

NEW YORK STATE ASSEMBLY

Carl E. Heastie, Speaker
Kenneth P. Zebrowski, Chair



2023 ANNUAL REPORT

COMMITTEE ON
Corporations, Authorities and
Commissions



KENNETH P. ZEBROWSKI
Assemblyman 96th District
Rockland County

**THE ASSEMBLY
STATE OF NEW YORK
ALBANY**

CHAIRMAN
Committee on Corporations,
Authorities, and Commissions

COMMITTEES
Rules
Ways and Means
Judiciary
Government Employees
Ethics and Guidance

December 15, 2023

The Honorable Carl 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 2023 Annual Report.

During this Legislative Session, the Committee addressed issues related to the Metropolitan Transportation Authority ("MTA"), utility billing procedures, and measures to support municipalities adopting abandoned cemeteries. The Committee also advanced legislation establishing increased oversight on Limited Liability Companies ("LLCs") to provide greater transparency on ownership as they conduct business throughout the state. To further support New Yorkers in receiving affordable and reliable utility service, the Committee advanced legislation establishing timelines for the Public Service Commission to respond to consumer complaints about their utility providers.

The work accomplished this legislative session reflects the Committee's dedication to continue to meet the challenges posed by the ongoing climate crisis, highlighted by the passage of the Build Public Renewables Act in the enacted budget. While providing important tools for achieving targets established in the Community Leadership and Climate Protection Act, the Committee continued to pass legislation and evaluate proposed ideas relating to ensuring utility costs are affordable to all New Yorkers. In addition, the Committee will continue to conduct much needed oversight of public authorities, pushing for greater transparency and modernization of policies.

The Committee looks forward to addressing these ongoing challenges in the upcoming 2024 Legislative Session. I would like to take this opportunity to thank Committee members for their contributions to the Committee this session. 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 dark ink, reading "Kenneth P. Zebrowski". The signature is written in a cursive style with a prominent initial "K".

Kenneth P. Zebrowski, Chair
Assembly Standing Committee on
Corporations, Authorities and
Commissions

2023 Annual Report

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

Kenneth P. Zebrowski, Chair

Committee Members

Majority

Vivian E. Cook
Steven Otis
Nily Rozic
Ron Kim
Erik Martin Dilan
Stacey Pheffer Amato
Clyde Vanel
Robert C. Carroll
Charles D. Fall
Kimberly Jean-Pierre
Jessica González-Rojas
Stefani Zinerman
Yudelka Tapia
Jonathan G. Jacobson
Alex Bores
MaryJane Shimsky
Tony Simone

Minority

John Lemondes, Jr.
Kenneth D. Blankenbush
Christopher S. Friend
Phillip A. Palmesano
Joseph G. Angelino
Joshua T. Jenson
Brian F. Curran
Sam Pirozzolo

Staff

Matt Henning, Assistant Secretary for Program and Policy
Emily Vaculik, Associate Counsel
Liz Buono, Legislative Analyst
Maureen Porette, Legislative Counsel and Committee Clerk
Julia Todaro, Program and Counsel Secretary

TABLE OF CONTENTS

I.	INTRODUCTION.....	5
II.	BUDGET.....	6
III.	COMMITTEE LEGISLATION OF 2023	
	A. Public Authorities.....	8
	B. Mass Transit Operations and Finance.....	12
	C. Corporations Law.....	15
	D. Telecommunications and Utilities.....	17
III.	PUBLIC HEARINGS OF 2023.....	21
IV.	OUTLOOK FOR 2024.....	22
	APPENDIX A	
	2023 Summary Sheet.....	23
	APPENDIX B	
	Bills That Became Law	24
	APPENDIX C	
	Bills That Were Vetoed.....	28

I. INTRODUCTION

The Committee on Corporations, Authorities and Commissions oversees laws and statutes 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 transit 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 and the broader Metro area, 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 state budget process, the Committee on Corporations, Authorities and Commissions reviewed, developed, and ensured responsible enactment of several important initiatives relating to the New York Power Authority ("NYPA"), the Metropolitan Transit Authority ("MTA"), the Dormitory Authority of the State of New York ("DASNY"), and the New York Waterfront Commission.

