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

6258

2009-2010 Regular Sessions

I N A S S E M B L Y

February 27, 2009

Introduced by M. of A. BARCLAY, THIELE, McDONOUGH, ERRIGO, CROUCH, BACALLES, WALKER, CALHOUN, KOLB, ALFANO -- Multi-Sponsored by -- M. of A. GIGLIO, OAKS -- 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 providing for the repeal of such provisions upon expiration thereof

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

Section 1. The New York state task force on wind generating facilities siting is hereby established. The role of such task force shall include, but not be limited to:

1. analyzing the variety of current local processes for siting wind energy production facilities;

2. considering establishing a standardized formula for the siting of wind energy generating facilities to use the following factors:

(a) proximity to residential areas;

(b) availability of natural resources;

(c) economic impact on the local community;

(d) visual, audible and atmospheric impacts; and

(e) impact on adjacent communities;

3. investigating the possibility of a uniform permitting procedure for the siting of wind energy generating facilities;

4. studying the feasibility of establishing a statewide list of properties which are appropriate for wind energy generating facilities and the siting of such a facility would have no impact on residential or neighboring communities; and

5. preparing and submitting a report to the governor and the legislature by December 31, 2011 that provides specific recommendations including, but not limited to, the existing local laws on the siting of wind energy generating facilities; the necessity of a statewide policy on

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

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wind energy generating facilities; and the possible structure of a statewide policy on wind energy generating facilities.

S 2. 1. The New York state task force on wind generating facilities siting shall study the need for a uniform statewide policy regarding the siting and permitting of wind energy generating facilities.

2. Such task force shall consist of fifteen members including: the commissioners of agriculture and markets, economic development, environmental conservation and health, the chairperson of the public service commission, the chairperson of the New York state energy research and development authority, or a designee of any such officers. The remaining nine at-large members shall be appointed as follows: five members shall be appointed by the governor, one of whom shall be a member, officer or employee of a statewide association representing and advocating for the interests of local governments and one of whom shall be a member, officer or employee of a statewide organization advocating on behalf of the environment; one member shall be appointed by the temporary president of the senate; one member shall be appointed by the minority leader of the senate; one member shall be appointed by the speaker of the assembly; and one member shall be appointed by the minority leader of the assembly.

S 3. The chairperson of the New York state energy research and development authority shall be the chairperson of the task force.

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

S 5. The New York state energy research and development authority shall provide the task force with such facilities, assistance, and data as will enable the task force to carry out its powers and duties. Additionally, all other departments or agencies of the state or subdivisions thereof shall at the request of the chairperson, provide the task force with such facilities, assistance and data as will enable the task force to carry out its powers and duties.

S 6. This act shall take effect immediately and shall expire and be deemed repealed December 31, 2011.