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

5801

2015-2016 Regular Sessions

I N S E N A T E

June 3, 2015

Introduced by Sen. LITTLE -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to regulatory fees imposed in the Lake George park

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

Section 1. Subdivision 2 of section 43-0125 of the environmental conservation law, as amended by section 1 of part B of chapter 81 of the laws of 2002, is amended to read as follows:

2. The COMMISSION MAY ASSESS THE following annual fees [to be paid to the commission are hereby established]:

(a) Dock, wharf and mooring fees. [The owner of a dock, wharf or mooring within the park used for non-commercial residential purposes shall pay an annual fee of thirty-seven dollars and fifty cents. The owner of a dock or wharf within the park used for commercial purposes shall pay an annual fee of three dollars and seventy-five cents per linear foot for each such dock. The owner of a mooring used for commercial purposes shall pay an annual fee of seventy-five dollars for each mooring. New docks constructed for commercial use after the effective date of this section shall pay a first time fee of seven dollars and fifty cents per linear foot and three dollars and seventy-five cents per linear foot annually thereafter.] THE COMMISSION MAY ESTABLISH ANNUAL FEES FOR THE OWNER OF A DOCK, WHARF OR MOORING WITHIN THE LAKE GEORGE PARK USED FOR NON-COMMERCIAL RESIDENTIAL PURPOSES AND FOR THE OWNER OF A DOCK, WHARF OR MOORING WITHIN SUCH PARK USED FOR COMMERCIAL PURPOSES. THE COMMISSION SHALL ESTABLISH FEES FOR SUCH DOCKS, WHARVES OR MOORINGS THROUGH THE ADOPTION OR AMENDMENT OF RULES AND REGULATIONS AFTER PUBLIC HEARING ACCORDING TO THE PROVISIONS OF THE STATE ADMINISTRATIVE PROCEDURE ACT.

(b) Boat fees. 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

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

LBD11443-02-5

in length used] within the LAKE GEORGE park shall have an annual permit issued by the commission. [The fee therefor for boats twenty feet or less in length overall shall be thirty dollars; for boats twenty-one to twenty-five feet in length overall, thirty-seven dollars and fifty cents; and for boats over twenty-five feet in length overall, thirty-seven dollars and fifty cents and seven dollars and fifty cents 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, thirty-seven dollars and fifty cents and thirty dollars for each foot by which the overall length exceeds twenty-five feet.] THE COMMISSION MAY ALSO ESTABLISH AN ANNUAL PERMIT FEE FOR ANY NON-MECHANICALLY PROPELLED BOAT OR VESSEL USED WITHIN THE LAKE GEORGE PARK. The commission may establish a one week use permit for [eleven dollars and twenty-five cents] ANY BOAT OR VESSEL SUBJECT TO THE ANNUAL FEE. The commission may establish a one day use permit [for seven dollars and fifty cents] for any [mechanically propelled] boat or vessel [or nonmechanically propelled boat or vessel] subject to the annual fee. THE COMMISSION SHALL ESTABLISH FEES FOR SUCH BOATS THROUGH THE ADOPTION OR AMENDMENT OF RULES AND REGULATIONS AFTER PUBLIC HEARING ACCORDING TO THE PROVISIONS OF THE STATE ADMINISTRATIVE PROCEDURE ACT, AND SUCH FEES MAY VARY DEPENDING ON THE LENGTH OF THE BOAT OR VESSEL.

S 2. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.