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

3713

2009-2010 Regular Sessions

I N S E N A T E

March 30, 2009

Introduced by Sen. PARKER -- (at request of the Department of Public Service) -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications

AN ACT to amend the public service law, in relation to powers of municipalities and state agencies

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

Section 1. The first undesignated paragraph of section 130 of the public service law, as amended by chapter 362 of the laws of 1987, is amended to read as follows:

Notwithstanding any other provision of law, no state agency, municipality or any agency thereof may, EXCEPT AS EXPRESSLY AUTHORIZED UNDER THIS ARTICLE BY THE COMMISSION, require any approval, consent, permit, certificate or other condition for the construction or operation of a major facility with respect to which an application for a certificate hereunder has been [issued] FILED, other than those provided by otherwise applicable state law for the protection of employees engaged in the construction and operation of such facility AND THOSE PROVIDED BY OTHERWISE APPLICABLE STATE OR LOCAL LAW FOR THE ADMINISTRATION AND ENFORCEMENT OF THE NEW YORK STATE UNIFORM FIRE PREVENTION AND BUILDING CODE, and provided that in the case of a municipality or an agency thereof, such municipality has received notice of the filing of the application therefor.

S 2. This act shall take effect immediately and shall apply to all petitions filed on or after the effective date of this act.

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

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