

8495

I N A S S E M B L Y

January 17, 2014

Introduced by M. of A. RYAN -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to repeal subdivision 24 of section 1005 of the public authorities law relating to the powers and duties of the power authority of the state of New York, and to authorize and direct the power authority of the state of New York to request information from beneficiaries of certain settlement proceedings and to report thereon; and providing for the repeal of certain provisions upon expiration thereof

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

- 1 Section 1. Subdivision 24 of section 1005 of the public authorities
2 law, as added by chapter 552 of the laws of 2013, is REPEALED.
3 S 2. The power authority of the state of New York ("authority") shall
4 transmit a written request for information ("information request") to
5 (i) each public entity within the state of New York ("state") and (ii)
6 each private entity with facilities within the state (collectively,
7 "entity"), that received an allocation, sub-allocation or transfer of
8 power, grant of money or any other tangible benefit from the authority
9 as a result of the settlement proceedings related to the relicensing of
10 the authority's Niagara power project approved by the federal energy
11 regulatory commission that took effect on September 1, 2007.
12 (a) The authority shall seek from each such entity the following
13 information:
14 1. all purposes for which the power allocation or grant was used;
15 2. whether any portion of the power allocation or grant or any benefit
16 therefrom was sub-allocated or transferred to another person or entity
17 and, if so, the name and address of each such person or entity;
18 3. whether the person or entity has a basis to believe that the power
19 allocation or grant contributed to the retention or creation of new jobs
20 in the state and, if so, the estimated number of jobs retained and
21 created and the basis for the person or entity's estimate;
22 4. whether the power allocation or grant provided any other benefits
23 and, if so, a description of all such benefits; and

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

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1 5. the results of any audit conducted by the entity concerning the use
2 of a power allocation or grant by the entity or any person to which any
3 portion of the power allocation or grant was sub-allocated or trans-
4 ferred.

5 (b) If the person or entity that received a power allocation or grant
6 lacks any of the information described in subdivision (a) of this
7 section with respect to any portion of a grant that was sub-allocated or
8 transferred to another person or entity, the authority shall transmit a
9 written request for information to each such person or entity for the
10 purpose of obtaining such information.

11 (c) Each entity or person that receives a written request for informa-
12 tion from the authority pursuant to this act shall cooperate fully with
13 the authority, provide responsive information in a timely manner, and
14 comply with other requests and requirements deemed appropriate by the
15 authority or its designee.

16 (d) The authority shall issue a report on the results of the informa-
17 tion requests authorized by this act by July 1, 2015. The authority
18 shall include in such report the identity of any entity or person that
19 received a request for information from the authority but did not
20 provide responsive information. The authority shall post a copy of the
21 report on the authority's website and transmit a copy of the full report
22 to the governor, the temporary president of the senate, the speaker of
23 the assembly, the chairs of the senate energy and telecommunications
24 committee and the assembly corporations, authorities and commissions and
25 energy committees.

26 (e) The information requests and report provided for by this section
27 may in the authority's discretion be conducted by the authority or by a
28 qualified contractor selected by the authority in accordance with the
29 authority's procurement guidelines.

30 S 3. This act shall take effect immediately and shall be deemed to
31 have been in full force and effect on and after the date chapter 552 of
32 the laws of 2013 took effect; provided, however, that section two of
33 this act shall expire and be deemed repealed July 1, 2015.