

10295

I N   A S S E M B L Y

March 17, 2010

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Introduced by M. of A. BRODSKY -- read once and referred to the Committee on Energy

AN ACT in relation to establishing the New York state task force on wind generating facilities siting and permitting policies

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

- 1     Section 1. The New York state task force on wind generating facilities  
2     siting and permitting policy is hereby established. 1. The role of such  
3     task force shall include, but not be limited to:  
4     (a) analyzing the variety of current local processes for siting wind  
5     energy production facilities;  
6     (b) considering establishing a standardized formula for the siting of  
7     wind energy generating facilities to use the following factors:  
8     (i) proximity to residential areas;  
9     (ii) availability of natural resources;  
10    (iii) economic impact on the local community;  
11    (iv) visual, audible and atmospheric impacts; and  
12    (v) impact on adjacent communities;  
13    (c) investigating the possibility of a uniform permitting procedure  
14    for the siting of wind energy generating facilities;  
15    (d) studying the feasibility of establishing a statewide list of prop-  
16    erties which are appropriate for wind energy generating facilities and  
17    the siting of such a facility would have no impact on residential or  
18    neighboring communities; and  
19    (e) preparing and submitting a report to the governor and the legisla-  
20    ture that provides specific recommendations including, but not limited  
21    to, the existing local laws on the siting of wind energy generating  
22    facilities; the necessity of a statewide policy on wind energy generat-  
23    ing facilities and the possible structure of a statewide policy on wind  
24    energy generating facilities.  
25    2. The task force shall issue such report by December 31, 2010.  
26    S 2. (a) The New York state task force on wind generating facilities  
27    siting and permitting policy shall study the need for a uniform state-

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

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1 wide policy regarding the siting and permitting of wind energy generat-  
2 ing facilities.

3 (b) Such task force shall consist of fifteen members including: the  
4 commissioners of agriculture and markets, economic development, environ-  
5 mental conservation and health, the chairperson of the public service  
6 commission and the chairperson of the New York state energy research and  
7 development authority, or a designee of any such officers. The remaining  
8 nine at-large members shall be appointed as follows: three members shall  
9 be appointed by the governor, one of whom shall be an officer, employee  
10 or representative of a utility company, one of whom shall be a member,  
11 officer or employee of a statewide association representing and advocat-  
12 ing for the interests of local governments, one of whom shall be a  
13 representative of a public interest group; two members shall be  
14 appointed by the temporary president of the senate, one of whom shall be  
15 a member, officer or employee of a statewide association representing  
16 the interest of farmers; one member shall be appointed by the minority  
17 leader of the senate; two members shall be appointed by the speaker of  
18 the assembly, one of whom shall be a member, officer or employee of a  
19 statewide organization advocating on behalf of the environment; and one  
20 member shall be appointed by the minority leader of the assembly.

21 S 3. The chairperson of the New York state energy research and devel-  
22 opment authority shall be the chairperson of the task force.

23 S 4. The members of the task force shall serve without actual compen-  
24 sation, except the at-large members shall be allowed their necessary and  
25 actual expenses incurred in the performance of their duties under this  
26 act.

27 S 5. The task force shall expire December 31, 2010.

28 S 6. The New York state energy research and development authority  
29 shall provide the task force with such facilities, assistance, and data  
30 as will enable the task force to carry out its powers and duties. Addi-  
31 tionally, all other departments or agencies of the state or subdivisions  
32 thereof shall at the request of the chairperson, provide the task force  
33 with such facilities, assistance and data as will enable the task force  
34 to carry out its powers and duties.

35 S 7. This act shall take effect immediately.