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

7737--A

2015-2016 Regular Sessions

I N A S S E M B L Y

May 26, 2015

Introduced by M. of A. TITONE, CUSICK -- read once and referred to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Assembly Rule 3, sec. 2 -- reported and referred to the Committee on Ways and Means -- reported and referred to the Committee on Rules -- Rules Committee discharged, bill amended, ordered reprinted as amended and recommitted to the Committee on Rules

AN ACT to amend the navigation law, in relation to the rates set by the Sandy Hook pilots surcharge board

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

Section 1. Paragraph (e) of subdivision 4 of section 88 of the navigation law, as added by chapter 235 of the laws of 1999, is amended to read as follows:

(e) There is hereby created a segregated fund to be known as the capital expense fund. Such segregated fund shall be initially funded by the increase in the base pilotage tariff as set forth in item (A) of subclause one of clause (ii) of subparagraph one of paragraph (b) of this subdivision by not more than seventy-five dollars per ship. Such surcharge, upon annual review and approval of the Sandy Hook pilots surcharge board, shall be imposed and used for the purposes of funding, after the payment of reasonable and necessary expenses, capital expenditures including: the payment of outstanding debt related to the reengining of the pilot boat Sandy Hook; the payment of outstanding debt related to the rebuilding of the bulkhead and pier at the Sandy Hook Pilot base at Staten Island, New York; the payment of outstanding debt related to and the extraordinary repairs to the pilot boat New York; to secure four new pilot launches; and to fund all extraordinary capital expenses (those beyond normal operating expenses) approved by the surcharge board along with portable DGPS pilot units, if deemed appropriate by the surcharge board.

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

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Such surcharge may fund similar future expenditures upon annual review and approval of the Sandy Hook pilot surcharge board. The surcharge board may set the rate not to exceed [one hundred twenty-five] THREE HUNDRED dollars per ship. The surcharge board is hereby authorized to reduce or suspend payment of the surcharge set forth herein to take into account any monies dedicated or awarded to the pilot capital needs from sources other than the tariff and surcharges set forth in this article.

S 2. This act shall take effect immediately; provided, however, the current surcharge rate may not be increased by more than ten percent of the maximum authorized surcharge in each of the two one year periods following such effective date unless there is a specific declaration by the surcharge board of an emergency need.