The Waterfront Commission was created in 1953 as a bi-state agency for the purpose of "eliminating various evils on the waterfront in the Port of New York Harbor." The SFY 2023-24 Budget authorized New York to operate the Waterfront Commission without New Jersey, in light of the United States Supreme Court ruling that permits the State of New Jersey to withdraw from the Commission. This legislation included in the enacted budget will allow New York to ensure the Waterfront Commission can continue to exist and protect New York's harbors from undesirable practices and foul play.

Various important changes were made, and new policies were implemented, relating to the MTA in this year's budget. A one-year free bus pilot program was implemented consisting of one fare-free bus route in each borough. The intent of this pilot program is to examine the impacts fare-free bus routes have on ridership and MTA revenue. The Capital Program Dashboard was amended to include information relating to the implementation of recommendations included in the 2019 forensic performance audit report. The MTA Payroll Mobility Tax and the Tax Increment Financing Program were amended to ensure the MTA can utilize these revenue mechanisms as effectively as possible. Most notably, the enacted budget provided \$1.6 billion in new revenues on a full-year basis, to close the MTA's projected operating deficit, including:

- \$1.15 billion from a City of New York only Payroll Mobility Tax increase;
- \$165 million from increasing the City of New York's paratransit contribution to 80 percent from 50 percent. Annual cost shifts to the City of New York are \$335 million lower than proposed in the Executive proposal; and
- \$300 million from a one-time State subsidy.

The new revenues enable the MTA to continue operating without service reductions and will fund the following new programs:

- \$65 million to reduce the proposed MTA fare increase from 5.5 percent to four percent;
- \$35 million for subway service frequency enhancements; and
- \$15 million for a fare-free bus pilot program in the City of New York, with one fare-free bus route in each borough.

The Unmarked Burial Site Protection Act was enacted in this year's budget as well. This act establishes a process to return remains to their lineal descendants if remains are found during construction on an unmarked burial site. Many other states have had similar longstanding procedures allowing descendants to claim such remains, and the Committee is proud to have assisted in ensuring New York has one too.

The enacted budget extended and made improvements upon various state entities authorized to receive DASNY services. DASNY's ability to enter into design and construction management agreements with the New York State Department of Environmental Conservation and the New York State Department of Parks, Recreation, and Historic Preservation was extended through 2025. DASNY's pilot program for Minority- and Women-Owned Business Enterprises (MWBEs) was also extended through 2027 and amended to include reporting requirements to update the Governor and Legislature on its efforts to increase the number of MWBEs participating in this program.

Finally, the enacted budget included important steps toward meeting the state's climate and energy goals through implementation of the Build Public Renewables Act. This act authorizes NYPA to begin efforts towards building publicly owned renewable energy generation. This authorization, and the provisions included within, is an important tool in achieving the goals and targets outlined in the Climate Leadership and Community Protection Act.

III. 2023 COMMITTEE LEGISLATION

A. Public Authorities

The following bills passed both houses:

A.2137 (Peoples-Stokes)

Chapter 374 of the Laws of 2023

This law increases the statutory cap of the Buffalo Sewer Authority's bonding capacity from two hundred and fifty million dollars to five hundred million dollars. This increase will allow the authority to complete outstanding projects, including its Long-Term Control Plan.

A.3227 (Paulin)

Chapter 490 of the Laws of 2023

This law requires air terminals and airports operated by the Port Authority to post information concerning services for victims of human trafficking in lactation rooms.

A.3691-B (Thiele)

Chapter 215 of the Laws of 2023

This law authorizes the Dormitory Authority of the State of New York to provide financing and construction services to the Shelter Island Public Library Society.

A.3720 (Paulin)

Chapter 491 of the Laws of 2023

This law requires the Metropolitan Transportation Authority to post information concerning services for victims of human trafficking in restrooms and lactation rooms.

