

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

5123--A

2009-2010 Regular Sessions

I N S E N A T E

April 27, 2009

Introduced by Sens. PARKER, KRUGER, PERKINS -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications -- recommitted to the Committee on Energy and Telecommunications 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 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, OFF-
7 BROADWAY, OR OFF-OFF-BROADWAY THEATERS. FOR THIS PURPOSE, THE AUTHORITY
8 IS AUTHORIZED TO PROVIDE ANY POWER AVAILABLE FROM ANY SOURCE AND UNDER
9 ANY PROGRAM, INCLUDING, WITHOUT LIMITATION, ANY NEW TECHNOLOGY DEMON-
10 STRATION PROJECT OR THE POWER FOR JOBS PROGRAM; PROVIDED, HOWEVER, THAT
11 IN CONSIDERING ANY ALLOCATION UNDER THE POWER FOR JOBS PROGRAM, NO
12 CUSTOMER SHALL BE DENIED SUCH ALLOCATION ON THE BASIS THAT SUCH CUSTOMER
13 IS UNABLE TO MAKE COMMITMENTS AS TO THE NUMBER OF JOBS TO BE CREATED OR
14 MAINTAINED BY SUCH ALLOCATION. FOR THE PURPOSES OF THIS PARAGRAPH: (A)
15 THE TERM "BROADWAY THEATER", "OFF-BROADWAY THEATER", OR "OFF-OFF-BROAD-
16 WAY THEATER" SHALL MEAN A BUILDING OR PART OF A BUILDING WITH ONE OR
17 MORE PERFORMANCE AREAS AND ONE OR MORE AUDIENCE SEATING AREAS AND USED
18 FOR THE PRESENTATION OF DRAMATIC OR MUSICAL THEATER PERFORMANCES AND
19 COMMONLY REFERRED TO EITHER AS A "BROADWAY THEATER", "OFF-BROADWAY THEA-
20 TER", OR "OFF-OFF-BROADWAY THEATER"; AND (B) THE TERM "CUSTOMER" SHALL

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

LBD08236-03-0

1 MEAN THE PERSON BILLED BY THE ELECTRICAL UTILITY FOR ELECTRIC POWER
2 CONSUMED IN CONNECTION WITH A DRAMATIC OR MUSICAL THEATER PERFORMANCE IN
3 A BROADWAY THEATER, OFF-BROADWAY THEATER, OR OFF-OFF-BROADWAY THEATER.
4 S 2. This act shall take effect immediately and shall expire and be
5 deemed repealed June 30, 2012; provided, however, that any contract
6 entered into under the authority of this act may continue until June 30,
7 2013.