

NEW YORK STATE ASSEMBLY

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**Committee On
Corporations, Authorities and
Commissions**

**Carl E. Heastie • Speaker
Amy Paulin • Chair**



ANNUAL REPORT



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THE ASSEMBLY
STATE OF NEW YORK
ALBANY

CHAIR
COMMITTEE ON
CORPORATIONS, AUTHORITIES
AND COMMISSIONS

COMMITTEES
EDUCATION
HEALTH
RULES

December 15, 2022

The Honorable Carl E. Heastie, Speaker
New York State Assembly
State Capitol, Room 349
Albany, New York 12248

Dear Speaker Heastie:

As Chair of the Assembly Standing Committee on Corporations, Authorities and Commissions, I am pleased to submit the Committee's 2022 Annual Report.

During this Legislative Session, the Committee continued to address issues related to the ongoing COVID-19 pandemic, including the impacts on mass transit ridership, officer meetings for corporations and non-profit organizations, access to affordable broadband internet, and increasing utility bill costs. The Committee focused on improving utilities' response to storms and developed legislation that would provide reimbursements to rate payers who experienced prolonged power outages. Additionally, legislation was advanced to establish greater oversight for Limited Liability Companies ("LLCs") and cemetery corporations.

Many New Yorkers continued to work from home, highlighting the need for accessible and affordable broadband in all parts of the state. The Committee worked with the Senate and Executive to establish a new Division of Broadband Access within the Empire State Development Corporation to ensure that all federal and state funding allocated to broadband expansion is dispersed in an efficient and equitable manner.

During the annual state budget, the Committee played a key role in establishing the Social Equity Cannabis Investment Program within the Dormitory Authority of the State of New York ("DASNY"). This program will allow DASNY to assist cannabis licensees who have been previously convicted of a cannabis-related crime in acquiring and establishing recreational cannabis dispensaries throughout the state.

As part of its oversight function, the Committee convened a hearing with the Assembly Energy and Environmental Conservation Committees on the role of the New York Power Authority (“NYPA”) in achieving the goals established in the 2019 Climate Leadership and Community Protection Act (“CLCPA”). This landmark legislation set a goal of attaining an electric grid served by 70 percent renewable energy generation and a zero-emissions grid by 2040. The hearing confirmed that New York’s energy regulators believe that the state is on track to meet its CLCPA goals on time or ahead of schedule.

This Legislative Session, the Committee advanced innovative legislation to allow for the natural organic reduction of human remains and to expand youth runaway and human trafficking services offered by the Port Authority. We also reported a package of bills, which have now been signed into law, combatting human trafficking at airports, rest stops and bus terminals.

The Committee looks forward to meeting the challenges of the upcoming 2023 Legislative Session, as we continue to navigate the effects of the pandemic and meet the challenges brought on by climate change. It has been a privilege to serve as Chair of the Corporations, Authorities and Commissions Committee. I look forward to our further collaboration in the coming year.

Sincerely,

A handwritten signature in black ink that reads "Amy R. Paulin". The signature is written in a cursive style with a large, stylized initial "A".

Amy Paulin, Chair
Assembly Standing Committee on
Corporations, Authorities and
Commissions

2022 Annual Report

New York State Assembly Standing Committee On Corporations, Authorities and Commissions

Amy Paulin, Chair

Committee Members

Majority

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Nily Rozic
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Stephanie Amann, Legislative Director
Anais Vasquez, Committee Clerk

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I. INTRODUCTION

The Committee on Corporations, Authorities and Commissions has jurisdiction over the laws concerning private, not-for-profit, and public corporations in New York State. Much of the Committee's focus is on the organizational framework and activities of the State's public benefit corporations, often referred to as public authorities. Public authorities are created by state law and operate at the state, interstate, and local government levels providing services such as mass transit, development and operation of infrastructure, power generation, and capital construction. These entities perform vital public services and are held accountable in their role through public and legislative oversight. Consequently, the Committee devotes significant time to considering legislation that promotes accountability and transparency of public authorities.

During the annual state budget process, the Committee reviews funding for transportation authorities and works to ensure that funds are appropriated wisely. New York has mass transit systems in nearly every major population center across the state, with a public authority operating most of these systems. The Committee has a particular interest in the Metropolitan Transportation Authority ("MTA"), operating in New York City, which runs the largest mass transit system in the nation and has extensive capital requirements.

In addition, the Committee monitors the operations and policies of the New York State Public Service Commission ("PSC") and considers legislation that amends the Public Service Law. The Commission's five commissioners and the Department of Public Service are required by the Public Service Law to ensure that investor-owned electric, gas, telephone, water, and cable utilities in the state provide adequate service at reasonable rates. The Committee takes an active role in protecting consumers and reports significant legislation that modernizes and amends the Public Service Law.