A.3778 (Zebrowski)

Vetoed - Veto Memo 65 of 2023

This bill would repeal the Governor's unilateral authorization to remove a member from the Public Authorities Control Board, if the Governor determines that a member voted on a project on the basis of reasons other than financial viability.

A.4092 (Byrnes)

Chapter 384 of the Laws of 2023

This law increases the statutory cap of the Livingston County Water and Sewer Authority’s bonding capacity from forty-two million dollars to seventy million dollars. The increase will allow the Authority to provide greater access to safe drinking water within its jurisdiction.

A.4586 (Paulin)

Chapter 494 of the Laws of 2023

This law requires the New York State Thruway Authority to post information concerning services for victims of human trafficking in lactation rooms.

A.4669 (Paulin)

Chapter 495 of the Laws of 2023

This law requires the Port Authority of New York and New Jersey to post information concerning services for victims of human trafficking in lactation rooms.

A.5518 (Gunther)

Chapter 288 of the Laws of 2023

This law extends the agreement between Dormitory Authority of the State of New York (“DASNY”) and the New York Alliance for Inclusion and Innovation for construction and finance services for an additional five years.

A.5781 (Magnarelli)

Chapter 393 of the Laws of 2023

This law allows the Syracuse Regional Airport Authority to establish two wholly owned subsidiaries for the purposes of parking and concession operations.

A.6547 (Gunther)

Chapter 292 of the Laws of 2023

This law extends the agreement between DASNY and NYSARC, Inc. for construction and finance services for an additional five years.

A.6920 (Gunther)

Chapter 597 of the Laws of 2023

This law reestablishes the Middletown Parking Authority and its powers. The authority was dissolved effective December 31, 2012, due to inactivity, but the City of Middletown has requested it be reestablished.

A.7015 (Woerner)

Chapter 411 of the Laws of 2023

This law expands the service territory of the Capital District Transportation Authority (“CDTA”) to Warren County. The CDTA and Greater Glens Falls Transit are currently discussing a merger, and this legislation allows such merger to move forward.

A.7171 (Gibbs)

Chapter 301 of the Laws of 2023

This law extends the agreement between Dormitory Authority of the State of New York and the Terence Cardinal Cooke Health Center for construction and finance services for an additional five years.

A.7368-A (Magnarelli)

Chapter 418 of the Laws of 2023

This law establishes the Syracuse Regional Airport Authority’s ability to engage in design-build contracts. Additionally, it establishes labor standards for such contracts and ensures certain state bidding practices are maintained during the contracting process.

A.7651 (Thiele)

Chapter 467 of the Laws of 2023

This law dissolves the Suffolk County Judicial Facilities Agency (JFA) effective December 31, 2023. The JFA was initially established to facilitate renovations and improvements certain judicial facilities in Suffolk County. As of November 2023, all outstanding bonds have been satisfied by the JFA.

A.7660 (Zebrowski)

Chapter 469 of the Laws of 2023

This law increases the Dormitory Authority of the State of New York’s bond cap for hospital related purposes from 17.4 billion dollars to 18.2 billion dollars.

The following bill passed the Assembly Only:

A.5212 (Wallace)

Passed the Assembly

This bill would establish a program promoting women to leadership roles on state and local authority boards. Under the program, women candidates would be given preference by the appointing authority in the appointment or reappointment process. The weight of such preference

is based upon the number of women board members already on a given board and shall not be dispositive of such appointments.

The following bills were reported from Committee:

A.573-A (Burgos)

Reported to Ways and Means

This bill would require the New York State Thruway Authority to submit to the Governor, Legislature and Controller its operating and fiscal transactions report on a biannual basis, rather than an annual basis. Additionally, the bill would expand the report to require a list of contracts entered into by the authority during the reported periods.

