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

4486

2015-2016 Regular Sessions

I N S E N A T E

March 24, 2015

Introduced by Sen. STEWART-COUSINS -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

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:

Section 1. Subdivision 1 of paragraph b of section 33.10 of the local finance law, as amended by chapter 125 of the laws of 1990, is amended to read as follows:

1. In the county of Westchester, a bond act adopted by the board of legislators authorizing the issuance of bonds or bonds and capital notes in an amount in excess of ten million dollars to finance any capital improvement, shall not become effective until submitted at a general or special election and approved by a majority of the votes cast on the question of the approval or disapproval of such act. The provisions of this subdivision shall not apply to bond acts authorizing the issuance of bonds or bonds and capital notes to provide for the construction, reconstruction or modification of facilities for the conveyance, treatment and disposal of sewage [required by any order of the state commissioner of health or of the commissioner of environmental conservation directing compliance with standards, determinations or orders promulgated pursuant to article seventeen or article nineteen of the environmental conservation law, or any order of an agency acting in accordance with an interstate compact, to prevent pollution of the waters of the state or to ameliorate noxious odors, emissions, insect proliferation or other conditions arising as a consequence of operating such a facility] OR FACILITIES FOR THE DISTRIBUTION, TREATMENT, AND STORAGE OF DRINKING WATER. PROVIDED, HOWEVER SUCH BOND ACTS IN EXCESS OF TEN MILLION DOLLARS

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

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SHALL NOT BE ADOPTED BY THE BOARD OF LEGISLATORS UNTIL A PUBLIC HEARING WITH NOTICE IS HELD.

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

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

S 2. This act shall take effect immediately.