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I N A S S E M B L Y

February 24, 2010

Introduced by M. of A. BRODSKY -- read once and referred to the Committee on Energy

AN ACT to amend the public service law, in relation to directing the public service commission to require any utility company involved in a vegetation management plan to give prior notification and to hold a public hearing in affected communities

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

1 Section 1. The public service law is amended by adding a new section
2 66-m to read as follows:
3 S 66-M. NOTIFICATION AND PUBLIC HEARING; VEGETATION MANAGEMENT PLAN
4 AND TREE TRIMMING. 1. REQUIREMENT. THE COMMISSION SHALL REQUIRE ANY
5 UTILITY COMPANY INVOLVED IN A VEGETATION MANAGEMENT PLAN THAT INCLUDES
6 THE TRIMMING OR CUTTING OF TREES, AND/OR THE ELIMINATION OF OVERGROWN
7 VEGETATION TO GIVE SIXTY DAYS NOTICE PRIOR TO THE IMPLEMENTATION OF SUCH
8 ACTIVITY TO THE RESIDENTS OF THE COMMUNITY AFFECTED THEREBY. SUCH UTILI-
9 TY COMPANY SHALL HOLD A PUBLIC HEARING WITHIN THE AFFECTED COMMUNITY AT
10 LEAST THIRTY DAYS PRIOR TO THE IMPLEMENTATION OF SUCH PLAN OR ACTIVITY,
11 PROVIDING THE RESIDENTS OF SUCH COMMUNITY WITH THE DETAILS OF SUCH TRIM-
12 MING, CUTTING, AND/OR VEGETATION MANAGEMENT PLAN, AND PROVIDING SUCH
13 RESIDENTS WITH AN OPPORTUNITY TO BE HEARD WITH RESPECT TO SUCH PLAN.
14 2. EXCEPTION. IN THE EVENT OF AN EMERGENCY, SUCH UTILITY COMPANY SHALL
15 NOT BE REQUIRED TO GIVE NOTICE OR TO HOLD A PUBLIC HEARING PRIOR TO THE
16 IMPLEMENTATION OF A VEGETATION MANAGEMENT PLAN.
17 S 2. This act shall take effect immediately.

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

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