

1249

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. CAHILL -- read once and referred to the Committee
on Judiciary

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 ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. Section 11 of the transportation corporations law is
2 amended by adding a new subdivision 8 to read as follows:
3 8. SUBDIVISIONS THREE AND THREE-A OF THIS SECTION SHALL NOT APPLY TO
4 ANY ELECTRIC CORPORATION:
5 (A) SEEKING TO BUILD A TRANSMISSION LINE, OR TO EXPAND AN EXISTING
6 TRANSMISSION LINE, WHICH SUCH LINE CONNECTS A LOCATION OUTSIDE OF THE
7 TERRITORIAL LIMITS OF THE UNITED STATES OF AMERICA, TO A LOCATION WITHIN
8 THE STATE OF NEW YORK UNLESS SUCH LINE IS DESIGNED TO ALLOW FOR INTER-
9 CONNECTION TO SUCH LINE WITHIN THE STATE OF NEW YORK BY ANY GENERATION
10 FACILITY OR FACILITIES LOCATED OR PROPOSED TO BE LOCATED IN THE STATE OF
11 NEW YORK; OR
12 (B) SEEKING TO BUILD A TRANSMISSION LINE, OR TO EXPAND AN EXISTING
13 TRANSMISSION LINE WHICH SUCH LINE CONNECTS TO A LOCATION WITHIN THE
14 STATE OF NEW YORK WHICH PERMITS INTERCONNECTION BY ANY GENERATION FACIL-
15 ITY OR FACILITIES OR PROPOSED FACILITIES THAT CANNOT DEMONSTRATE COMPLI-
16 ANCE WITH THE POWER PLANT EMISSIONS AND PERFORMANCE STANDARDS ESTAB-
17 LISHED PURSUANT TO SECTION 19-0312 OF THE ENVIRONMENTAL CONSERVATION
18 LAW; OR
19 (C) SEEKING TO BUILD AN ELECTRIC GENERATING FACILITY, OR TO EXPAND AN
20 EXISTING ELECTRIC GENERATING FACILITY, IN A LOCATION OUTSIDE OF THE
21 TERRITORIAL LIMITS OF THE UNITED STATES OF AMERICA TOGETHER WITH BUILD-
22 ING AN ELECTRICAL INTERCONNECTION TO A LOCATION WITHIN THE STATE OF NEW
23 YORK.
24 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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