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

5873--A

2011-2012 Regular Sessions

I N S E N A T E

August 19, 2011

Introduced by Sens. LANZA, FUSCHILLO -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend chapter 154 of the laws of 1921 authorizing designated authorities in behalf of the state of New York to enter into an agreement or compact with designated authorities of the state of New Jersey for the creation of the "Port of New York District", in relation to requiring public hearings to be held by the commissioners of the port authority of New York and New Jersey prior to the increase of any fee, toll, charge or fare for the use of the transportation facilities of such authority

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

Section 1. Article VI of section 1 of chapter 154 of the laws of 1921 authorizing designated authorities in behalf of the state of New York to enter into an agreement or compact with designated authorities of the state of New Jersey for the creation of the "Port of New York District" is amended to read as follows:

ARTICLE VI.

The port authority shall constitute a body, both corporate and politic, with full power and authority to purchase, construct, lease and/or operate any terminal or transportation facility within said district; and to make charges for the use thereof[:]; and for any of such purposes to own, hold, lease and/or operate real or personal property, to borrow money and secure the same by bonds or by mortgages upon any property held or to be held by it. No property now or hereafter vested in or held by either state, or by any county, city, borough, village, township or other municipality, shall be taken by the port authority, without the authority or consent of such state, county, city, borough, village, township or other municipality, nor shall anything herein impair or

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

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invalidate in any way any bonded indebtedness of such state, county, city, borough, village, township or other municipality, nor impair the provisions of law regulating the payment into sinking funds of revenues derived from municipal property, or dedicating the revenues derived from any municipal property to a specific purpose.

PROVIDED THAT NOT LESS THAN 30 DAYS PRIOR TO THE ADOPTION BY THE PORT AUTHORITY OF ANY INCREASE IN ANY FEE, TOLL, CHARGE OR FARE FOR THE USE OF THE TRANSPORTATION FACILITIES OF SUCH AUTHORITY, THE PORT AUTHORITY SHALL CONDUCT A PUBLIC HEARING LOCATED WITHIN THE DISTRICT. IN THE EVENT THAT AMENDMENTS ARE MADE TO SUCH PROPOSAL THE PORT AUTHORITY SHALL CONDUCT A PUBLIC HEARING ON THE AMENDED PROPOSAL IN EACH COUNTY WITHIN THE DISTRICT NO LESS THAN 15 DAYS PRIOR TO ITS ADOPTION. EACH PUBLIC HEARING SHALL BE ATTENDED BY ALL THE COMMISSIONERS OF THE PORT AUTHORITY THEN IN OFFICE AT THE TIME OF THE HEARING.

The powers granted in this article shall not be exercised by the port authority until the legislatures of both states shall have approved of a comprehensive plan for the development of the port as hereinafter provided.

S 2. This act shall take effect upon the enactment into law by the state of New Jersey of legislation having an identical effect with this act, but if the state of New Jersey shall have already enacted such legislation, this act shall take effect immediately; provided that the chairman of the port authority of New York and New Jersey shall notify the legislative bill drafting commission upon the occurrence of the enactment of the legislation provided for in section one of this act in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law.