

REPORT FROM THE HILL

Richard Brescia

Week of May 4, 2015

Albany, NY
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The NYS legislative session is scheduled to end June 17 leaving 6 weeks to complete several important items such as mayoral control of the NYC school system, rent regulations and local tax relief.

Leaders in both houses have been targets of investigations by the US Attorney, with Sheldon Silver resigning his speaker's chair but remaining as a member and Senator Majority Leader and Senate Pro Tempore, Dean Skelos remaining in his leadership posts as of Wednesday, May 6.

Both houses, contrary to popular understanding, function quite well since politics is perpetual conflict and resolution with many competent members and staff to carry on. Rumors that Governor Andrew M. Cuomo is also a target of US Atty. Preet Bharara could complicate end-of-session negotiations but lack of public support will not stop the ineluctable progress toward adjournment. Political horse trading is like international trade: it wouldn't take place unless everyone had something to gain.

The governor is promoting "Reforming the Energy Vision" as the central feature of the NYS Energy Plan, that mandates utilities purchase electricity from a grid with access to low-impact generation, mostly renewables from the carbon reduction menu that are supposed to be available from grants and loan guarantees that mirror the policies of the Obama administration. Economists call this an "industrials" policy where govt. substitutes its judgement for market determination of resource allocation. However, a new bill, S-5131 (no same as) mandates a review by the PSC of REV's impact on consumers using several criteria:

1. an analysis of the potential benefits and costs of the REV initiative;
2. the impact of REV on electric rates charged to consumers through

additional taxes and fees, increased rates or any other charges required to fund the REV initiative;

3. the feasibility of other potential initiatives and approaches to upgrading and updating the current energy infrastructure of this state;
4. an analysis of potential benefits and costs of such other initiatives determined to be feasible pursuant to subdivision three of this section;
5. the impact on consumers resulting from the cost and expense of replacing existing energy infrastructure; and
6. any other information the public service commission deems necessary.

Senator Boyle has introduced S-5162/A-2454 to amend the tax law with in relation **motor fuel** wholesalers registration and monthly reporting of gallonage purchased and sold. This is identical to a provision dropped from Senate 3009, a budget bill.

A troublesome item, S-4211, has made its way to the “third reading” calendar where it awaits amendments to be determined. This measure mandates that utility funds be set aside for use in subsidizing the expansion of natural gas distribution lines within proximity to unserved residential and commercial customers. The presumed benefits of substituting NG for other, unspecified fuels, are lower costs to consumers and reductions in NOX, SOX, CO, particulate matter though neither the bill nor memo provide the advantages of NG over each specific fuel. The bill is designed to aid in the implementation of the NYS Energy Plan which calls for the energy mix to shift from fuel oil and propane to natural gas and renewables. The anomalies are NYS banned fracking, yet wants more natural gas from which propane is derived and which possesses almost identical savings in environmental reductions not to mention the direct price relationship between the two fuels. We are working with NPGA on this matter.

[This report is a cumulative record of the bills followed including those on which memos have been filed. At the end of each of the sections “senate” and “assembly” new introductions are listed.]



SENATE

- [S00762](#)Provides a tax exemption from sales and compensating use taxes on alternative energy systems
- [S01189](#)Expands remedies for violations of New York state uniform fire prevention and building code
- [S01230](#)Provides that the use tax on heating fuels shall be suspended during winter months for certain low income senior citizens
- [S01411](#)Enacts the "electric super highway act of 2015"
- [S02103](#)Gives justice courts limited equity powers to compel compliance with local zoning, building and fire prevention codes
- [S02505](#)Requires additional disclosures from lobbyists
- [S02825](#)Relates to price gouging
- [S02973](#)Makes certain amendments concerning zone pricing of gasoline
- [S03586](#)Relates to requiring liquid petroleum pipeline facilities to accelerate the repair, rehabilitation, and replacement of equipment or pipelines that are leaking or at a high-risk of leaking.
- [S04213](#)Establishes a natural gas safety and infrastructure replacement program
- [*S04238](#)Enacts the New York emergency responder act GOOD SAMARITAN. S/A 6214
- [S04242](#)Relates to the transportation of liquefied natural and petroleum gas; repealer
- [S04243](#)Creates a private right of action for unlawful price gouging for injunctive relief and recovery of actual damages or \$1000 whichever is greater
- [S04252](#)Relates to residential qualifications for service on the examining board of plumbers in the city of Middletown
- [S04208](#)Enacts into law major components of legislation necessary to implement the state fiscal plan relating to transportation, environmental conservation and economic development

Week of March 16 -

- [S04318](#)Relates to public petitions for rule making
- [S04319](#)Relates to improving evaluations of the potential impact of rules on jobs and employment opportunities

Week of May 4 -

- [S05131](#) Authorizes and directs the public service commission to study the impact on consumers and perform a cost benefit analysis of the Reforming the Energy Vision (REV) initiative
- [S05162](#) Requires wholesalers of motor fuel to register and file returns

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ASSEMBLY

- [A00054](#) Implements the empire propane education and research act
- [A00133](#) Specifies requirements for motor fuel advertising media
- [S00963](#) Directs the board of regents and the state education department to develop a model for improved articulation of the education program for career mobility
- [A01303](#) Prohibits gas stations from advertising only cash discounted prices
- [A01308](#) Extends the moratorium on the issuance of environmental safety certificates for facilities and routes for the transportation of liquefied natural or petroleum gas
- [A01354](#) Authorizes the attorney general to bring an action for violation of the prohibitions concerning unlawful selling practices and specifies damages awardable
- [A02865](#) Expands remedies for violations of New York state uniform fire prevention and building code

Week of March 16 -

[A06154](#) Relates to the criminal enforcement of violations of the state's uniform fire prevention and building code.

*[A06214](#) Enacts the New York emergency responder act. S/A 4238.
"Good Samaritan Law"

Week of May 4 -

[A07307](#) Proscribes indemnity agreements in motor carrier transportation contracts.