

5062

2009-2010 Regular Sessions

I N A S S E M B L Y

February 10, 2009

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

AN ACT to amend the public authorities law, in relation to providing electrical power to Broadway and off-Broadway theaters; and providing for the repeal of such provisions upon the expiration thereof

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

1 Section 1. Section 1005 of the public authorities law is amended by
2 adding a new undesignated paragraph to read as follows:
3 NOTWITHSTANDING ANY INCONSISTENT PROVISION OF LAW, THE AUTHORITY IS
4 AUTHORIZED TO ENTER INTO CONTRACTS PRIOR TO JULY FIRST, TWO THOUSAND
5 TWELVE, WHICH CONTRACTS MAY EXPIRE NOT LATER THAN JUNE THIRTIETH, TWO
6 THOUSAND THIRTEEN, TO PROVIDE LOW-COST ELECTRIC POWER TO BROADWAY OR
7 OFF-BROADWAY THEATERS. FOR THIS PURPOSE, THE AUTHORITY IS AUTHORIZED TO
8 PROVIDE ANY POWER AVAILABLE FROM ANY SOURCE AND UNDER ANY PROGRAM,
9 INCLUDING, WITHOUT LIMITATION, ANY NEW TECHNOLOGY DEMONSTRATION PROJECT
10 OR THE POWER FOR JOBS PROGRAM; PROVIDED, HOWEVER, THAT IN CONSIDERING
11 ANY ALLOCATION UNDER THE POWER FOR JOBS PROGRAM, NO CUSTOMER SHALL BE
12 DENIED SUCH ALLOCATION ON THE BASIS THAT SUCH CUSTOMER IS UNABLE TO MAKE
13 COMMITMENTS AS TO THE NUMBER OF JOBS TO BE CREATED OR MAINTAINED BY SUCH
14 ALLOCATION. FOR THE PURPOSES OF THIS PARAGRAPH: (A) THE TERM "BROADWAY
15 THEATER" OR "OFF-BROADWAY THEATER" SHALL MEAN A BUILDING OR PART OF A
16 BUILDING WITH ONE OR MORE PERFORMANCE AREAS AND ONE OR MORE AUDIENCE
17 SEATING AREAS AND USED FOR THE PRESENTATION OF DRAMATIC OR MUSICAL THEA-
18 TER PERFORMANCES AND COMMONLY REFERRED TO EITHER AS A "BROADWAY THEATER"
19 OR AN "OFF-BROADWAY THEATER"; AND (B) THE TERM "CUSTOMER" SHALL MEAN THE
20 PERSON BILLED BY THE ELECTRICAL UTILITY FOR ELECTRIC POWER CONSUMED IN
21 CONNECTION WITH A DRAMATIC OR MUSICAL THEATER PERFORMANCE IN A BROADWAY
22 THEATER OR OFF-BROADWAY THEATER.
23 S 2. This act shall take effect immediately and shall expire and be
24 deemed repealed June 30, 2012; provided, however, that any contract
25 entered into under the authority of this act may continue until June 30,
26 2013.

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

LBD08236-01-9