A.1768 (Colton)

Reported to Ways & Means

This bill would allow public authorities to organize new subsidiary corporations without requiring the passage of a new law. In this process, the authority would provide the Governor and the Legislature 60 days' notice of their intent to form such subsidiary. The Legislature and Governor would be able to deny the creation of the subsidiary within this 60-day period. If there are not 60 days remaining in the legislative session that year, the Legislature and Governor may deny the creation during the first 60 days of the next legislative session. If neither the Governor nor the Legislature takes action to deny the creation within such 60-day period, the authority can move forward with the creation of the new subsidiary.

A.5214-A (Burgos)

Reported to Codes

This bill would establish the "Toll Payer Protection Act", which would update complaint procedures and appeals processes for cashless tolling. It additionally would require the New York State Thruway Authority to provide billing notices to the vehicle owners within certain timeframes in order to charge late fees for nonpayment.

A.5681-A (Otis)

Reported to Rules

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

B. Mass Transit Operations and Finance

The following bills passed both houses:

A.1004 (Rivera)

Signed Chapter 44

This law is a Chapter Amendment to Chapter 801 of the Laws of 2022 regarding the appointment of “transit dependent individuals” to certain transportation authority boards as a voting member. This chapter amendment ensures that local advocacy groups are able to make recommendations to the Governor for such appointments and that the appointee is a resident of the authority’s jurisdiction.

A.4504 (Epstein)

Chapter 672 of the Laws of 2023

This law requires a voting member of the Metropolitan Transportation Authority (“MTA”) board to be a “transit dependent individual.”

A.5052-C (Woerner)

Vetoed – Veto Memo 52 of 2023

This bill would direct New York State Energy Research and Development Authority (“NYSERDA”) to conduct a study on the status of electric vehicle charging capacity on all major thoroughfares statewide and repeat the study every three years thereafter. NYSERDA would be directed to consult the Department of Transportation, the Department of Motor Vehicles, the New York State Thruway Authority, the New York Power Authority, the Long Island Power Authority, and the Department of Environmental Conservation, and utilities that engage in electric distribution and transmission when conducting the study.

A.7007-A (Bichotte Hermelyn)

Chapter 574 of the Laws of 2023

This law expands eligibility within the MTA’s small business mentoring program by increasing the businesses annual revenue threshold from five million dollars to ten million dollars annually.

The following bills passed the Assembly:

A.0175 (Paulin)

Passed the Assembly

This bill would make several changes to Chapter 154 of the laws of 1921, relating to the Port Authority of New York and New Jersey. Some of the changes include increasing the number of

non-voting members on the board, requiring job related experience for commissioners of the authority, and requiring an independent engineering consultant to be hired for major capital projects. Additionally, the bill would establish the Port Authority Transportation Advisory Committee, which would serve as a vehicle for information sharing between transportation officials and agencies in New York and New Jersey.

A.2570 (Colton)

Passed Assembly

This bill would require 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.6834-A (Jean-Pierre)

Passed the Assembly

This bill would amend Chapter 154 of the Laws of 1921 to provide military leave policies for Port Authority employees. These policies will provide these employees with comparable benefits to employees of other New York State agencies.

The following bill was reported from Committee:

A.1700-A (Buttenschon)

Reported to Ways & Means

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

A.2723-A (O'Donnell)

Reported to Ways & Means

This bill would require the Metropolitan Transportation Authority to accept letters from licensed physicians as proof of continued need for paratransit services while recertifying for such services.

A.7384 (Zebrowski)

Reported to Ways & Means

This bill would expand the MTA's ability to utilize Owner-Controlled Insurance Programs ("OCIP") for infrastructure projects related to bus facilities, bridges, tunnels, and central

business district tolling facilities. Currently, OCIP is only authorized for use of construction on or extension of MTA light rail infrastructure, heavy rail infrastructure, and commuter railroads.

C. Corporations Law

The following bills passed both houses:

A.1477 (Buttenschon)

Passed Both Houses

This bill would authorize abandoned city cemeteries to merge with another cemetery corporation upon the consent of the New York State Cemetery Board. Additionally, the bill expands the allowable uses of funds collected for the maintenance of abandoned cemeteries and requires the Cemetery Board to respond to submitted applications for use of the maintenance funds within sixty days.

