

STATE OF NEW YORK

10137

IN ASSEMBLY

May 9, 2024

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Zebrowski)
-- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to the name of the Rockland County Solid Waste Authority, subjecting such authority to regulation by the department of agriculture and markets, and making a technical change; and to amend the agriculture and markets law, in relation to public authorities providing shelter services for the care of unwanted animals

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

Section 1. Subdivision 3 of section 2053-b of the public authorities law, as amended by chapter 553 of the laws of 2022, is amended to read as follows:

3. "Authority" shall mean the public benefit corporation created by section two thousand fifty-three-c of this title, known as the Rockland county solid waste management authority and shall also hereby be known as Rockland Green and/or RG Cares.

§ 2. Subdivision 1 of section 2053-c of the public authorities law, as amended by chapter 553 of the laws of 2022, is amended to read as follows:

1. Upon compliance with the requirements of subdivision seven of this section, a corporation known as the Rockland county solid waste management authority shall be deemed to have been created hereby for the public purposes and charged with the duties and having the powers provided in this title. The authority shall be a body corporate and politic constituting a public benefit corporation. In order to be more consistent with the authority's goals, mission and objectives, the authority shall also be known as Rockland Green and/or RG Cares.

§ 3. Subdivision 22 of section 2053-e of the public authorities law, as amended by chapter 553 of the laws of 2022, is amended to read as follows:

22. The authority may acquire, hold, own, lease, establish, construct, effectuate, operate, maintain, renovate, improve, extend or repair any

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

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1 of its facilities [~~through, and cause any one or more of its powers,~~
2 ~~duties, functions or activities to be exercised or performed by, no more~~
3 ~~than one wholly owned subsidiary corporation of the authority]~~ for the
4 [sole] purposes of operating an animal shelter and providing animal
5 management services on behalf of one or more municipalities located in
6 the county of Rockland pursuant to the agriculture and markets law[
7 ~~Such subsidiary corporation shall be deemed an animal shelter for the~~
8 ~~purposes of registration, inspection or any oversight required by law or~~
9 ~~regulation by the department of agriculture and markets. The authority~~
10 ~~may transfer to or from any such corporation, or between such corpo-~~
11 ~~rations, any moneys, real property or other property or the services of~~
12 ~~any officers, employees or consultants for any of the purposes of this~~
13 ~~title. The directors or members of such subsidiary corporation shall be~~
14 ~~the same persons holding the offices of members of the authority. Such~~
15 ~~subsidiary corporation and any of its property, functions and activities~~
16 ~~shall have all of the privileges, immunities, tax exemptions and other~~
17 ~~exemptions of the authority and of the authority's property, functions~~
18 ~~and activities. Such subsidiary corporation shall be subject to the~~
19 ~~restrictions and limitations to which the authority may be subject. Such~~
20 ~~subsidiary corporation shall be subject to suit in accordance with~~
21 ~~section two thousand fifty three u this title. The employees of any such~~
22 ~~subsidiary corporation, except those who are also employees of the~~
23 ~~authority, shall not be deemed employees of the authority]~~ and will be
24 subject to regulation by the department of agriculture and markets for
25 the purposes of registration, inspection, and any oversight or regu-
26 lation.

27 § 4. Subdivision 1 of section 2053-g of the public authorities law, as
28 amended by chapter 553 of the laws of 2022, is amended to read as
29 follows:

30 1. The authority may fix and collect, on any equitable basis, rates,
31 rentals, fees and other charges for the use of facilities of or services
32 or commodities provided by the authority [~~or any subsidiary~~], including
33 the availability of any of the foregoing from the authority. Such rates,
34 rentals, fees and other charges may be fixed and collected from any
35 person to whom such facilities, services or commodities are provided by
36 or made available from the authority, including generators of solid
37 waste and owners of real property upon which solid waste is generated.
38 Such rates, rentals, fees and other charges may be the same or different
39 for each classification of user or service recipient and may, by way of
40 example, reflect the source and composition of solid waste and may
41 provide for fee reductions to the users or service recipients in propor-
42 tion to waste generated or to reflect participation in source separation
43 programs. In any instance where the county is or would be required by
44 law, with respect to solid waste management, to conduct a public hearing
45 in connection with a user or rate, rental, fee or other charge, the
46 authority shall not establish, fix, or revise any classification of user
47 or service recipient, rate, rental, fee or other charge unless and until
48 the authority has held a public hearing at which interested persons have
49 had an opportunity to be heard concerning the same; provided however,
50 that if the county has conducted a public hearing in connection with
51 such rate, rental, fee or other charge, the authority shall not be
52 required to hold a public hearing. Notice of any such public hearing
53 shall be published at least ten days before the date set therefor, in at
54 least one newspaper of general circulation in the county. Such notice
55 shall set forth the date, time and place of such hearing and shall
56 include a brief description of the matters to be considered at such

1 meeting. A copy of the notice shall be available for inspection by the
2 public. At any such hearing, any interested persons shall have an oppor-
3 tunity to be heard concerning the matters under consideration. Any deci-
4 sion by the authority at such public hearing shall be in writing and be
5 made available in the office of the authority for public inspection
6 during regular office hours.

7 § 5. Subdivision 2 of section 114 of the agriculture and markets law,
8 as amended by chapter 553 of the laws of 2022, is amended to read as
9 follows:

10 2. In lieu of or in addition to establishing and maintaining such
11 pound or shelter, any town or city, or any village in which licenses are
12 issued shall, and any other village and any county may, contract for
13 pound or shelter services with any other municipality or with any incor-
14 porated humane society or similar incorporated dog protective associ-
15 ation, or with a public authority providing shelter services ~~[or its~~
16 ~~subsidiary that is wholly created for the sole purpose of providing such~~
17 ~~services]~~, or shall establish and maintain, jointly or with one or more
18 other municipalities, a pound or shelter.

19 § 6. Paragraph d of subdivision 4 of section 400 of the agriculture
20 and markets law, as amended by chapter 553 of the laws of 2022, is
21 amended to read as follows:

22 (d) Any public authority providing shelter services for the care of
23 unwanted animals ~~[or its subsidiary that is wholly created for the sole~~
24 ~~purpose of providing such services]~~.

25 § 7. Paragraph d of subdivision 4 of section 400 of the agriculture
26 and markets law, as added by chapter 681 of the laws of 2022, is relet-
27 tered paragraph e.

28 § 8. This act shall take effect immediately; provided that section
29 seven of this act shall take effect on the same date and in the same
30 manner as chapter 681 of the laws of 2022 takes effect.