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

2706--A

2011-2012 Regular Sessions

I N A S S E M B L Y

January 20, 2011

Introduced by M. of A. RABBITT -- read once and referred to the Committee on Environmental Conservation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

Section 1. Subdivision g of section 5 of chapter 47 of the laws of 2002, constituting the Greenwood Lake Protection Act, as added by chapter 577 of the laws of 2006, is amended to read as follows:

g. Collect fees in accordance with the following provisions: (1) [The owner of a dock, wharf or mooring on Greenwood Lake used for non-commercial residential purposes shall pay an annual fee of $37.50. The owner of a dock or wharf on Greenwood Lake used for commercial purposes shall pay an annual fee of $3.75 per linear foot for each such dock. The owner of a mooring used for commercial purposes shall pay an annual fee of $75.00 for each mooring. New docks constructed for commercial use after the effective date of this paragraph shall pay a first time fee of $7.50 per linear foot and $3.75 per linear foot annually thereafter.

(2)] In addition to the registration required by the state, any mechanically propelled boat or vessel with ten horsepower or more [and any non-mechanically propelled boat or vessel eighteen feet or more in length] used on Greenwood Lake shall have an annual permit issued by the Greenwood Lake commission. The fee therefor for boats twenty feet or less in length overall shall be $30.00; for boats twenty-one to twenty-five feet in length overall, $37.50; and for boats over twenty-five feet in length overall, $37.50 and $7.50 for each foot by which the length overall exceeds twenty-five feet; for boats over twenty-five feet in length overall outfitted for overnight use, $37.50 and $30.00 for each

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

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foot by which the overall length exceeds twenty-five feet. The Greenwood Lake commission may establish a one week use permit for $11.25. The Greenwood Lake commission may establish a one day use permit for $7.50 for any mechanically propelled boat or vessel [or non-mechanically propelled boat or vessel] subject to the annual fee.

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

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

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

S 2. This act shall take effect upon enactment into law by the state of New Jersey of legislation having substantially similar 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 amendments to subdivision g of section 5 of chapter 47 of the laws of 2002, constituting the Greenwood Lake Protection Act made by section one of this act shall not affect the repeal of such subdivision and shall be deemed repealed therewith; provided further that the Greenwood Lake Commission shall notify the legislative bill drafting commission upon the occurrence of the enactment of the legislation provided for in this act in order that the legislative bill drafting 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.