The Committee also examines legislation affecting the governance structure of both for-profit and not-for-profit corporations in the state. This includes cemetery corporations, a special type of not-for-profit corporation. Through legislation, the Committee ensures laws affecting all corporate entities remain up-to-date and continue to serve the public interest.

II. BUDGET

During this year's annual state budget process, the Committee on Corporations, Authorities and Commissions reviewed, developed, and ensured responsible enactment of several important initiatives relating to the Thruway Authority, the Metropolitan Transit Authority ("MTA"), the Dormitory Authority of the State of New York ("DASNY"), and broadband deployment and access throughout the state.

The SFY 2022-23 Budget included authorization for the Thruway Authority to accept procurement bids electronically. This measure ensures the Thruway Authority may accept procurement bids in the same manner as other public authorities.

The enacted budget made changes to the MTA's procurement process by authorizing the MTA to bypass the design-build procurement process for new construction projects under \$200M and rehabilitation construction projects under \$400M, extending the MTA tax increment financing program through 2023, and authorizing the MTA to contract directly with MWBEs for procurement contracts less than \$1.5M. Additionally, the enacted budget included measures to authorize the MTA to use procurement contracts held by the United States General Services Administration and Nassau County, and requires the MTA to review their qualified products list annually. These provisions will allow the MTA to execute construction projects in a more efficient and equitable manner.

The enacted budget also included amendments to the public authorities law pertaining to DASNY's abilities as a public authority, specifically, extending the Authority's authorization to operate subsidiaries through 2024 and authorizing DASNY to create a brand new program to assist social equity applicants in acquiring and retrofitting recreational marijuana dispensaries with the Office of Cannabis Management. Providing DASNY services to social equity applicants will ensure these applicants have assistance and financial security needed to establish successful retail cannabis dispensaries.

Finally, the enacted budget included important provisions to remove barriers to broadband access and incentivize expansion to parts of the state lacking high-speed internet connection. In response to internet providers citing financial concerns as a main reason for lack of expansion, the Department of Transportation's right of way fee was fully repealed. Additionally, the enacted budget authorized the New York Power Authority ("NYPA") to share its excess fiber capacity with state and municipal entities for the purpose of broadband expansion. It also established the Division of Broadband Access within the Empire State Development Corporation for the purpose of administering all state and federal dollars allocated to broadband expansion. Establishing this division will ensure all monies appropriated for the purposes of broadband deployment are dispersed quickly and equitably.

III. 2022 COMMITTEE LEGISLATION

A. Public Authorities

The following bills passed both houses:

A.2550 (Seawright)

This bill would establish the position of Chief Executive Officer (“CEO”) for the Roosevelt Island Operating Corporation. It also requires that the CEO become a resident of Roosevelt Island within one year of being appointed CEO, authorizes the board of directors to establish the term length and compensation for the position and authorizes the board to remove the CEO upon notice and an opportunity to be heard.

A.7854-A (Salka)

Chapter 445 of the Laws of 2022

This law ensures that the Thruway Authority will make a permanent transfer of ownership of land to the International Boxing Hall of Fame, in order for the Boxing Hall of Fame to run its operations and be eligible for financing if it wishes to expand.

A.7946-A (Weprin)

Chapter 192 of the Laws of 2022

This law makes changes to the articles of incorporation of the Colonial Farmhouse Restoration Society of Queens, a not-for-profit charitable corporation created by special act of the legislature in 1978, to modernize its provisions and account for new developments in the not-for-profit law.

A.8327-A (Englebright)

This bill would establish a consumer rebate program for electric landscaping equipment funded by the New York State Energy Research and Development Authority (“NYSERDA”). Under this program, commercial entities are eligible to receive up to \$15,000 in rebates per year and individuals can receive up to \$300.

A.8631-A (Seawright)

Vetoed - Veto memo 36 of 2022

This bill would require any public members appointed to the board of directors of the Roosevelt Island Operating Corporation to resign from their position if they move off Roosevelt Island. The Governor is required to fill the vacancy within 60 days if the vacancy occurs within an unexpired term.

A.8779 (Thiele)

Chapter 49 of the Laws of 2022

This law requires the Long Island Power Authority (“LIPA”) and its service provider, Public Service Electric and Gas (“PSEG-LI”) to report to the Governor and Legislature on a semi-annual basis all lobbying and advertising related expenses. Additionally, it ensures all lobbying done on behalf of LIPA is included in the report and requires PSEG-LI to report the same information on lobbying and advertising activities done on behalf on LIPA.

