

8352

I N S E N A T E

June 25, 2010

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

AN ACT to amend the Greenwood Lake Protection Act, in relation to eliminating dock fees and establishing a penalty for boat permit violations on Greenwood Lake

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

1 Section 1. Subdivision g of section 5 of chapter 47 of the laws of
2 2002, constituting the Greenwood Lake Protection Act, as added by chap-
3 ter 577 of the laws of 2006, is amended to read as follows:
4 g. Collect fees in accordance with the following provisions: (1) [The
5 owner of a dock, wharf or mooring on Greenwood Lake used for non-commer-
6 cial residential purposes shall pay an annual fee of \$37.50. The owner
7 of a dock or wharf on Greenwood Lake used for commercial purposes shall
8 pay an annual fee of \$3.75 per linear foot for each such dock. The owner
9 of a mooring used for commercial purposes shall pay an annual fee of
10 \$75.00 for each mooring. New docks constructed for commercial use after
11 the effective date of this paragraph shall pay a first time fee of \$7.50
12 per linear foot and \$3.75 per linear foot annually thereafter.
13 (2)] In addition to the registration required by the state, any
14 mechanically propelled boat or vessel with ten horsepower or more [and
15 any non-mechanically propelled boat or vessel eighteen feet or more in
16 length] used on Greenwood Lake shall have an annual permit issued by the
17 Greenwood Lake commission. The fee therefor for boats twenty feet or
18 less in length overall shall be \$30.00; for boats twenty-one to twenty-
19 five feet in length overall, \$37.50; and for boats over twenty-five feet
20 in length overall, \$37.50 and \$7.50 for each foot by which the length
21 overall exceeds twenty-five feet; for boats over twenty-five feet in
22 length overall outfitted for overnight use, \$37.50 and \$30.00 for each
23 foot by which the overall length exceeds twenty-five feet. The Greenwood
24 Lake commission may establish a one week use permit for \$11.25. The
25 Greenwood Lake commission may establish a one day use permit for \$7.50
26 for any mechanically propelled boat or vessel [or non-mechanically
27 propelled boat or vessel] subject to the annual fee.

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

LBD17349-05-0

1 [(3)] (2) The Greenwood Lake commission may charge a fee to an appli-
2 cant for a permit in order to recover the costs incurred in reviewing
3 and acting upon an application for such permit.

4 [(4) All] (3) UNLESS OTHERWISE INDICATED, ALL fees collected pursuant
5 to this section shall be deposited to the credit of the Greenwood Lake
6 protection fund pursuant to section ninety-seven-ffff of the state
7 finance law.

8 (4) ANY PERSON WHO OPERATES A BOAT OR VESSEL ON GREENWOOD LAKE WITHOUT
9 A PERMIT, PURSUANT TO THIS SUBDIVISION, SHALL BE LIABLE TO A SUMMONS
10 ISSUED FROM THE NEW YORK STATE POLICE, THE NEW YORK STATE PARK POLICE, A
11 STATE CONSERVATION OFFICER, OR A SWORN NEW YORK LAW ENFORCEMENT OFFICER,
12 AND SHALL BE SUBJECT TO A CIVIL PENALTY THAT SHALL BE ESTABLISHED AND
13 ENFORCED BY THE GOVERNING BODY OF THE LOCAL MUNICIPALITY.

14 S 2. This act shall take effect upon enactment into law by the state
15 of New Jersey of legislation having substantially similar effect with
16 this act, but if the state of New Jersey shall have already enacted such
17 legislation, this act shall take effect immediately; provided that the
18 amendments to subdivision g of section 5 of chapter 47 of the laws of
19 2002, constituting the Greenwood Lake Protection Act made by section one
20 of this act shall not affect the repeal of such subdivision and shall be
21 deemed repealed therewith; provided further that the Greenwood Lake
22 Commission shall notify the legislative bill drafting commission upon
23 the occurrence of the enactment of the legislation provided for in this
24 act in order that the legislative bill drafting commission may maintain
25 an accurate and timely effective data base of the official text of the
26 laws of the state of New York in furtherance of effecting the provisions
27 of section 44 of the legislative law and section 70-b of the public
28 officers law.