

New York State Assembly | Sheldon Silver, Speaker



2009 ANNUAL REPORT

committee on

Corporations, Authorities and Commissions

Richard L. Brodsky, Chairman

December 15, 2009

The Honorable Sheldon Silver
Speaker of the Assembly
State Capitol, Room 349
Albany, New York 12248

Dear Speaker Silver:

As Chairman of the Assembly Standing Committee on Corporations, Authorities and Commissions, I am pleased to submit the Committee's 2009 Annual Report. During the 2009 session, the Committee held 13 meetings and reviewed 366 bills, acting favorably on 77 bills. Of those bills, 17 became law.

The Committee advanced a number of bills relating to enhancing transparency and accountability within public authorities. Most notably, the work of the Corporations Committee this session led to enactment of comprehensive reform of public authorities throughout the State. This new law provides for increased oversight by a strengthened independent Authorities Budget Office (ABO), additional reporting by authorities, stricter policies for the disposition of assets, Comptroller pre-approval of certain authority contracts, subjecting board members to fiduciary duty, whistleblower protections for authority employees, and subjecting authorities to new rules for controlling debt.

The Committee worked throughout the 2009 session to advance legislation affecting mass transit systems, corporations, public authorities, and the telecommunications industry. Specifically, the Committee advanced legislation to improve access to transit for riders with disabilities and increase participation by small businesses in obtaining mass transit procurement contracts. Legislation enhancing the operation of and services provided by utilities was also enacted including providing additional PSC oversight on the transfer of stocks and franchises by public service corporations, and requiring customer billing statements and notices to be printed in larger formats.

Also enacted this year, were several laws extending Dormitory Authority financing to entities throughout the State. As a result, the Dormitory Authority is now authorized to provide financing for the construction of facilities for several new institutions and organizations that provide educational, residential, health and other support services to students, the elderly, persons with disabilities, and other residents of the State.

It has been a privilege to serve as Chairman 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, reading "Richard L. Brodsky". The signature is written in a cursive style with a large initial "R" and "B".

Richard L. Brodsky, Chairman
Assembly Standing Committee on
Corporations, Authorities and Commissions

**New York State Assembly Standing Committee on
CORPORATIONS, AUTHORITIES AND COMMISSIONS**

Richard L. Brodsky, Chairman

Members

Majority

James F. Brennan
Vivian E. Cook
Adriano Espaillat
Ginny Fields
Sandy Galef
Carl E. Heastie
Andrew D. Hevesi
Hakeem Jeffries
Brian P. Kavanagh
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Catherine Nolan
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Greg Ball
James Bacalles
William A. Barclay
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Andrew P. Raia
David Townsend

Staff

Mark Casellini, Assistant Secretary for Program and Policy
Lynelle Bosworth, Associate Counsel
Simonia Brown, Legislative Analyst
Sarah L. Wagner, Counsel to Assemblyman Brodsky
Kent Sopris, Legislative Director
Laura Inglis, Program and Counsel Executive Secretary

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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 work focuses on the organizational framework and activities of the State's many public authorities. These authorities, which provide services in areas such as health care, transportation, financing and environmental services, operate as quasi-governmental agencies at the state and local level. While these entities perform vital public functions and are at times more efficient than other governmental agencies, it is imperative that they be held accountable through oversight by public officials, which is the reason that the Committee devotes much of its time to public authority reform.

The Committee has a particular interest in the Metropolitan Transportation Authority (MTA), as well as the other authorities providing public transportation in the State. The Assembly Majority and this Committee have fought for adequate financing for mass transit for many years, and have worked to ensure that money is spent wisely in improving and expanding these systems.

In addition, the Committee monitors the operations and policies of the State Public Service Commission (PSC). This five-person panel within the Department of Public Service has the mandate to ensure that customers of the investor-owned electric, gas, telephone and water utilities in the State obtain adequate service at reasonable rates and in a manner that has the least adverse effect on the environment. In the Assembly, it is the Corporations Committee that is charged with making sure that the interests of utility consumers receive a fair hearing before the PSC when the investor-owned utilities plead their cases.

The Committee is also charged with examining proposals affecting the governance of both for-profit and not-for-profit private corporations in the State. Providing adequate oversight of corporations based in the State while promoting an attractive business environment is a Committee priority.

II. 2009 COMMITTEE ACTIVITIES AND INITIATIVES

A. PUBLIC AUTHORITIES

The following bills were signed into law:

A.1032/McEneny; Chapter 38 of the Laws of 2009 This law authorizes the Dormitory Authority to provide financing of construction related services to the Albany Convention Center Authority.