A.9177-C (Stirpe)

Chapter 370 of the Laws of 2022

This law clarifies that the Upstate Flood Mitigation task force will focus on the areas through which the Erie Canal passes. It designates the Director of the Canal Corporation as the Chairperson of the task force, requires the task force to produce its initial report containing recommendations on or before July 1st, 2023. It requires the task force to meet four times prior to publishing the report and once a year after the report is published. The sunset of the task force was extended from July 1st, 2023, to July 1st, 2024.

A.9803 (Stern)

Chapter 276 of the Laws of 2022

This law authorizes the Suffolk County Water Authority to submit their annual report 120 days after the closure of the fiscal year. This allows the Authority to include certain information produced by the comptroller near the end of the Authority’s fiscal year, May 31st.

A.9966-C (Magnarelli)

This bill makes changes to the Syracuse Regional Airport Authority’s enabling act allowing the authority to carry out its daily operations more efficiently. The changes made were related to the Authority’s required interactions with local governments. This legislation increased the Authority’s bond cap from \$200 million to \$300 million. These changes are intended to help facilitate receipt of federal funds by the Authority by aligning its statutory limitations with certain federal grant requirements.

A.9968 (Paulin)

This bill would require the Port Authority Police Department to operate youth services units at bus terminals and airports operated by the authority, at all Port Authority Trans-Hudson stations, and at the World Trade Center. These units will be tasked with combatting human and sex trafficking through measures including but not limited to: intercepting runaway youths, collaborating with undercover plain clothed police officers and social workers, identifying vulnerable youths before they become victimized, identifying and stopping predators, assisting in state and federal prosecution of offenders, reuniting at-risk youths with their families, and providing services referrals to at-risk youths and victims of trafficking.

A.10157 (Paulin)

This bill would repeal the Governor’s unilateral authorization to remove a member from the Public Authorities Control Board (“PACB”). A provision was proposed by the legislature during the budget cycle to remove an unnecessary provision which was added by the Executive in the FY 2019-20 budget. The 2019 provision in question is redundant and unnecessary.

A.10371-A (Niou)

Vetoed - Veto memo 37 of 2022

This bill would raise the number of board members on the Battery Park City Authority Board from seven to nine board members. Additionally, it requires five of these board members to currently be primary residents of Battery Park.

The following bill passed the Assembly:

A.7228 (Thiele)

Passed the Assembly

This bill requires LIPA and its service providers to undergo comprehensive and regular management and operations audits every three years, rather than every five years as currently required by law.

The following bills were reported from Committee:

A.384-A (Braunstein)

Advanced to third reading

This bill requires the Port Authority to make it’s "perimeter rule" permanent. The “perimeter rule” is a Port Authority regulation that disallows planes from flying into or out of LaGuardia if they are coming from or going to a destination more than 1,500 miles away, unless they are going to Denver or the flight is on a Saturday. The rule is designed to minimize noise pollution and other dangers to Queens residents and to minimize airline congestion by operating JFK airport as the departure point for long distance flights into and out of NYC.

A.1466-D (Carroll)

Reported to Ways & Means

This bill is the Build Public Renewables Act, which directs the New York Power Authority (“NYPA”) to provide renewable energy generation only, authorizes NYPA to sell power to residential end-use customers, and requires NYPA to be the sole provider of power to all state and municipally owned buildings.

A.1610 (Dinowitz)

Reported to Rules

This bill clarifies that certain exceptions to comptroller approval of contracts do not apply to contracts relating to zero-emission credits awarded by a public benefit corporation to an owner of a nuclear powered generating facility or facilities.

A.4503-A (Thiele)

Advanced to third reading

This bill provides that LIPA shall be subject to the Freedom of Information Law relating to purchase agreements with third parties and requires LIPA to make all such contracts available for public disclosure.

A.7044-B (Buttenschon)

Reported to Ways & Means

This bill ensures canal locks and lift bridges are open from early May to early November every year for commercial and recreational boat usage. It ensures commercial boats and boat companies are able to use state drydocks and travel lifts at rates prescribed by the Canal Corporation.

A.9474-B (Darling)

Advanced to third reading

This bill amends the Nassau Health Care Corporations statute to require all appointees of the board to have experience and knowledge in relevant fields and a high degree of interest in the corporation. It additionally requires the board of directors to appoint a chairperson by majority vote without any third-party input.

B. Mass Transit Operations and Finance

The following bills passed both houses:

A.3801-A (Abinanti)

This bill is the Toll Payer Protection Act which establishes a process to pay cashless tolling obligations including requirements regarding notice, signage, adjudication, penalties, and the ability to contest. It establishes requirements for a tolling authority's ability to transfer unpaid toll violations to debt collection agencies and prohibits vehicle registration suspensions as a result of cashless tolling obligations. Additionally, the law requires the Triborough Bridge and Tunnel Authority to implement an amnesty program.

