STATE OF NEW YORK

8610

2025-2026 Regular Sessions

IN SENATE

December 8, 2025

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

AN ACT to amend the public authorities law, in relation to the trustees of 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. Short title. This act shall be known and may be cited as the "public power democracy act".

§ 2. Section 1003 of the public authorities law, as amended by chapter 766 of the laws of 2005, is amended to read as follows:

§ 1003. Trustees. **1.** The authority shall consist of [~~seven~~] **seventeen** trustees, five of whom shall serve respectively for terms of one, two, three, four and five years, to be appointed by the governor, by and with the advice and consent of the senate. The sixth and seventh trustees shall be appointed by the governor, by and with the advice and consent of the senate, and shall serve initial terms of one and two years respectively. **Of the trustees appointed by the governor, one shall be a bona fide expert in public finance, one shall be a bona fide expert in consumer advocacy, and one shall be a bona fide expert in environmental justice. Five trustees shall be appointed by the temporary president of the senate, of which one shall be a representative of a bona fide labor organization that represents workers engaged in a collective bargaining agreement with the authority or its subsidiaries, and one shall be a representative of a bona fide labor organization that represents workers employed by an organization engaged in a power purchase agreement with the authority. Five trustees shall be appointed by the speaker of the assembly, of which one shall be a bona fide expert in renewable energy siting, and one shall be a bona fide expert in building electrification.** Each trustee shall hold office until a successor has been appointed and qualified **or until removed by a majority vote of the legislature or the governor**. **Furthermore, the New York state energy research and develop-**

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

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ment authority and the office of renewable energy siting and electric transmission shall each be allowed to appoint one non-voting member.

2. At the expiration of the term of each trustee and of each succeeding trustee [~~the governor shall, by and with the advice and consent of the senate, appoint a successor, who shall hold office for a term of five years, or until a successor has been appointed and qualified. In the event of a vacancy occurring in the office of the trustee by death, resignation or otherwise, the governor shall, by and with the advice and consent of the senate, appoint a successor, who shall hold office for the unexpired term. Four trustees shall constitute a quorum for the purpose of organizing the authority and conducting the business thereof~~], or the event of a vacancy occurring in the office of the trustee by death, resignation or otherwise, the original entities who appointed that trustee shall appoint a successor who shall hold office for the unexpired term. A majority of the appointed voting trustees shall constitute a quorum for the purpose of organizing the authority and conducting the business thereof. Any authority trustee or board member may be terminated by either a majority vote of the senate or assembly, or by the governor. Reasons for termination may include, but are not limited to: failure to meet the renewable energy targets; conflicts of interest; failure to prioritize climate justice, environmental justice, or economic justice in the authority's operations; sexual assault or harassment; or corruption.

3. The trustee chosen as [~~chairman~~] chair as provided in section one thousand four of this title, shall receive an annual salary which shall be set by the trustees of the authority, and which shall not exceed the salary prescribed for the positions listed in paragraph (f) of subdivision one of section one hundred sixty-nine of the executive law. Each other trustee shall not receive a salary or other compensation. Each trustee shall receive [~~his or her~~] their reasonable expenses in the performance of [~~his or her duties hereunder~~] their duties pursuant to this section. The trustee chosen as [~~chairman~~] chair may elect to become a member of the New York state and local employees' retirement system on the basis of such compensation to which [~~he or she~~] such chair shall be entitled as herein provided notwithstanding the provisions of any general, special or local law, municipal charter, or ordinance.

§ 3. Section 1004 of the public authorities law, as amended by chapter 506 of the laws of 2009, is amended to read as follows:

§ 1004. Officers and employees; expenses. The trustees shall choose from among their own number a [~~chairman~~] chair and [~~vice-chairman~~] vice-chair. The terms for chair and vice-chair shall be two years. They shall select such officers and employees, including a chief executive officer whose appointment shall be subject to confirmation by the senate [~~in accordance with section twenty-eight hundred fifty-two of this chapter~~], and such engineering, marketing and legal officers and employees, as they may require for the performance of their duties and shall prescribe the duties and compensation of each officer and employee. They shall adopt by-laws and rules and regulations suitable to the purposes of this title. As long as and to the extent that the authority is dependent upon appropriations for the payment of its expenses, it shall incur no obligations for salary, office or other expenses prior to the making of appropriations adequate to meet the same.

§ 4. This act shall take effect immediately.