A.1544-B/Schimmel; Chapter 350 of the Laws of 2009 This law makes the United States Merchant Marine Academy eligible to receive financing assistance from the Dormitory Authority.

A.2209-C/Brodsky; Chapter 505 of the Laws of 2009 This law makes several changes to the Public Authorities Law to increase oversight and transparency in the operations of state and local public authorities. During Extraordinary Session this year, additional modifications were made to the law by **A.40012 (Rules/Brodsky), Chapter 506 of the Laws of 2009**. As a result of both laws, a strengthened independent Authorities Budget Office (ABO) is created; authorities are subject to additional disclosure and approval of asset transfers below the fair market value; board members must execute an acknowledgment of independence and are subject to fiduciary duty; and the responsibilities of authority audit and governance committees are expanded. In addition, the new laws subject state authority contracts over \$1 million that are not competitively bid to Comptroller pre-approval, require statutory authorization for the creation of subsidiaries (except under certain circumstances), require certain authorities to state how they will issue debt, and provide whistleblower protections for employees. Further, authority board members are permitted to also serve as the CEO, Executive Director, Comptroller or CFO of an authority; certain authority CEOs and Executive Directors are subject to Senate confirmation; MWBE policies and requirements are extended to all state authorities; and authorities must maintain a record of lobbying contacts.

A.6361-C/P. Rivera; Chapter 369 of the Laws of 2009 This law authorizes the Dormitory Authority to provide financing to the not-for-profit members of the Alliance of Long Island Agencies, Inc. for the construction of educational, administrative, day programs and residential facilities.

A.6417/Stirpe; Chapter 312 of the Laws of 2009 This law authorizes the Dormitory Authority to provide financing assistance to the YMCA of Greater Syracuse and its related branches and facilities.

A.7460-A/Jaffee; Chapter 139 of the Laws of 2009 This law extends for an additional ten years, until 2019, the Village of Suffern Parking Authority.

A.8114-A/Canestrari; Chapter 452 of the Laws of 2009 This law authorizes the Dormitory Authority to provide financing assistance to Fordham Preparatory School, Inc.

A.8454/Galef; Chapter 170 of the Laws of 2009 This law increases the bonding authority of the New York State Bridge Authority (NYSBA) to an aggregate principal amount of \$153.255 million.

A.8573/Rosenthal; Chapter 238 of the Laws of 2009 This law increases by \$800 million, from \$14.2 billion to \$15 billion, the aggregate amount in which the Dormitory Authority is authorized to issue hospital and nursing home project notes and bonds.

A.8599-A/Powell; Chapter 465 of the Laws of 2009 This law authorizes the Dormitory Authority to provide financing assistance to the Reece School in New York City.

A.8614/Farrell; Chapter 182 of the Laws of 2009 This law places outstanding NYC Transitional Finance Authority debt under the existing NYC General Obligation cap in the Local Finance Law and makes the existing statutory cap on borrowing for general capital purposes applicable to outstanding debt rather than all debt issued. It also continues to exempt Recovery Bonds and Building Aid bonds from the authority's general debt limit and provides that the amount of variable rate bonds outstanding for general capital purposes be limited to the current 20% of the authority's general debt limit, with provisions for customary exclusions.

A.8729-A/Lavine; Chapter 470 of the Laws of 2009 This law authorizes the Dormitory Authority to financing assistance to the Friends Academy in Glen Cove, Nassau County.

A.8768/P. Rivera; Chapter 471 of the Laws of 2009 This law authorizes the Dormitory Authority to provide financing assistance to the InterAgency Council of Mental Retardation & Developmental Disabilities Agencies, Inc.

The following bills were vetoed by the Governor:

A.4343/Brodsky; Veto Memo. 66 This legislation would have prohibited a public authority from contracting out for services except under certain circumstances including when it would be more cost effective; the services would only be required for a short duration; special expertise would be required that is not currently available within the bargaining unit; there is an urgent need for the services; it would avoid a conflict of interest; it would be within compliance with the authority's affirmative action goals; or it would be in compliance with State, local or federal law.

Authorities would have been required to perform a cost benefit analysis to evaluate the cost effectiveness of a contract. Prior to executing a contract, the authority would have been required to produce a written statement as to why the contract meets the specified requirements, provide such statement and the proposed contract to the organization representing the authority's employees who would otherwise perform such service and allow the organization at least fifteen days to respond. The provisions of the bill would have also applied to change orders and modifications to a contract for services that result in a 125% increase in the contract amount.