A.7016-B (Bichotte-Hermelyn)

Chapter 603 of the Laws of 2022

This law requires the Metropolitan Transportation Authority ("MTA") to install and operate security cameras at all subway stations. Prior to this legislation, the MTA was already beginning the process of installing and operating cameras in subway stations as a crime deterrent. This legislation enshrines in statute the duty of the MTA to maintain security cameras in every MTA subway station.

A.7822-C (Rivera JD)

This bill requires the Capital District Transit Authority, Rochester-Genesee Transit Authority, Central NY Transit Authority, and the Niagara Frontier Transit Authority to appoint a "transit dependent individual" to their boards as a voting member. This person will be appointed by the Governor at the recommendation of a local or statewide transit advocacy organization.

A.8659-B (Otis)

This bill would require the MTA to establish a land management policy for the purpose of removing, trimming, or cutting back any tree, shrub or other vegetation to preserve the safety of commuter rail operations.

A.8794 (Carroll)

Chapter 62 of the Laws of 2022

This law requires the NYC Transit Authority council to include instructions on how to react safely, timely, and effectively when a person falls onto the subway tracks as part of its ongoing safety education campaigns.

A.9036 (Gonzalez-Rojas)

Chapter 125 of the Laws of 2022

Chapter 802 of the Laws of 2021 mandated the MTA to develop a strategic action plan to promote cycling and pedestrian access on MTA bridges, bike parking at MTA subway and commuter rail stations and bike access aboard MTA equipment. This chapter further ensures the effectiveness of such plan by implementing technical changes.

A.9137-A (Septimo)

Chapter 257 of the Laws of 2022

This law renames the 149th Street Grand Concourse subway station the "149th Street-Hostos station."

A.9169 (Paulin)

Chapter 388 of the Laws of 2022

This law requires airports operated by Port Authority to post information concerning services for human trafficking victims its restrooms.

A.9410 (Paulin)

Chapter 390 of the Laws of 2022

This law requires bus terminals operated by Port Authority to post information concerning services for human trafficking victims its restrooms.

A.9868 (Paulin)

Chapter 278 of the Laws of 2022

This law requires the Metropolitan Transportation Authority's condemnation interest rate to remain at six percent for the next six years. This condemnation rate is the rate of interest to be paid by the MTA upon losing property in any condemnation proceeding.

A.9883-A (Paulin)

Chapter 394 of the Laws of 2022

This law requires service areas operated by Thruway Authority to post information concerning services for human trafficking victims in its restrooms.

A.9956 (Dinowitz)

Chapter 279 of the Laws of 2022

This law extends the Metropolitan Transportation Authority's expired fare transfer program through 2029. The MTA expired fare transfer program allows MTA riders to transfer any remaining money on expired MTA cards onto a new card within two years of the purchase of the funds.

A.9964 (Joyner)

Chapter 668 of the Laws of 2022

This law requires the MTA and Long Island Railroad (“LIRR”) to make “light duty” work available to a pregnant employee when a medical provider determines an employee’s pregnancy prevents them from performing regularly assigned duties. Additionally, this law prevents any change in pay for the pregnant employee, protecting their earnings and ensuring they maintain employment throughout their pregnancy.

The following bills passed the Assembly:

A.3991 (Colton)

Passed Assembly

This bill requires the MTA to notify riders of bed bug infestations within 24-hours of discovering such infestations. Notification may be provided to customers via text, email or on the MTA’s website.

A.3977-A (Colton)

Passed Assembly

This bill requires the MTA to notice to community boards when there is a change to a bus line within their jurisdiction.

The following bill was reported from Committee:

A.9404 (Paulin)

Reported to Ways & Means

This bill raises the Thruway Authority's procurement contract threshold above which the Authority must receive board approval from \$15,000 to \$50,000 and would also allow the Thruway Authority to use existing procurement contracts let by any local, state, or federal entity.

C. Corporations Law

The following bills passed both houses:

A.6724 (Englebright)

This bill would require any person who finds human remains underground, in any area on lands other than non-profit cemeteries, to report such remains to the county corner and medical examiner. If the remains are found on a construction site, construction is to immediately cease until the land can be inspected.

A.8449 (Paulin)

Vetoed - Veto memo 40 of 2022

This bill would require companies that file an Equal Employment Opportunity form with the federal government to submit employment information relating to gender, race, and ethnicity to the Secretary of State. The Secretary of State is then required to post this information to its website within 90 days.

A.9409 (Paulin)

Chapter 518 of the Laws of 2022

This law clarified vagueness in the law pertaining to the authority of a religious corporation to conduct remote meetings. This law expressly authorizes religious corporations to conduct partially or fully remote meetings.