A.3484 (Gallagher)

Passed Both Houses

This bill would amend 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 would require 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 would permit LLCs to submit a duplicate copy of the federal form to the NYS Department of State to satisfy their beneficial ownership disclosure requirements.

A.5981-A (Paulin)

Passed Both Houses

This bill would require companies that file an Equal Employment Opportunity (“EEO”) form with the federal government to submit employment information relating to gender, race, and ethnicity to the Secretary of State. To fulfill this requirement, companies would be able to submit to the Department of State the same EEO form submitted to the federal government. The Secretary of State would then be required to post this information to its website within 90 days.

A.6940 (Simone)

Chapter 573 of the Laws of 2023

This law amends the Not-For-Profit Corporations Law to allow not-for-profit corporations without memberships to make changes to their board structure, without the adoption of such changes by the membership.

A.7121 (Zebrowski)

Chapter 577 of the Laws of 2023

This law authorizes the New York State Cemetery Board to accept abandoned cemetery funding applications from the Town of Clarkstown for repairs to Nyack Rural Cemetery, Mount Moor Cemetery, and Nanuet Cemetery.

The following bills were reported from Committee:

A.3715-A (Paulin)

Advanced to third reading

This bill would require increased transparency and accountability for not-for-profit corporations that function as a subsidiary of local governments if they are engaged in municipal economic development. Changes would include: requiring the Department of State to transmit to the Authorities Budget Office (“ABO”) a copy of any certificate of incorporation filed indicating such certificate was filed on behalf of a municipal corporation, public authority, or district; requiring any person or municipality forming a not-for-profit for the purpose of municipal economic development or that would be controlled by the municipality to receive the consent of the ABO; and subjecting not-for-profit corporations where a majority of the board members are appointed by elected officials or a municipal corporation to abide by the requirements of open meetings and Freedom of Information (“FOIL”) laws.

A.4790-A (Hevesi)

Reported to Ways & Means

This bill would amend the Not-for-Profit Corporation Law to establish standard complaint procedures for the Division of Cemeteries, and the cemeteries subject to such complain, when a consumer submits a complaint to the Division of Cemeteries.

A.7387 (Conrad)

Reported to Rules

This bill would amend the not-for-profit corporations law to repeal the ability of a funeral entity to operate a crematorium or crematory if such facility is located in the town of Tonawanda and has been subject to a consent order by the Department of Environmental Conservation. Currently, certain funeral entities are exempt from the provisions of the anti-combination laws due to predating the enactment of the statute.

D. Telecommunications and Utilities

The following bills passed both houses:

A.0237 (Sayegh)

Chapter 673 of the Laws of 2023

This law requires utility companies to repair and secure downed wires within 36 hours of being notified of such downed wire by an individual.

A.0343-A (Burdick)

Chapter 372 of the Laws of 2023

This law requires utility companies to include vine trimming during their routine pole maintenance procedures if the vine growth is likely to disrupt safe and reliable service.

A.0978 (Paulin)

Chapter 33 of the Laws of 2023

This chapter amendment to Chapter 731 of the Laws of 2022 requires gas leak repair information to be added to the list of items required in annual gas safety reports submitted by utility companies to the Public Service Commission and requires such reports be due annually on April 30.

A.0979 (Paulin)

Chapter 34 of the Laws of 2023

This chapter amendment to Chapter 817 of the Laws of 2022 makes conforming additions to the Public Health Law regarding cemetery corporations' authorization to perform natural organic reduction.

A.0986 (Sayegh)

Chapter 37 of the Laws of 2023

This chapter amendment to Chapter 728 of the Laws of 2022 requires municipality's chief executive officer to coordinate with Department of Homeland Security and Emergency Service ("DHSES") during outages regarding supplying emergency service departments with generators and requires municipalities to provide DHSES with a centralized list of emergency service departments within their jurisdiction.

