers provided in section twelve hundred ninety-nine-f of this title to acquire transportation facilities, equipment and real property, the authority may acquire, by condemnation pursuant to the condemnation law, any real property it may deem necessary, convenient or desirable to effectuate the purpose of this title, provided however, that any such condemnation proceedings shall be brought only in the supreme court and the compensation to be paid shall be ascertained and determined by the court without a jury. Notwithstanding the foregoing provisions of this subdivision one, NO REAL PROPERTY SHALL BE ACQUIRED BY THE AUTHORITY BY PURCHASE, GIFT, CONDEMNATION, OR BY ANY OTHER MEANS UNLESS THE AUTHORITY SHALL HAVE GIVEN WRITTEN NOTICE TO THE CITY, VILLAGE OR TOWN IN WHICH SUCH REAL PROPERTY IS LOCATED NOT LESS THAN THIRTY DAYS PRIOR TO ANY ACQUISITION, OR PRIOR TO ANY AGREEMENT TO MAKE SUCH AN ACQUISITION, WHICHEVER IS EARLIER, AND no real property may be acquired by the authority by condemnation for purposes other than a transportation facility unless the governing body of the city, village or town in which such real property is located shall first consent to such condemnation.

S 2. This act shall take effect immediately and shall apply to any acquisition of real property transaction occurring on or after such effective date.

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

LBD00872-01-9