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

4377--A

2015-2016 Regular Sessions

I N S E N A T E

March 17, 2015

Introduced by Sen. MARTINS -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions -- recommitted to the Committee on Corporations, Authorities and Commissions in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

Section 1. Subdivision 21 of section 1198-f of the public authorities law, as added by chapter 868 of the laws of 1990, is amended to read as follows:

21. fix rates and collect charges for the use of the facilities of, or services rendered by, or any commodities furnished by the authority such as to provide revenues sufficient at all times to pay, as the same shall become due, the principal and interest on the bonds, or other obligations of the authority together with the maintenance of proper reserves therefor, in addition to paying as the same shall become due, the expense of operating and maintaining the properties of the authority together with proper maintenance reserves, capital reserves, repair reserves, tax stabilization reserves and other contingency reserves, and all other obligations and indebtedness of the authority; however, no such rates or charges shall be changed until a public hearing on such changes shall have been held upon not less than [fourteen] THIRTY days' notice thereof to each customer, either by mail or by publication once in a newspaper having general circulation within the district; PROVIDED FURTHER, THAT NO RATE OR CHARGE ESTABLISHED PURSUANT TO THIS SUBDIVISION ASSOCIATED WITH THE USE OR RENTAL OF FIRE HYDRANTS OWNED OR OPERATED BY

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

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THE AUTHORITY SHALL EXCEED TWO HUNDRED DOLLARS PER HYDRANT PER ANNUM FOR ONE YEAR FROM THE EFFECTIVE DATE OF THE CHAPTER OF THE LAWS OF TWO THOUSAND SIXTEEN THAT AMENDED THIS SUBDIVISION. THEREAFTER, THE RATE OR CHARGE SHALL NOT EXCEED TWO HUNDRED DOLLARS PER HYDRANT PER ANNUM UNLESS THE AUTHORITY DEMONSTRATES BY CLEAR AND CONVINCING EVIDENCE AT A PUBLIC HEARING THAT ITS COST TO MAINTAIN SUCH HYDRANTS EXCEEDS TWO HUNDRED DOLLARS PER HYDRANT PER ANNUM. THE CHARGE ESTABLISHED BY THE WATER AUTHORITY SHALL BE PUBLISHED ON THE AUTHORITY'S WEBSITE. SHOULD THE AUTHORITY FAIL TO MAINTAIN A WEBSITE, THE AUTHORITY SHALL PUBLISH ITS RATES AND CHARGES IN PAPER FORM, WHICH SHALL BE MADE FREELY AVAILABLE AT NO CHARGE;

S 2. This act shall take effect January 1, 2017.