A.0987 (Sayegh)

Chapter 38 of the Laws of 2023

This chapter amendment to Chapter 727 of the Laws of 2022 amends language relating to the list of what medical equipment qualifies as requiring essential electricity for medical needs and amends the effective date of the law to 180 days to give utilities time to comply with the requirements.

A.0998 (Rosenthal L)

Chapter 42 of the Laws of 2023

This chapter amendment to Chapter 578 of the Laws of 2022 clarifies what victims of domestic violence must attest in writing in the event they no longer wish to be part of a phone, cable, or utility contract on the basis they are a victim of domestic violence.

A.1368-A (Rozić)

Passed Both Houses

This bill would provide that utility, phone, cable, and internet residential customers may opt to have a third party receive notices regarding bill amounts due, collection attempts, and service terminations.

A.3125-A (Magnarelli)

Chapter 545 of the Laws of 2023

This law requires utilities to report annually to the Department of Public Service that no call centers or other customer service facilities as required under section 65 of the Public Service Law have been closed without notice and hearing, or that such centers have not been relocated outside New York.

A.3164 (Magnarelli)

Chapter 282 of the Laws of 2023

This law extends the New York Telecommunications Relay Center contract through June 30, 2024. This facility is located in Syracuse, NY.

A.3683 (Zebrowski)

Passed Both Houses

This bill would require the Public Service Commission to respond to rate-related complaints filed by customers within 90 days and requires that utility corporations retain billing records for eight years.

A.4055-A (Jacobson)

Passed Both Houses

This bill would amend the Public Service Law to ensure utility corporations do not “back-bill” customers for services rendered more than two months prior to the delivery of the bill to the customer. This bill also requires utilities to provide customers with the property’s energy usage and billing history from the past two years on the bottom of utility bills so the customer can better determine if they are being overcharged.

The following bills passed the Assembly:

A.0079 (Sayegh)

Passed the Assembly

This bill would require the results of any utility corporation or municipal water corporation outage management system stress tests to be posted on the Public Service Commission website.

A.4403 (Zebrowski)

Passed the Assembly

This bill would mandate 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.

A.4587-A (Paulin)

Passed the Assembly

This bill would require telecommunications corporations to provide customers with a notice detailing the need to replace back up battery units and would require them to provide customers with at least annual notice about potential service limitations with and without backup power.

The following bills were reported from Committee:

A.888-B (Jacobson)

Advanced to third reading

This bill would ensure utilities use actual meter readings when using estimated billing practices and would require the Public Service Commission to promulgate rules and regulations relating to estimated billing practices.

A.3503-A (Dinowitz)

Reported to Ways & Means

This bill would require electric corporations to establish a unique phone number for customers with medical equipment requiring essential electricity for assistance related to power outages.

A.5046-A (Woerner)

Reported to Ways & Means

This bill would direct the Commissioner of Taxation and Finance, in consultation with the Department of Public Service, to conduct a study relating to the taxation of the telecommunications industry. The study would analyze assessments, fees, tax rates, and policies within this industry with the goal of determining if reforms are necessary.

IV. PUBLIC HEARINGS OF 2023

Examining electric and gas utility rate structures regulated by the Public Service Commission

July 11, 2023

On July 11, 2023, the Assembly Committee on Corporations, Authorities & Commissions and Committee on Energy convened a public hearing to examine the Public Service Commission's efforts in fulfilling its statutory obligation to ensure safe and reliable service and just and reasonable rates for New York's consumers. Six witnesses testified, including utility equity advocates, investor-owned utility corporations, and state entities.

Testimony from the Department of Public Service ("DPS") on behalf of the Public Service Commission highlighted the Commission's ongoing efforts to engage stakeholders in the rate making process and their consideration of consumer impacts on proposed rates by utility companies. The testimony highlighted their Energy Affordability Program and their practices to achieve a no more than 6 percent of household income energy burden for low-income New Yorkers.

