

A10468 Skartados No Same as
Transportation Corporations Law

TITLE....Relates to the construction of pipe lines

Currently on Assembly Committee Agenda

Corporations, Authorities and Commissions (BRENNAN)

OFF THE FLOOR, Wednesday, June 1, 2016

05/27/16 referred to corporations, authorities and commissions

SKARTADOS

Amd §87, Transp Corps L

Relates to the construction of pipe lines.

STATE OF NEW YORK

10468

IN ASSEMBLY

May 27, 2016

Introduced by M. of A. SKARTADOS -- read once and referred to the
Committee on Corporations, Authorities and Commissions
AN ACT to amend the transportation corporations law, in relation to the
construction of pipe lines

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 87 of the transportation corporations law is
2 amended to read as follows:

3 § 87. Construction through villages, towns and cities. No pipe line
4 shall be constructed into or through any incorporated village, town or
5 city in this state, unless authorized by a resolution prescribing the
6 route, manner of construction and terms upon which granted, adopted at a
7 regular meeting of the board of trustees of the village, town board, or
8 the legislative body of the city by a two-thirds vote thereof, but such
9 resolution shall not affect any private right. No pavement shall be
10 removed in any city under the provisions of this article, except as
11 directed by the legislative body, nor until the corporation seeking to
12 remove the same shall give a bond in such sum as the legislative body
13 may require for relaying of any pavements removed. In case any pavement
14 shall have been removed and not properly relaid, the city may sue such
15 corporation, for the cost of relaying such pavement.

16 § 2. This act shall take effect immediately.

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

LBD15694-01-6

**NEW YORK STATE ASSEMBLY
MEMORANDUM IN SUPPORT OF LEGISLATION
submitted in accordance with Assembly Rule III, Sec 1(f)**

BILL NUMBER: A10468

SPONSOR: Skartados

TITLE OF BILL:

An act to amend the transportation corporations law, in relation to the construction of pipe lines

PURPOSE OR GENERAL IDEA OF BILL:

To amend section 87 of transportation corporations law give local control to towns, over permitting the construction of a pipeline that would traverse within that particular municipality.

SUMMARY OF SPECIFIC PROVISIONS:

This would grant towns the power to accept or reject the construction of a pipeline project that would pass through its jurisdiction.

JUSTIFICATION:

Current law requires a resolution by a city or village to permit a pipeline to be constructed within its boundaries. This legislation will include towns to that law and thereby give towns the local control they need to protect their community. Pipelines transport volatile and dangerous materials that pose a number of health and environmental hazards to the communities through and next to which they are constructed. In order for such a project to be permitted with the town's borders, this law would require a resolution prescribing the route, manner of construction and terms upon which it would be granted, and that it be adopted at a regular meeting of the board of trustees of the town board or the legislative body.

PRIOR LEGISLATIVE HISTORY:

None.

FISCAL IMPLICATIONS:

None

EFFECTIVE DATE:

This act shall take effect immediately.