A.9969 (Paulin)

Chapter 614 of the Laws of 2022

This law makes technical changes to the not-for-profit law to align non-profit corporations with current industry practices related to board member voting and increased usage of electronic portal technology.

A.9977 (Paulin)

Chapter 527 of the Laws of 2022

This law allows crematories in an area of the state experiencing a state of emergency to receive transportation and disposition assistance should such crematory have insufficient capacity for the disposition of remains or be inoperable during period of declared emergency.

The following bill passed the Assembly:

A.10141 (Dilan)

Passed Assembly

This bill would provide a mechanism to allow individuals affected by identity theft through fraudulent incorporation on behalf of a business or corporation to remove their name from the entities' incorporation documents without paying the removal fee required under current law.

The following bills were reported from Committee:

A.9415-C (Gallagher)

Advanced to third reading

This bill amends the limited liability company (“LLC”) law in relation to disclosure of beneficial owners to align with the federal Corporate Transparency Act of 2021, in an effort to provide transparency in LLC ownership. The bill defines who qualifies as a beneficial owner and requires each LLC to disclose all beneficial owners upon filing for organization with the Department of the State. Each LLC is already required to produce this information relating to beneficial owners to the federal government; this bill permits LLCs to submit a duplicate copy of the federal form to the NYS Department of State to satisfy their beneficial ownership disclosure requirements.

A.10208-A (Buttenschon)

Advanced to third reading

This bill permits abandoned cemeteries in cities to be merged with another not-for-profit cemetery corporation, if approved by the cemetery board, in order to have access to funds for maintenance of an abandoned cemetery. In merging, an application must be made by the newly formed cemetery for maintenance of the abandoned cemetery. Money dispersed is to be used only for the ordinary and necessary care of the abandoned cemetery.

D. Telecommunications and Utilities

The following bills passed both houses:

A.2622-A (Thiele)

Vetoed - Veto memo 92 of 2022

This bill would amend the process by which the service provider for the Long Island Power Authority (PSEG-LI) has its emergency response plan approved. Previously the emergency response plan was reviewed by LIPA, with recommendations provided by the Public Service Commission (“PSC”). This legislation changes these requirements and now requires the plan to be reviewed and approved only by the PSC.

A.3217-A (Sayegh)

This bill specifies medical conditions and life-saving equipment to the list of conditions that qualify individuals as having documented medical needs for essential electricity during power outages. This legislation requires such individual’s residence to receive priority in power restoration and access to generators during power outages.

A.3258-A (Sayegh)

Chapter 395 of the Laws of 2022

This law requires electric corporations to include in their emergency response plans how they will communicate and coordinate restoration efforts between the corporation, its employees, company crews, mutual crews, local governments, news outlets, and internet providers during outages.

A.6428-C (Thiele)

Vetoed - Veto memo 43 of 2022

This bill would require LIPA to reimburse residential customers and local business owners for lost food and/or medication in the event a power outage lasts more than three days.

A.7554-B (Cahill)

Vetoed - Veto memo 73 of 2022

This bill would direct the PSC to produce two reports on the effects of COVID-19 on utility affordability and arrears covering gas, electric, and water utilities. Each report must be submitted to the Governor and Legislature and additionally be posted on the official PSC website.

A.8756 (Woerner)

Chapter 68 of the Laws of 2022

This chapter amendment to Chapter 723 of the Laws of 2021 requires the PSC to conduct a study on pole attachment cost-sharing procedure and framework. Additionally, it mandates the PSC to implement an order with updated rules and regulations resulting from its findings from such study.

A.8763 (Paulin)

Chapter 45 of the Laws of 2022

This chapter amendment to Chapter 786 of the Laws of 2021 requires utility corporations subject to the PSC's jurisdiction to prepare and submit climate resiliency plans. The PSC must review these climate resiliency plans separately from rate cases. In addition, it requires utility corporations to file a report on the status of any activities associated with the climate resiliency plan on a biennial basis.

A.8780 (Thiele)

Chapter 121 of the Laws of 2022

This chapter amendment to Chapter 826 of the Laws of 2021 includes steam corporations in the requirement for all utilities with a gross annual operating revenue of more than \$1,000,000 to submit a compensation report to the PSC that outlines the annual salaries and compensation of its executive officers.

A.8795 (Jacobson)

Chapter 7 of the Laws of 2022

This chapter amendment to Chapter 805 of the Laws of 2022 makes modifications to the PSC study examining the feasibility of undergrounding utility equipment across the state.

A.9154 (Wallace)

Chapter 412 of the Laws of 2022

This law raises the Erie County Water Authority's competitive bidding threshold to \$35,000 for public work and \$20,000 for purchase contracts. The Authority can bypass the competitive bidding process when contracting for labor and procuring materials for projects below these thresholds.