Additional testimony was received from some of the State's major utility corporations, that emphasized ongoing challenges to provide for consumer energy affordability while remaining profitable and navigating directives relating to the State's Climate Leadership and Community Protection Act ("CLCPA"). Utility consumer advocates testified to the ongoing need to continue support for vulnerable consumers against unsustainable utility cost increases. The Committee will continue to analyze testimony and the ratemaking process to ensure the PSC is able to holistically examine rate increase proposals, consider the possibility of stranded assets as a result of CLCPA directives, and ensure affordable utility service for all customers statewide.

V. OUTLOOK FOR 2024

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 affordable, reliable and efficient as possible.

In the upcoming Legislative Session, the Committee will continue to monitor the MTA’s financial stability in relation to its services and capital projects, as well as the progress of the free bus pilot program enacted in this year’s budget. We will also monitor programs and projects included in the upcoming 20-Year Needs Assessment, and the rollout of congestion pricing. The Committee will continue to assess any sustainable funding options that are proposed as methods to assist in financing the transit system.

The Corporations Committee will continue to work with other Assembly Committees during the upcoming 2024 Legislative Session to ensure that New Yorkers receive equitable, affordable, transparent, and reliable utility service regardless of their service area. These efforts must also be coupled with ensuring the power grid is reliable and resilient enough to manage increasing demands brought on by the transfer to renewable energy systems to meet the goals of the CLCPA.

In 2024, the Committee will also continue to examine New York’s corporation laws to ensure that they are up-to-date and meet the needs of modernizing business practices. Additionally, we will work with our counterparts in other Assembly Committees and in New Jersey to advance Port Authority reform, including through the continued efforts to extend human trafficking awareness and military leave policies in parity with other state employees.

APPENDIX A
2023 Committee Summary
SUMMARY OF ACTION ON ALL BILLS
REFERRED TO THE COMMITTEE ON

corporations, Authorities and Commissions

TOTAL NUMBER OF COMMITTEE MEETINGS HELD 6

2023 SUMMARY SHEET

ASSEMBLY SENATE TOTAL
BILLS BILLS BILLS

BILLS REPORTED FAVORABLE TO:

Codes	2	0	2
Judiciary	0	0	0
Ways and Means	27	0	27
Rules	10	0	10
Floor	16	0	16
TOTAL	55	0	55

COMMITTEE ACTION

Held For Consideration	2	0	2
Defeated	0	0	0
Enacting Clause Stricken	0	0	0
REMAINING IN COMMITTEE	222	37	259

BILLS REFERENCE CHANGED TO:

Ways and Means

TOTAL	5	0	5
--------------	----------	----------	----------

DISTRIBUTION: Clerk of the Assembly (1), Program & Committee Staff Library(1), Committee File(1), Speaker's Counsel(1)

APPENDIX B

BILLS THAT BECAME LAW

CHAPTER NUMBER	ASSEMBLY BILL (SPONSOR)	DESCRIPTION
33	A.978 (Paulin)	This law is a chapter amendment to Chapter 731 of the Laws of 2022 to add leak repair to the required information to be submitted to the Public Service Commission as part of the annual gas safety report.
34	A.979 (Paulin)	This law makes conforming changes to public health law relating to cemetery corporations performing natural organic reduction and operating such facilities.
37	A.986 (Sayegh)	This law amends Chapter 728 of the laws of 2022 requiring localities to compile a list of emergency service departments with generators and sharing those lists with their county government and DSHES.
38	A.987 (Sayegh)	This law amends Chapter 727 of the laws of 2022 to make technical changes to qualifying medical equipment requiring essential electricity.
42	A.998 (Rosenthal L)	This law makes technical changes to Chapter 578 of the laws of 2022 to require written attestation for domestic violence victims to break utility contracts.
44	A.1004 (Rivera)	This law amends Chapter 801 of the Laws of 2022 to make technical changes to the procedures for local advocacy groups making recommendations on a transit dependent individual to be nominated by the governor.
215	A.3691-B (Thiele)	This law authorizes the Dormitory Authority of the State of New York to enter into construction and financing contracts with the Shelter Island Public Library Society.

