

STATE OF NEW YORK

8174--A

2025-2026 Regular Sessions

IN ASSEMBLY

May 5, 2025

Introduced by M. of A. ROZIC, SHRESTHA, SHIMSKY, BURDICK, JACKSON -- read once and referred to the Committee on Corporations, Authorities and Commissions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public service law, in relation to the commissioners of the public service commission

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

1 Section 1. Section 4 of the public service law, as amended by chapter
2 155 of the laws of 1970, subdivision 1 as amended by chapter 594 of the
3 laws of 2021, and subdivision 4 as added by chapter 584 of the laws of
4 2021, is amended to read as follows:

5 § 4. The public service commission. 1. There shall be in the depart-
6 ment of public service a public service commission, which shall possess
7 the powers and duties hereinafter specified, and also all powers neces-
8 sary or proper to enable it to carry out the purposes of this chapter.
9 The commission shall consist of five members, to be appointed by the
10 governor, by and with the advice and consent of the senate. A commis-
11 sioner shall be designated as [~~chairman~~] chairperson of the commission
12 by the governor to serve in such capacity at the pleasure of the gover-
13 nor or until [~~his~~] their term as commissioner expires whichever first
14 occurs. At least [~~one commissioner~~] two commissioners shall have experi-
15 ence in utility consumer advocacy. For each new commissioner, the gover-
16 nor shall make appointments to reasonably ensure that the commissioners
17 represent the maximum number of fields specified in subdivision four of
18 this section. No more than three commissioners may be members of the
19 same political party unless, pursuant to action taken under subdivision
20 two of this section, the number of commissioners shall exceed five, and
21 in such event no more than four commissioners may be members of the same
22 political party.

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

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1 2. Notwithstanding subdivision one of this section, whenever the
2 commission shall certify to the governor that additional commissioners
3 are needed for the proper disposition of the business before it, the
4 governor may increase the membership of the commission to seven members
5 by appointing two additional commissioners by and with the advice and
6 consent of the senate. The terms of office of such additional commis-
7 sioners and the filling of vacancies during such terms shall be governed
8 by subdivision three of this section, except that upon the expiration of
9 the terms of such additional commissioners, no further appointments or
10 reappointments shall be made to such additional offices, unless the
11 commission shall first certify to the governor that the need for addi-
12 tional commissioners continues to exist.

13 3. The term of office of a commissioner shall be six years from the
14 first day of February of the calendar year in which [~~he~~] such commis-
15 sioner shall be appointed and commissioners shall serve on a full-time
16 basis. Upon a vacancy occurring otherwise than by expiration of term in
17 the office of any commissioner, the governor, by and with the advice and
18 consent of the senate, shall fill the vacancy by appointment for the
19 unexpired term.

20 4. Any commissioner appointed on or after July first, two thousand
21 twenty-two, pursuant to this section shall have education and training,
22 and three or more years of experience in one or more of the following
23 fields: economics[~~7~~]; engineering[~~7~~]; law[~~7~~]; accounting[~~7~~]; business
24 management[~~7~~]; utility regulation[~~7~~] including the regulation of elec-
25 tric, gas, steam, telecommunications, and water; public policy[~~7~~];
26 consumer advocacy; or environmental management.

27 § 2. Section 9 of the public service law, as amended by chapter 155 of
28 the laws of 1970, is amended to read as follows:

29 § 9. Oath of office; eligibility of commissioners and officers. Each
30 commissioner and each person appointed to office by the [~~chairman~~]
31 chairperson shall, before entering upon the duties of [~~his~~] their
32 office, take and subscribe the constitutional oath of office. The oaths
33 of office other than those of a commissioner shall be filed in the
34 office of the commission. No person shall be eligible for appointment or
35 shall hold the office of commissioner or be appointed to, or hold, any
36 office or position under the commission, who holds any official relation
37 to any person or corporation subject to the supervision of the commis-
38 sion, or who owns stocks or bonds of any such corporation. No person
39 shall be eligible for appointment or shall hold the office of commis-
40 sioner if in the previous two years they were employed by an electric,
41 gas, steam, telecommunications, or water utility that is regulated by
42 the commission.

43 § 3. This act shall take effect immediately and shall apply to any
44 commissioner appointed on or after such date.