A.9285 (Tapia)

Chapter 156 of the Laws of 2022

This chapter amendment to Chapter 748 of the Laws of 2021 ensures that landlords may require broadband related installations to conform to reasonable conditions to protect the safety, functioning, and appearance of buildings. This chapter amendment ensures landlords cannot demand payment from or raise rent for tenants who choose to upgrade to fiber optic service.

A.10216-A (Paulin)

Chapter 675 of the Laws of 2022

This law protects utility worker's collective bargaining agreements from changes which may result from the PSC's updated pole attachment rules and regulations.

The following bills passed the Assembly:

A.797 (Zebrowski)

Passed the Assembly

This bill requires the PSC to create a "residential water cost index" formula to measure the average annual cost of water service to a single-family home for water service corporations and municipal water systems to use to establish an index for their service territory. This index will allow customers to compare the rate of their local service provider to other service providers across the state.

A.2499-A (Santabarbara)

Passed the Assembly

This bill requires cable companies to provide information, at the time of subscription, to customers about the type of equipment required for each subscription, where such equipment may be purchased, and what retail equipment is compatible with the cable system.

A.3245 (Sayegh)

Passed the Assembly

This bill requires electric companies to promptly secure downed wires within 36 hours of being notified by an individual. This current statutory requirement for power companies is to secure a downed wire within 36 hours of notice only if the notice is provided by a municipal emergency official. This legislation expands the statutory requirement and requires power companies to secure a downed wire within 36 hours when notified of the wire by any individual.

A.5286-A (Abinanti)

Passed the Assembly

This bill requires the PSC to conduct a study and implement an order creating a standardized process for pole owners to remove utility poles that are no longer in use or maintained.

A.5897 (Dinowitz)

Passed the Assembly

This bill requires the PSC to have at least three members present to constitute a quorum and may transact business, perform duties, and exercise powers of the commission.

A.9961 (Zebrowski)

Passed the Assembly

This bill mandates the PSC to require water corporations who provide service to co-operative (“co-ops”) and condominiums to offer these residents the option to obtain service disruption updates directly. Currently, these corporations are only required to report service disruption updates directly to the co-op or condominium management, sometimes resulting in the unit owners not receiving updates.

The following bills were reported from Committee:

A.1886 (Dinowitz)

Advanced to third reading

This bill requires Energy Service Companies (“ESCOs”) to include side-by-side comparisons of prices charged by the ESCO and the price the customer would have paid for identical service from a utility or municipality. This bill also requires ESCOs to provide its customers with a statement showing the comparison of the total amount in rates they paid over the prior 12-month period to what they would have paid to a utility or a municipality over the same period.

A.2038 (Dinowitz)

Reported to Rules

This bill requires the PSC to mandate all utilities and municipalities to maintain procedures for handling complaints and provide a copy of such procedures to the PSC. It additionally requires the utility and municipality to report to the complainant the result of the investigation within 15 days for utility corporations and 30 days for municipalities.

A.9402 (Paulin)

Advanced to third reading

This bill ensures utility customers and water service customers receive a written determination from the PSC regarding rate related complaints in a timely manner. It requires determinations to be made by the PSC within 90 days of receiving the complaint, requires the Commission to explain the reasoning for the decision, and ensures utility corporations retain customer billing statements dating back at least eight years so relevant billing information to the complaint may be obtained.

IV. PUBLIC HEARINGS OF 2022

The Role of State Authorities in Renewable Energy Development

July 28th, 2022

On July 28, 2022, the Assembly Committees on Corporations, Authorities & Commissions; Energy; and Environmental Conservation convened a public hearing to examine the role of state authorities in the development of renewable energy to meet the goals in the Climate Leadership and Community Protection Act (“CLCPA”) goals. Fifty witnesses testified, including climate and environmental advocates, state entities, academics, labor groups, private renewable energy developers and private citizens.

Testimony from New York State entities including the New York Power Authority (“NYPA”) and the Public Service Commission (“PSC”) highlighted the importance of private partnerships working with these state entities to achieve the state’s renewable energy goals. The New York State Energy Research and Development Authority (NYSERDA) testified that the current pipeline of renewable energy projects was made possible by a combination of both private and public investments. In addition, each state entity testified that they believe the state is on track to not only meet the goals laid out in the CLCPA, but to exceed them.

The Build Public Renewables Act (A.1466-D Carroll) was frequently mentioned by testifiers during the hearing. This bill would direct NYPA to be the sole provider of renewable energy generation, would authorize the Authority to sell power to residential end-use customers, and would require it to be the sole provider of power to all state and municipally owned buildings. While the climate and environmental advocates who testified were generally in support of the bill, NYPA expressed its concerns that the bill would disrupt the market, drive up costs for consumers, and would not help our state to reach its renewable goals any sooner. The Committee will continue to analyze the testimony given at the hearing and work towards developing the best solution to accelerate renewable generation projects and further promote timely achievement of New York’s CLCPA goals.

