

6244

I N   S E N A T E

(PREFILED)

January 8, 2014

---

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

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2 law, as added by chapter 552 of the laws of 2013, is REPEALED.  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.

LBD13458-01-4

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.