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I N  S E N A T E

October 26, 2012

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

AN ACT to amend chapter 154 of the laws of 1921, relating to the port authority of New York and New Jersey, in relation to requiring a noise and land use compatibility study

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

Section 1. Section 1 of chapter 154 of the laws of 1921, relating to the port authority of New York and New Jersey, is amended by adding a new article 15-B to read as follows:

ARTICLE XV-B

1. THE PORT AUTHORITY SHALL CONDUCT A NOISE AND LAND USE COMPATIBILITY STUDY. SUCH STUDY SHALL BE CONDUCTED IN THE MANNER OUTLINED BY FEDERAL AVIATION REGULATIONS, AS SET FORTH IN 14 CODE OF FEDERAL REGULATIONS PART 150, AND SHALL RECOMMEND OPERATIONAL AND LAND USE MEASURES TO IMPROVE THE COMPATIBILITY OF AIR TERMINALS WITH SURROUNDING LAND USES, OR SUCH STUDY SHALL RESULT IN SUFFICIENT DETAIL TO SUPPORT A REQUEST FOR NOISE MITIGATION FUNDING TO BE USED BY THE PORT AUTHORITY TO NOISE INSULATE HOMES IMPACTED BY OPERATIONS AT AIRPORTS UNDER THE CONTROL OF THE PORT AUTHORITY.

2. THE PORT AUTHORITY SHALL SUBMIT TO THE GOVERNORS AND THE LEGISLATURES OF EACH STATE A REPORT DETAILING THE PORT AUTHORITY'S FINDINGS PURSUANT TO THE STUDY REQUIRED BY THIS ARTICLE. THE PORT AUTHORITY SHALL MAKE SUCH REPORT AVAILABLE TO THE PUBLIC BY JUNE FIRST, TWO THOUSAND THIRTEEN.

3. THE PORT AUTHORITY SHALL HOLD BIENNIAL PUBLIC HEARINGS, AT WHICH MEMBERS OF THE PUBLIC SHALL HAVE THE RIGHT TO BE HEARD REGARDING THE IDENTIFICATION OF AIRCRAFT NOISE ISSUES. SUCH PUBLIC HEARINGS SHALL BE HELD IN THE COUNTIES OF KINGS, QUEENS AND NASSAU, STATE OF NEW YORK, AND IN THE COUNTIES OF UNION AND ESSEX, STATE OF NEW JERSEY, AND SHALL BE ATTENDED BY AT LEAST ONE COMMISSIONER APPOINTED BY EACH STATE. THE PORT AUTHORITY SHALL DEVELOP AMENDMENTS AND CHANGES TO THE REPORT REQUIRED BY THIS ARTICLE, AS MAY BE NECESSARY AND PRACTICABLE TO ADDRESS PUBLIC INPUT.

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

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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. 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 article 15-B of chapter 154 of the laws of 1921 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 effecting the provisions of section 44 of the legislative law and section 70-b of the public officers law.