V. OUTLOOK FOR 2023

The Committee on Corporations, Authorities, and Commissions plays an active role in overseeing, the Metropolitan Transportation Authority (“MTA”). While the impacts of the pandemic are still impacting ridership and MTA operations, various initiatives are proceeding in an effort to make the transportation network of the New York Metropolitan region as reliable and efficient as possible.

In the upcoming Legislative Session, the Committee will continue to monitor the major financial deficit that the MTA is facing and how it will impact services and projects. We will also monitor programs included in the MTA Capital Plan, as well as the implementation of the MTA’s operational plan in light of structural deficits resulting from the pandemic. The Committee will assess any sustainable funding options that are proposed as methods to assist in financing the transit system.

The Corporations Committee will work with other Assembly Committees during the upcoming 2023 Legislative Session to address the proliferation of largely unregulated Local Development Corporations (“LDCs”) occurring over the last decade, as their economic development counterparts, Industrial Development Agencies (“IDAs”), have become increasingly regulated. The Committee must ensure that the regulation of LDCs occurs simultaneously with any IDA reform to provide consistent oversight of local developmental entities.

In 2023, the Committee will consider additional issues, including accelerating broadband deployment and increasing access to broadband technologies throughout the state, ensuring our power grid is reliable and resilient to increased storms and power outages brought on by climate change, providing more transparency to LLCs and other corporate entities, and ensuring our CLCPA goals are met in an efficient manner.

The Committee will also continue to examine New York’s corporation laws to ensure that they are up to date, and to ensure that utilities and the telecommunications industry serve ratepayers in an efficient and fair manner. We will work with our counterparts in New Jersey to ensure that they advance Port Authority reform, as well as this year’s human trafficking package. In addition, we will further our commitment to extending trafficking awareness initiatives to ensure that both our states are consistently taking the same preventative measures to combat the issue.

APPENDIX A

2022 SUMMARY SHEET

Summary of Action on All Bills Referred to the New York State Assembly Committee on Corporations, Authorities, and Commissions

Total Number of Committee Meetings Held: 6 __ __

	<u>ASSEMBLY</u>	<u>SENATE</u>	<u>TOTAL</u>
	<u>BILLS</u>	<u>BILLS</u>	<u>BILLS</u>
BILLS REPORTED FAVORABLE TO:			
Codes	4	0	4
Judiciary	0	0	0
Ways and Means	16	0	16
Rules	18	0	18
Floor	22	0	22
TOTAL	60	0	60
COMMITTEE ACTION			
Held For Consideration	19	0	19
Defeated	0	0	0
Enacting Clause Stricken	3	0	3
REMAINING IN COMMITTEE	244	27	271
BILLS REFERENCE CHANGED TO:			
Consumer Affairs and Protection 1			
Ways and Means 7			
TOTAL	8	0	8

APPENDIX B

BILLS THAT BECAME LAW

CHAPTER NUMBER	ASSEMBLY BILL (SPONSOR)	DESCRIPTION
7	A.8795 (Jacobson)	This chapter amendment to Chapter 805 of the Laws of 2022 makes modifications to the PSC study examining the feasibility of undergrounding utility equipment across the state.
45	A.8763 (Paulin)	This chapter amendment to Chapter 786 of the Laws of 2021 requires utility corporations subject to the PSC’s jurisdiction to prepare, submit and implement climate resiliency plans.
49	A.8779 (Thiele)	This law requires the Long Island Power Authority (“LIPA”) and its service provider, Public Service Electric and Gas (“PSEG-LI”) to report to the Governor and Legislature on a semi-annual basis all lobbying and advertising related expenses.
62	A.8794 (Carroll)	This law requires the NYC Transit Authority council to include instructions on how to react safely, timely, and effectively when a person falls onto the subway tracks as part of its ongoing safety education campaigns.
68	A.8756 (Woerner)	This chapter amendment to Chapter 723 of the Laws of 2021 requires the PSC to conduct a study on pole attachment cost-sharing procedure and framework.
121	A.8780 (Thiele)	This chapter amendment to Chapter 826 of the Laws of 2021 includes steam corporations in the requirement for all utilities with a gross annual operating revenue of more than \$1,000,000 to submit a compensation report to

