

3389

2011-2012 Regular Sessions

I N A S S E M B L Y

January 25, 2011

Introduced by M. of A. GABRYSZAK, HOYT -- Multi-Sponsored by -- M. of A. PEOPLES-STOKES -- read once and referred to the Committee on Corporations, Authorities and Commissions

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:

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

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

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

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

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