STATE OF NEW YORK

1851

2023-2024 Regular Sessions

IN ASSEMBLY

January 23, 2023

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

AN ACT to amend the public service law, in relation to severe weather emergency response plans

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

Section 1. The public service law is amended by adding a new section 28 to read as follows:

§ 28. Severe weather emergency response plans. 1. Any public utility authority, utility corporation, telecommunication carrier pursuant to 47 U.S.C. § 214(e), or internet or broadband provider, operating within the bounds of any county that is required to have a local comprehensive emergency management plan shall create, with assistance from the appropriate local county office charged with emergency response and management, a severe weather emergency response plan and shall participate with any county they operate within in a biannual disaster drill.

2. The purpose of such plans shall be to minimize the effect of disasters caused by severe weather by (a) identifying appropriate measures to prevent disasters, (b) developing mechanisms to coordinate the use of resources and manpower for service during and after disasters and the delivery of services to aid and reduce human suffering resulting from a disaster, and (c) providing for recovery and restoration of service after disasters.

3. Such emergency response plans shall include, but not be limited to:

(a) Disaster prevention and mitigation. Plans to prevent and minimize the effects of disasters shall include, but not be limited to:

(i) identification of hazards and assessment of risk;

(ii) recommended disaster prevention and mitigation projects, policies, priorities and programs, with suggested implementation schedules; and

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

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(iii) such other measures as reasonably can be taken to protect lives, prevent disasters, and reduce their impact.

(b) Disaster response. Plans to coordinate the use of resources and manpower for service during and after disasters and to deliver services to aid and reduce human suffering resulting from a disaster shall include, but not be limited to:

(i) coordination of resources, manpower and services, using recognized practices in incident management, utilizing existing organizations and lines of authority and centralized direction of requests for assistance;

(ii) the location, procurement, construction, processing, transportation, storing, maintenance, renovation, distribution, disposal or use of materials;

(iii) a system for warning populations who are or may be endangered;

(iv) a specific plan for rapid and efficient communication, including the assignment of responsibilities and the establishment of communication priorities and liaison with municipal, state and federal governments;

(v) criteria for establishing priorities with respect to the restoration of vital services and debris removal;

(vi) providing information to the public; and

(vii) procedures under which the county, city, town, village or other political subdivision will be contacted in the event of a disaster.

(c) Recovery. Plans to provide for recovery and restoration of service after disasters shall include, but not be limited to:

(i) recommendations for replacement, reconstruction, removal or relocation of damaged or destroyed facilities, infrastructure, or equipment, and proposed recommendations to minimize the impact of any potential future disasters;

(ii) provisions for cooperation with local, state, and federal agencies in recovery efforts; and

(iii) provisions for educating local disaster officials or organizations on the severe weather emergency response plan.

§ 2. This act shall take effect on the sixtieth day after it shall have become a law.