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

9527--A

I N A S S E M B L Y

March 12, 2012

Introduced by M. of A. CAHILL -- read once and referred to the Committee on Judiciary -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the transportation corporations law, in relation to restricting transportation corporations that are electric corporations from exercising the right of eminent domain

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

Section 1. Section 11 of the transportation corporations law is amended by adding a new subdivision 8 to read as follows:

8. SUBDIVISIONS THREE AND THREE-A OF THIS SECTION SHALL NOT APPLY TO ANY ELECTRIC CORPORATION:

(A) SEEKING TO BUILD A TRANSMISSION LINE, OR TO EXPAND AN EXISTING TRANSMISSION LINE, WHICH SUCH LINE CONNECTS A LOCATION OUTSIDE OF THE TERRITORIAL LIMITS OF THE UNITED STATES OF AMERICA, TO A LOCATION WITHIN THE STATE OF NEW YORK UNLESS SUCH LINE IS DESIGNED TO ALLOW FOR INTERCONNECTION TO SUCH LINE WITHIN THE STATE OF NEW YORK BY ANY GENERATION FACILITY OR FACILITIES LOCATED OR PROPOSED TO BE LOCATED IN THE STATE OF NEW YORK; OR

(B) SEEKING TO BUILD A TRANSMISSION LINE, OR TO EXPAND AN EXISTING TRANSMISSION LINE WHICH SUCH LINE CONNECTS TO A LOCATION WITHIN THE STATE OF NEW YORK WHICH PERMITS INTERCONNECTION BY ANY GENERATION FACILITY OR FACILITIES OR PROPOSED FACILITIES THAT CANNOT DEMONSTRATE COMPLIANCE WITH THE POWER PLANT EMISSIONS AND PERFORMANCE STANDARDS ESTABLISHED PURSUANT TO SECTION 19-0312 OF THE ENVIRONMENTAL CONSERVATION LAW; OR

(C) SEEKING TO BUILD AN ELECTRIC GENERATING FACILITY, OR TO EXPAND AN EXISTING ELECTRIC GENERATING FACILITY, IN A LOCATION OUTSIDE OF THE TERRITORIAL LIMITS OF THE UNITED STATES OF AMERICA TOGETHER WITH BUILDING AN ELECTRICAL INTERCONNECTION TO A LOCATION WITHIN THE STATE OF NEW YORK.

S 2. This act shall take effect immediately.

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

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