CHAPTER NUMBER	ASSEMBLY BILL (SPONSOR)	DESCRIPTION
		the PSC that outlines the annual salaries and compensation of its executive officers.
125	A.9036 (Gonzalez-Rojas)	Chapter 802 of the Laws of 2021 mandated the MTA to develop a strategic action plan to promote cycling and pedestrian access on MTA bridges, bike parking at MTA subway and commuter rail stations and bike access aboard MTA equipment. This chapter further ensures the effectiveness of such plan by implementing certain technical changes.
156	A.9285 (Tapia)	This chapter amendment to Chapter 748 of the Laws of 2021 ensures that landlords may require broadband related installations to conform to reasonable conditions to protect the safety, functioning, and appearance of buildings.
192	A.7946-A (Weprin)	This law makes changes to the articles of incorporation of the Colonial Farmhouse Restoration Society of Queens.
257	A.9137-A (Septimo)	This law renames the 149th Street Grand Concourse subway station the "149th Street-Hostos station."
276	A.9803 (Stern)	This law authorizes the Suffolk County Water Authority to submit their annual report 120 days after the closure of the fiscal year.
278	A.9868 (Paulin)	This law requires the Metropolitan Transportation Authority's condemnation interest rate to remain at six percent for the next six years.

CHAPTER NUMBER	ASSEMBLY BILL (SPONSOR)	DESCRIPTION
279	A.9956 (Dinowitz)	This law extends the Metropolitan Transportation Authority's expired fare transfer program through 2029.
370	A.9177-C (Stirpe)	This law makes changes to the that the Upstate Flood Mitigation's enabling act allowing the task fore to carry out its operations more efficiently.
388	A.9169 (Paulin)	This law requires airports operated by Port Authority to post information concerning services for human trafficking victims its restrooms.
390	A.9410 (Paulin)	This law requires bus terminals operated by Port Authority to post information concerning services for human trafficking victims its restrooms.
394	A.9883-A (Paulin)	This law requires service areas operated by Thruway Authority to post information concerning services for human trafficking victims in its restrooms.
395	A.3258-A (Sayegh)	This law requires electric corporations to include in their emergency response plans how they will communicate and coordinate restoration efforts between the corporation, its employees, company crews, mutual crews, local governments, news outlets, and internet providers during outages.
412	A.9154 (Wallace)	This law raises the Erie County Water Authority's competitive bidding threshold to \$35,000 for public work and \$20,000 for purchase contracts.

CHAPTER NUMBER	ASSEMBLY BILL (SPONSOR)	DESCRIPTION
445	A.7854-A (Salka)	This law ensures that the Thruway Authority will make a permanent transfer of ownership of land to the International Boxing Hall of Fame, in order for the Boxing Hall of Fame to run its operations and be eligible for financing if it wishes to expand.
518	A.9409 (Paulin)	This law expressly authorizes religious corporations to conduct partially or fully remote meetings.
527	A.9977 (Paulin)	This law allows crematories in an area of the state experiencing a state of emergency to receive transportation and disposition assistance should such crematory have insufficient capacity for the disposition of remains or be inoperable during period of declared emergency.
603	A.7016-B (Bichotte-Hermelyn)	This law requires the Metropolitan Transportation Authority (“MTA”) to install and operate security cameras at all subway stations.
614	A.9969 (Paulin)	This law makes technical changes to the not-for-profit law to align non-profit corporations with current industry practices related to board member voting and increased usage of electronic portal technology.
668	A.9964 (Joyner)	This law requires the MTA and Long Island Railroad (“LIRR”) to make “light duty” work available to a pregnant employee when a medical provider determines an employee’s pregnancy prevents them from performing regularly assigned duties.

CHAPTER NUMBER	ASSEMBLY BILL (SPONSOR)	DESCRIPTION
675	A.10216-A (Paulin)	This law protects utility worker's collective bargaining agreements from changes which may result from the PSC's updated pole attachment rules and regulations.

APPENDIX C

BILLS THAT WERE VETOED

VETO NUMBER	ASSEMBLY BILL (SPONSOR)	DESCRIPTION
36	A.8631-A (Seawright)	This bill would require any public members appointed to the board of directors of the Roosevelt Island Operating Corporation to resign from their position if they move off Roosevelt Island.
37	A.10371-A (Niou)	This bill would raise the number of board members on the Battery Park City Authority Board from seven to nine board members.
40	A.8449 (Paulin)	This bill would require companies that file an Equal Employment Opportunity form with the federal government to submit employment information relating to gender, race and ethnicity to the Secretary of State.
43	A.6428-C (Thiele)	This bill would require LIPA to reimburse residential customers and local business owners for lost food and/or medication in the event a power outage lasts more than three days.
73	A.7554-B (Cahill)	This bill would direct the PSC to produce two reports on the effects of COVID-19 on utility affordability and arrears covering gas, electric and water utilities.
92	A.2622-A (Thiele)	This bill would amend the process by which the service provider for the Long Island Power Authority (PSEG-LI) has its emergency response plan approved.