

STATE OF NEW YORK

3494

2011-2012 Regular Sessions

IN ASSEMBLY

January 25, 2011

Introduced by M. of A. CALHOUN, BARCLAY, BURLING, CROUCH, CONTE, THIELE, AMEDORE -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to repeal part NN of chapter 59 of the laws of 2009, amending the public service law relating to financing the operations of the department of public service, the public service commission, department support and energy management services provided by other state agencies, increasing the utility assessment cap and the minimum threshold for collection thereunder, and establishing a temporary state energy and utility service conservation assessment and providing for the collection thereof

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

1 Section 1. Part NN of chapter 59 of the laws of 2009 amending the
2 public service law relating to financing the operations of the depart-
3 ment of public service, the public service commission, department
4 support and energy management services provided by other state agencies,
5 increasing the utility assessment cap and the minimum threshold for
6 collection thereunder, and establishing a temporary state energy and
7 utility service conservation assessment and providing for the collection
8 thereof is REPEALED.

9 § 2. This act shall take effect immediately.

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

LBD02903-01-1

BILL NUMBER: A3494

SPONSOR: Calhoun

TITLE OF BILL: An act to repeal part NN of chapter 59 of the laws of 2009, amending the public service law relating to financing the operations of the department of public service, the public service commission, department support and energy management services provided by other state agencies, increasing the utility assessment cap and the minimum threshold for collection thereunder, and establishing a temporary state energy and utility service conservation assessment and providing for the collection thereof

PURPOSE OR GENERAL IDEA OF BILL: To repeal the increase in the utility assessment cap imposed in this year's enacted budget.

SUMMARY OF SPECIFIC PROVISIONS: §1. Repeals part NN of Chapter 59 of the Laws of 2009.

§2. Provides for an immediate effective date.

JUSTIFICATION: With the state and national economies in recession and unemployment approaching 10 percent this is not the time for the state to impose a new tax and increase an existing tax on individuals and businesses. The increase in the 18-a utility assessment in this year's enacted budget nearly doubled the current tax on homeowners' utility bills. Increasing the overall cost of energy in the state does not establish a business friendly environment that will keep businesses here and retain jobs or create an incentive for businesses to relocate to New York.

PRIOR LEGISLATIVE HISTORY:

2009-10: A.9091 Held for consideration in Corporation, Authorities and Commissions

FISCAL IMPACT: This will reduce revenues to the State General Fund by \$520,000,000.

EFFECTIVE DATE: Immediately.