

6019

2009-2010 Regular Sessions

I N S E N A T E

June 19, 2009

Introduced by COMMITTEE ON RULES -- (at request of the Governor) -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

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:

1 Section 1. Legislative findings and declaration. The legislature here-
2 by finds that Poughkeepsie-Highland railroad bridge played an important
3 role in the cultural and economic development of the state; that the
4 bridge was superbly designed and constructed and properly maintained;
5 that the bridge is listed on the state and national registers of histor-
6 ic places; that the continued integrity of the superstructure is neces-
7 sary to protect public safety, the Franklin Delano Roosevelt Mid-Hudson
8 bridge located one-quarter mile downstream, and the commercial and
9 recreational vessel traffic of the Hudson river; that the deck of the
10 bridge should serve as a recreational asset to the people of the state
11 and provide a connection to existing and future Hudson valley trails;
12 that the preservation of the bridge will provide an alternative route
13 for emergency vehicles in the event of closure or blockage of the Frank-
14 lin Delano Roosevelt Mid-Hudson bridge; that the preservation of the
15 bridge will contribute to tourism and economic development within the
16 region; and that the preservation of the bridge to be known as the walk-
17 way over the Hudson should be a legacy of the Hudson-Fulton-Champlain
18 Quadricentennial commemoration. Therefore, the legislature declares the
19 acquisition and preservation of the Poughkeepsie-Highland railroad
20 bridge, which will be known as the walkway over the Hudson bridge, to be
21 a public purpose.

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

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

LBD12108-02-9

1 7-B. THE TERM "WALKWAY OVER THE HUDSON BRIDGE" SHALL BE DEEMED TO MEAN
2 THE POUGHKEEPSIE-HIGHLAND RAILROAD BRIDGE WHICH WAS CONSTRUCTED ACROSS
3 THE HUDSON RIVER NORTH OF THE FRANKLIN DELANO ROOSEVELT MID-HUDSON
4 BRIDGE.

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

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

13 S 4. Section 528 of the public authorities law is amended by adding a
14 new subdivision 1-b to read as follows:

15 1-B. TO ACCEPT OWNERSHIP OF THE WALKWAY OVER THE HUDSON BRIDGE IN THE
16 NAME OF THE STATE, AND TO ACQUIRE SUCH INCIDENTAL ROADS, APPROACHES,
17 STRUCTURES AND FACILITIES AS MAY BE NECESSARY.

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

20 1-C. TO ACCEPT FROM ANY PERSON GIFTS OF MONEY OR PROPERTY FOR ITS
21 CORPORATE PURPOSES.

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

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

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

35 17. TO ENTER INTO A LEASE OR OPERATING AGREEMENT, FOR A PERIOD NOT TO
36 EXCEED NINETY-NINE YEARS, WITH THE OFFICE OF PARKS, RECREATION AND
37 HISTORIC PRESERVATION FOR ALL OR A PORTION OF THE WALKWAY OVER THE
38 HUDSON BRIDGE FOR THE PURPOSE OF A STATE PARK. SUCH AGREEMENT MAY ASSIGN
39 OR ALLOCATE RESPONSIBILITY FOR THE CONSTRUCTION, OPERATION, MAINTENANCE,
40 REPLACEMENT AND MANAGEMENT OF THE DECK AND APPROACHES AND STRUCTURES
41 PROVIDING PUBLIC ACCESS TO THE STATE PARK, BUT THE AUTHORITY SHALL
42 RETAIN RESPONSIBILITY FOR MAINTAINING THE SUPERSTRUCTURE OF THE WALKWAY
43 OVER THE HUDSON BRIDGE. THE OFFICE OF PARKS, RECREATION AND HISTORIC
44 PRESERVATION IS AUTHORIZED TO ENTER INTO SUCH AGREEMENT, WHICH MAY
45 INCLUDE THE INSTALLATION AND MAINTENANCE BY THE OFFICE OF PARKS, RECRE-
46 ATION AND HISTORIC PRESERVATION OF ANY PERSONAL PROPERTY AND EQUIPMENT
47 USED IN CONNECTION THEREWITH. THE OFFICE OF PARKS, RECREATION AND
48 HISTORIC PRESERVATION SHALL PROPOSE IN ITS ANNUAL BUDGET AN AMOUNT FOR
49 ALL COSTS AND OBLIGATIONS UNDER SUCH AGREEMENT AND THESE COSTS MAY BE
50 SUPPLEMENTED BY PRIVATE DONATIONS.

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

54 2. Notwithstanding the provisions of any other law, the board of
55 supervisors of any county, the town board of any town, THE COMMON OR
56 CITY COUNCIL OF ANY CITY, or the trustees of any village, without any

1 election or meeting of the taxpayers or voters or other authorization,
2 is hereby authorized to dedicate to the state for any of the bridges or
3 for highway connections, any real property, easements or rights in land
4 owned by such county, town, CITY or village which the authority may deem
5 necessary.

6 S 9. This act shall take effect immediately.