

9073--A

I N A S S E M B L Y

March 12, 2014

Introduced by M. of A. ABINANTI -- read once and referred to the Committee on Local Governments -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the local finance law, in relation to authorizing the adoption of a bond act for the construction, reconstruction, or modification of sewage and drinking water facilities in the county of Westchester without submission to a referendum but subject to a public hearing

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

1 Section 1. Subdivision 1 of paragraph b of section 33.10 of the local
2 finance law, as amended by chapter 125 of the laws of 1990, is amended
3 to read as follows:
4 1. In the county of Westchester, a bond act adopted by the board of
5 legislators authorizing the issuance of bonds or bonds and capital notes
6 in an amount in excess of ten million dollars to finance any capital
7 improvement, shall not become effective until submitted at a general or
8 special election and approved by a majority of the votes cast on the
9 question of the approval or disapproval of such act. The provisions of
10 this subdivision shall not apply to bond acts authorizing the issuance
11 of bonds or bonds and capital notes to provide for the construction,
12 reconstruction or modification of facilities for the conveyance, treat-
13 ment and disposal of sewage [required by any order of the state commis-
14 sioner of health or of the commissioner of environmental conservation
15 directing compliance with standards, determinations or orders promulgat-
16 ed pursuant to article seventeen or article nineteen of the environ-
17 mental conservation law, or any order of an agency acting in accordance
18 with an interstate compact, to prevent pollution of the waters of the
19 state or to ameliorate noxious odors, emissions, insect proliferation or
20 other conditions arising as a consequence of operating such a facility]
21 OR FACILITIES FOR THE DISTRIBUTION, TREATMENT, AND STORAGE OF DRINKING
22 WATER. PROVIDED, HOWEVER SUCH BOND ACTS IN EXCESS OF TEN MILLION DOLLARS
23 SHALL NOT BE ADOPTED BY THE BOARD OF LEGISLATORS UNTIL A PUBLIC HEARING
24 WITH NOTICE IS HELD.

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

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1 The provision of this subdivision shall not apply to bond acts author-
2 izing the issuance of bonds or bonds and capital notes to provide for
3 the construction or reconstruction of facilities, acquisition of sites,
4 collection and disposition of solid wastes, required by any order of
5 county, state, or federal agencies or courts directing compliance with
6 standards, determinations, or orders promulgated by such agencies or
7 courts.

8 The provisions of this subdivision shall not apply to bond acts
9 authorizing the issuance of bonds or bonds and capital notes to provide
10 for construction, reconstruction or acquisition of hospital buildings
11 and other buildings incidental or related to or supportive of the hospi-
12 tal buildings, whether or not including the acquisition of land or
13 permanent rights in land as the site thereof, and whether or not includ-
14 ing the grading or improvement of such site, and the original
15 furnishings, equipment, machinery or apparatus required for the purposes
16 for which such buildings are to be used, all to the extent the foregoing
17 are the subject matter of a lease and sub-lease dated as of August twen-
18 ty-eighth, nineteen hundred seventy-three, by and between the county of
19 Westchester and the New York state housing finance agency and facilities
20 development corporation.

21 S 2. This act shall take effect immediately.