

4948

2013-2014 Regular Sessions

I N   S E N A T E

May 1, 2013

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Introduced by Sen. MAZIARZ -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications

AN ACT to amend the public authorities law, in relation to duties of the New York power authority

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

- 1     Section 1. Section 1005 of the public authorities law is amended by  
2     adding a new subdivision 24 to read as follows:  
3     24. A. NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, THE  
4     AUTHORITY SHALL UNDERTAKE AN AUDIT OF ALL THE PARTIES SUBJECT TO STATE  
5     OVERSIGHT THAT WERE NAMED AS BENEFICIARIES OF A POWER ALLOCATION OR CASH  
6     PAYMENT IN THE FEDERAL RELICENSING AGREEMENT APPROVED BY THE FEDERAL  
7     ENERGY REGULATORY COMMISSION THAT TOOK EFFECT ON SEPTEMBER FIRST, TWO  
8     THOUSAND SEVEN, IN RELATION TO THE NIAGARA POWER PROJECT IN LEWISTON,  
9     NEW YORK.  
10    B. AS DEEMED FEASIBLE AND ADVISABLE BY THE TRUSTEES OF THE AUTHORITY,  
11    THE AUDIT REQUIRED BY THIS SUBDIVISION MAY BE CONDUCTED BY THE AUTHORITY  
12    AND ITS STAFF OR IN THE ALTERNATIVE THE AUTHORITY IS HEREBY AUTHORIZED  
13    TO ISSUE A REQUEST FOR PROPOSALS WITHIN NINETY DAYS OF THE EFFECTIVE  
14    DATE OF THIS SUBDIVISION FOR A QUALIFIED ACCOUNTING AND AUDITING FIRM TO  
15    PERFORM THIS WORK.  
16    C. EACH ENTITY WHO RECEIVED A POWER ALLOCATION OR CASH PAYMENT IS  
17    HEREBY DIRECTED TO COOPERATE FULLY WITH THE AUDIT REQUIRED HEREIN, AND  
18    TO PROVIDE DOCUMENTS OR OTHER EXHIBITS IN A TIMELY MANNER, AND TO MAKE  
19    WITNESSES READILY AVAILABLE WHO ARE CAPABLE OF PROVIDING INFORMATION  
20    ABOUT THE USE OF THE AUTHORITY'S ASSETS PURSUANT TO THE RELICENSING  
21    AGREEMENT AND TO COMPLY WITH OTHER REQUESTS AND REQUIREMENTS DEEMED  
22    APPROPRIATE BY THE AUTHORITY OR ITS DESIGNEE.  
23    D. SUCH AUDIT SHALL INCLUDE BUT SHALL NOT BE LIMITED TO, AN EXAMINA-  
24    TION AND REPORT ON EACH TRANSACTION INVOLVING RELICENSING POWER OR

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

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1 MONEY, INCLUDING IDENTIFYING THE BENEFICIARIES OF SUCH BENEFITS, SPECI-  
2 FYING ANY AND ALL CASH PAYMENTS OR POWER ALLOCATIONS AND A REVIEW OF  
3 EACH TRANSACTION TO DETERMINE WHETHER ANY JOBS WERE CREATED OR RETAINED  
4 AS A RESULT OF THE ALLOCATIONS IN QUESTION OR IF ANY BENEFIT WAS  
5 PROVIDED TO THE COMMUNITY AS A WHOLE.  
6 E. THE AUTHORITY SHALL ISSUE A REPORT ON THE RESULTS OF THE AUDIT BY  
7 MARCH FIRST, TWO THOUSAND FOURTEEN, AND SHALL TRANSMIT A COPY OF THE  
8 FULL AUDIT DOCUMENT TO THE GOVERNOR, THE TEMPORARY PRESIDENT OF THE  
9 SENATE, THE CHAIRS OF THE SENATE ENERGY AND TELECOMMUNICATIONS COMMITTEE  
10 AND THE ASSEMBLY ENERGY COMMITTEE AND THE CHIEF EXECUTIVE OFFICER OR  
11 RESPONSIBLE PARTY FOR EACH RELICENSING BENEFICIARY WHO IS A SUBJECT OF  
12 SAID AUDIT.  
13 S 2. This act shall take effect immediately.