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

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I N S E N A T E

February 11, 2010

Introduced by Sens. STEWART-COUSINS, MAZIARZ, ONORATO, STAVISKY -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications

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:

Section 1. The public service law is amended by adding a new section 66-m to read as follows:

S 66-M. NOTIFICATION AND PUBLIC HEARING; VEGETATION MANAGEMENT PLAN AND TREE TRIMMING. 1. REQUIREMENT. THE COMMISSION SHALL REQUIRE ANY UTILITY COMPANY INVOLVED IN A VEGETATION MANAGEMENT PLAN THAT INCLUDES THE TRIMMING OR CUTTING OF TREES, AND/OR THE ELIMINATION OF OVERGROWN VEGETATION TO GIVE SIXTY DAYS NOTICE PRIOR TO THE IMPLEMENTATION OF SUCH ACTIVITY TO THE RESIDENTS OF THE COMMUNITY AFFECTED THEREBY. SUCH UTILITY COMPANY SHALL HOLD A PUBLIC HEARING WITHIN THE AFFECTED COMMUNITY AT LEAST THIRTY DAYS PRIOR TO THE IMPLEMENTATION OF SUCH PLAN OR ACTIVITY, PROVIDING THE RESIDENTS OF SUCH COMMUNITY WITH THE DETAILS OF SUCH TRIMMING, CUTTING, AND/OR VEGETATION MANAGEMENT PLAN, AND PROVIDING SUCH RESIDENTS WITH AN OPPORTUNITY TO BE HEARD WITH RESPECT TO SUCH PLAN.

2. EXCEPTION. IN THE EVENT OF AN EMERGENCY, SUCH UTILITY COMPANY SHALL NOT BE REQUIRED TO GIVE NOTICE OR TO HOLD A PUBLIC HEARING PRIOR TO THE IMPLEMENTATION OF A VEGETATION MANAGEMENT PLAN.

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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