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

3238--A

2013-2014 Regular Sessions

I N S E N A T E

January 31, 2013

Introduced by Sen. PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications -- recommitted to the Committee on Energy and Telecommunications in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public authorities law, in relation to providing electrical power to Broadway and off-Broadway theaters; and providing for the repeal of such provisions upon the expiration thereof

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

Section 1. Section 1005 of the public authorities law is amended by adding a new undesignated paragraph to read as follows:

NOTWITHSTANDING ANY INCONSISTENT PROVISION OF LAW, THE AUTHORITY IS AUTHORIZED TO ENTER INTO CONTRACTS PRIOR TO JULY FIRST, TWO THOUSAND SIXTEEN, WHICH CONTRACTS MAY EXPIRE NOT LATER THAN JUNE THIRTIETH, TWO THOUSAND SEVENTEEN, TO PROVIDE LOW-COST ELECTRIC POWER TO BROADWAY, OFF-BROADWAY, OR OFF-OFF-BROADWAY THEATERS. FOR THIS PURPOSE, THE AUTHORITY IS AUTHORIZED TO PROVIDE ANY POWER AVAILABLE FROM ANY SOURCE AND UNDER ANY PROGRAM, INCLUDING, WITHOUT LIMITATION, ANY NEW TECHNOLOGY DEMONSTRATION PROJECT OR THE POWER FOR JOBS PROGRAM; PROVIDED, HOWEVER, THAT IN CONSIDERING ANY ALLOCATION UNDER THE POWER FOR JOBS PROGRAM, NO CUSTOMER SHALL BE DENIED SUCH ALLOCATION ON THE BASIS THAT SUCH CUSTOMER IS UNABLE TO MAKE COMMITMENTS AS TO THE NUMBER OF JOBS TO BE CREATED OR MAINTAINED BY SUCH ALLOCATION. FOR THE PURPOSES OF THIS PARAGRAPH: (A) THE TERM "BROADWAY THEATER", "OFF-BROADWAY THEATER", OR "OFF-OFF-BROADWAY THEATER" SHALL MEAN A BUILDING OR PART OF A BUILDING WITH ONE OR MORE PERFORMANCE AREAS AND ONE OR MORE AUDIENCE SEATING AREAS AND USED FOR THE PRESENTATION OF DRAMATIC OR MUSICAL THEATER PERFORMANCES AND COMMONLY REFERRED TO EITHER AS A "BROADWAY THEATER", "OFF-BROADWAY THEATER", OR "OFF-OFF-BROADWAY THEATER"; AND (B) THE TERM "CUSTOMER" SHALL

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

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MEAN THE PERSON BILLED BY THE ELECTRICAL UTILITY FOR ELECTRIC POWER CONSUMED IN CONNECTION WITH A DRAMATIC OR MUSICAL THEATER PERFORMANCE IN A BROADWAY THEATER, OFF-BROADWAY THEATER, OR OFF-OFF-BROADWAY THEATER.

S 2. This act shall take effect immediately and shall expire and be deemed repealed June 30, 2016; provided, however, that any contract entered into under the authority of this act may continue until June 30, 2017.