

9865

I N A S S E M B L Y

May 27, 2014

Introduced by M. of A. SOLAGES -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to rates and charges associated with the use or rental of fire hydrants owned or operated by the water authority of Western Nassau county and the water authority of Western Nassau county district

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

1 Section 1. Subdivision 21 of section 1198-f of the public authorities
2 law, as added by chapter 868 of the laws of 1990, is amended to read as
3 follows:
4 21. fix rates and collect charges for the use of the facilities of, or
5 services rendered by, or any commodities furnished by the authority such
6 as to provide revenues sufficient at all times to pay, as the same shall
7 become due, the principal and interest on the bonds, or other obligations
8 of the authority together with the maintenance of proper
9 reserves therefor, in addition to paying as the same shall become due,
10 the expense of operating and maintaining the properties of the authority
11 together with proper maintenance reserves, capital reserves, repair
12 reserves, tax stabilization reserves and other contingency reserves, and
13 all other obligations and indebtedness of the authority; however, no
14 such rates or charges shall be changed until a public hearing on such
15 changes shall have been held upon not less than [fourteen] THIRTY days'
16 notice thereof to each customer, either by mail or by publication once
17 in a newspaper having general circulation within the district; PROVIDED
18 FURTHER, THAT NO RATE OR CHARGE ESTABLISHED PURSUANT TO THIS SUBDIVISION
19 ASSOCIATED WITH THE USE OR RENTAL OF FIRE HYDRANTS OWNED OR OPERATED BY
20 THE AUTHORITY SHALL EXCEED TWO HUNDRED DOLLARS PER HYDRANT PER ANNUM FOR
21 ONE YEAR FROM THE EFFECTIVE DATE OF THE CHAPTER OF THE LAWS OF TWO THOUSAND
22 FOURTEEN THAT AMENDED THIS SUBDIVISION. THEREAFTER, THE RATE OR
23 CHARGE SHALL NOT EXCEED TWO HUNDRED DOLLARS PER HYDRANT PER ANNUM UNLESS
24 THE AUTHORITY DEMONSTRATES BY CLEAR AND CONVINCING EVIDENCE AT A PUBLIC
25 HEARING THAT ITS COST TO MAINTAIN SUCH HYDRANTS EXCEEDS TWO HUNDRED
26 DOLLARS PER HYDRANT PER ANNUM. THE CHARGE ESTABLISHED BY THE WATER

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

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1 AUTHORITY SHALL BE PUBLISHED ON THE AUTHORITY'S WEBSITE. SHOULD THE
2 AUTHORITY FAIL TO MAINTAIN A WEBSITE, THE AUTHORITY SHALL PUBLISH ITS
3 RATES AND CHARGES IN PAPER FORM, WHICH SHALL BE MADE FREELY AVAILABLE AT
4 NO CHARGE;

5 S 2. This act shall take effect January 1, 2015.