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

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I N S E N A T E

February 16, 2010

Introduced by Sens. PARKER, STACHOWSKI -- 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 the imposition of the temporary state energy and utility service conservation assessment

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

Section 1. Paragraph (a) of subdivision 6 of section 18-a of the public service law, as added by section 4 of part NN of chapter 59 of the laws of 2009, is amended to read as follows:

(a) Notwithstanding any provision of law to the contrary, and subject to the exceptions provided for in paragraph (b) of this subdivision, for the state fiscal year beginning on April first, two thousand nine and UP TO four state fiscal years thereafter, a temporary annual assessment (hereinafter "temporary state energy and utility service conservation assessment") is hereby imposed on public utility companies (including for the purposes of this subdivision municipalities other than municipalities as defined in section eighty-nine-l of this chapter), corporations (including for purposes of this subdivision the Long Island power authority), and persons subject to the commission's regulation (hereinafter such public utility companies, corporations, and persons are referred to collectively as the "utility entities") to encourage the conservation of energy and other resources provided through utility entities, to be assessed in the manner provided in this subdivision; provided, however, that such assessment shall not be imposed upon telephone corporations as defined in subdivision seventeen of section two of this article; AND PROVIDED, FURTHER, THAT THE AUTHORITY TO IMPOSE SUCH ASSESSMENT SHALL EXPIRE AT THE END OF EACH STATE FISCAL YEAR ON OR AFTER MARCH THIRTY-FIRST, TWO THOUSAND TEN, UNLESS THE GOVERNOR REQUESTS THE AUTHORITY FROM THE LEGISLATURE TO CONTINUE TO IMPOSE THE TEMPORARY STATE ENERGY AND UTILITY SERVICE CONSERVATION ASSESSMENT FOR AN ADDITIONAL FISCAL YEAR, AFTER CERTIFYING THE NECESSITY FOR SUCH CONTINUED ASSESSMENT TO THE LEGISLATURE.

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

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S 2. This act shall take effect immediately; provided that the amendments to subdivision 6 of section 18-a of the public service law, made by section one of this act, shall not affect the expiration and repeal of such subdivision and shall expire and be deemed repealed therewith.