STATE OF NEW YORK

7956

IN SENATE

March 13, 2018

Introduced by Sen. GRIFFO -- (at request of the New York Power Authority) -- 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 certain contracts negotiated by the power authority of the state of New York

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 1009 of the public authorities law, as amended by chapter 294 of the laws of 1968, subdivisions 1 and 3 as separately amended by chapters 412 and 521 of the laws of 1984, is amended to read as follows:

§ 1009. Contracts negotiated by authority. Contracts negotiated by the authority as provided in [~~sub-paragraph~~] **subdivision** five or six of section one thousand five of this title shall be entered into and executed as follows:

1. After agreement upon the terms of any such contracts shall have been reached by the authority and its co-party or co-parties, the authority shall **(i)** promptly transmit a copy of such proposed contract to the governor, the speaker of the assembly, the minority leader of the assembly, the chairman of the assembly committee on ways and means, the temporary president of the senate and the minority leader of the senate and the chairman of the senate finance committee [~~and shall hold a public hearing or hearings upon the terms thereof. At least thirty days' notice of such hearing shall be given by publication once in each week during such period in each of six newspapers within the state to be selected by the authority. Copies~~]**, and (ii) make a copy** of **the** proposed [~~contracts shall be~~] **contract** available for public inspection during such period of thirty days at the office or offices of the authority and at such other places throughout the state as it may designate**, and on the authority's public website**.

2. Following [~~such public hearing~~] **the thirty-day period provided for in subdivision one of this section**, the authority [~~shall~~] **may** reconsider the terms of the proposed contract [~~or contracts~~] and [~~shall~~] negotiate such changes and modifications in the contract [~~or contracts~~] as it then

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

LBD14390-01-8

deems necessary or advisable, and provide for the execution of the contract by the authority and its co-party.

[~~3. When such contract or contracts are finally agreed upon in terms satisfactory to the authority and its co-party or co-parties, and which the authority believes to be in the public interest, the authority shall thereupon report the proposed contract or contracts, together with its recommendations and the record of the public hearings thereon, to the speaker of the assembly, the chairman of the assembly committee on ways and means, the temporary president of the senate, the chairman of the senate finance committee and the governor. The governor shall, within sixty days thereafter, indicate his approval or disapproval thereof and give his reasons therefor.~~

~~4. If the governor shall approve such contract, then the same shall be executed by the chairman and secretary of the authority and it shall thereupon come into full force and effect and be binding upon the authority and all other parties thereto in accordance with its terms.~~]

§ 2. This act shall take effect immediately.