CHAPTER NUMBER	ASSEMBLY BILL (SPONSOR)	DESCRIPTION
282	A.3164 (Magnarelli)	This law extends the Telecommunications Relay Center in Syracuse, NY through June 30, 2027.
288	A.5518 (Gunther)	This law extends the ability of the New York State Alliance for Inclusion & Innovation, formerly the New York State Rehabilitation Association, to enter into construction and financing contracts with the Dormitory Association of the State of New York.
292	A.6547 (Gunther)	This law extends the ability of NYSARC, Inc. to enter into construction and financing contracts with the Dormitory Association of the State of New York.
301	A.7171 (Gibbs)	This law extends the ability of the Terence Cardinal Cooke Health Care Center to enter into construction and financing contracts with the Dormitory Association of the State of New York.
372	A.343-A (Burdick)	This law requires that utility companies will include trimming vines on utility poles in their required maintenance procedures.
374	A.2137 (Peoples-Stokes)	This law increases the Buffalo Sewer Authority's total amount of available bonding issuance from 250 million dollars to 500 million dollars.
384	A.4092 (Byrnes)	This law increases the Livingston County Water and Sewer Authority's total amount of available bonding issuance from forty-two million dollars to seventy million dollars.
393	A.5781 (Magnarelli)	This law authorizes the Syracuse Regional Airport Authority to establish no more than two wholly owned subsidiary corporations.

CHAPTER NUMBER	ASSEMBLY BILL (SPONSOR)	DESCRIPTION
411	A.7015 (Woerner)	This law authorizes the Capital District Transportation Authority to expand their service territory to include Warren County.
418	A.7368-A (Magnarelli)	This law authorizes the Syracuse Regional Airport Authority to engage in design-build contracts relating to construction.
467	A.7651 (Thiele)	This law repeals the Suffolk County Judicial Facilities Corporation effective December 31, 2023.
469	A.7660 (Zebrowski)	This law increases the Dormitory Authority of the State of New York's hospital bond cap from 17.4 billion dollars to 18.2 billion dollars.
490	A.3227 (Paulin)	This law requires Port Authority airports to display information on services relating to human trafficking victims in all lactation rooms.
491	A.3720 (Paulin)	This law requires the Metropolitan Transportation Authority to display information on services relating to human trafficking victims in all lactation rooms and public restrooms.
494	A.4586 (Paulin)	This law requires the New York State Thruway Authority to display information on services relating to human trafficking victims in all lactation rooms.
495	A.4669 (Paulin)	This law requires Port Authority bus terminals to display information on services for human trafficking victims in all lactation rooms.
545	A.3125-A (Magnarelli)	This law requires that every public utility provide the Public Service Commission quarterly updates confirming a call center or customer service facility

CHAPTER NUMBER	ASSEMBLY BILL (SPONSOR)	DESCRIPTION
		has not been relocated or closed without public hearing.
573	A.6940 (Simone)	This law amends Not-for-Profit Corporation law to allow non-membership non-profits to classify their boards through their by-laws.
574	A.7007-A (Bichotte Hermelyn)	This law increases the maximum revenue caps for the Metropolitan Transportation Authority's Small Business Mentor Program and newly establishes reporting requirements for such program.
577	A.7121 (Zebrowski)	This law allows the Town of Clarkstown to apply for abandoned cemetery maintenance funds from the Dept. of State.
597	A.6920 (Gunther)	This law establishes the Middletown Parking Authority.
672	A.4504-A (Epstein)	This law requires the Metropolitan Transportation Authority to have at least one voting member of their board be a transit dependent individual.

APPENDIX C

BILLS THAT WERE VETOED

VETO NUMBER	ASSEMBLY BILL (SPONSOR)	DESCRIPTION
52	A.5052-C (Woerner)	This bill would direct NYSERDA to conduct a study on the status of electric vehicle charging capacity on all major thoroughfares statewide and repeat the study every three years thereafter with the input of other state agencies and stakeholders.
65	A.3778 (Zebrowski)	This bill would repeal the Governor's unilateral authorization to remove a member from the Public Authorities Control Board.