The following bills passed the Assembly but failed to pass the Senate:

A.249/Magnarelli This legislation would have created, within the New York State Energy Research and Development Authority (NYSERDA), the New York State Greenhouse Gases Management Research and Development Program. This Program would make grants and loans to

research entities that promote new technologies to mitigate the release of greenhouse gases and carbon dioxide.

A.1313/Brodsky This bill would have established the Closed-Circuit Television (CCTV) System and Surveillance Personal Privacy Act to provide for privacy protections in relation to the operation and use of CCTV systems by state authorities, the State highway system, and municipalities. The bill would have mandated that CCTV system operators utilize data collected solely for transportation planning, traffic management, and traveler information purposes. The bill also would have established procedures for the dissemination of CCTV data to public service and private entities.

Additionally, the Metropolitan Transportation Authority (MTA) would have been required to submit to the governor and legislature, a review of its operations and a mission statement that explicitly states how it will use CCTV and other surveillance systems, and what reasonable privacy expectations an individual is entitled to with regard to such use.

A.2000-A/Lancman This bill would have established the “Teleworking Expansion Act” and require public authorities with 25 or more employees to establish a policy and program that would allow employees to perform all or part of their duties through teleworking, as defined. Public authorities would have been required to designate a telework coordinator to oversee implementation of an authority’s teleworking program.

A.4296-B/Brodsky This bill would have prohibited public authorities from requesting or requiring as a condition of employment that members of the board, officers, or employees enter into contracts or agreements that would require them to refuse to disclose information they received while employed by said public authority. Any such agreements entered into between members of the board, officers, or employees and public authorities prior to its enactment would be nullified.

B. MASS TRANSIT OPERATIONS AND FINANCE

The following bills passed the Assembly but failed to pass the Senate:

A.5810/Brodsky This legislation would have required the MTA to submit to the governor and legislature an annual report of all assaults or attacks on employees, non-employees and passengers on or in connection with any MTA bus, subway or train and on or in any MTA premises; and an annual report of all injuries or deaths of employees, non-employees and passengers caused by the physical infrastructure, safety, condition, security or other health hazards identified by the authority. Furthermore, each report would have provided recommendations to avoid or reduce the frequency of such incidents.

A.3954/Kellner This bill would have established the MTA Riders’ Council for People with Disabilities to be composed of fifteen members who have a disability and regularly use the transportation system to study, investigate, monitor, and make recommendations to the MTA and its subsidiaries with respect to the accommodations of the needs of people with disabilities, and recommend a non-voting member to the MTA Board.

A.4973/Brodsky This legislation would have required the MTA, the NYC Office of Emergency Management, and the Port Authority of New York and New Jersey to each submit a report to the governor and legislature on the capabilities of the respective agency to respond to the need for evacuation of all or portions of New York City, and Nassau and Suffolk Counties, due to any weather-related condition, event, or emergency.

A.7056-B/Benedetto This bill would have required public authorities during the selection of contracts in excess of \$25,000, to negotiate with the highest qualified professional firms for engineering, architectural and/or surveying services, in order of their competence and qualifications.

A.7242-A/Hoyt This legislation would have prohibited state authorities from providing bonuses to any employee who is not covered under a negotiated contract, or to a board member.

A.8262/Abbate Current law prohibits public officers and public employees (civil servants) from being officers and employees of a subsidiary corporation of the MTA, other than a public benefit subsidiary corporation. This bill would have removed this prohibition.

A.8681/Wright This bill would have established the MTA Small Business Mentoring Program to provide independent businesses in the construction trade with the opportunity to compete for, obtain and perform public work contracts of the MTA with the advice and technical assistance of experienced firms within the construction industry. The aggregate amount of contracts to be issued under the program for the first year would have been between \$10 million and \$100 million.

C. CORPORATIONS LAW

The following bills were signed into law:

A.4218/Brodsky; Chapter 363 of the Laws of 2009 This law authorizes cemetery corporations to assume management and maintenance of an abandoned cemetery upon authorization from the Cemetery Board. Such cemetery corporation is required to apply for funding from the State Cemetery Vandalism Restoration, Monument Repair or Removal and Administration Fund for restoration of the abandoned cemetery. Any unused funds are to be repaid to the fund.

The following bill was vetoed by the Governor:

A.6854/Finch; Veto Memo 39 Current law restricts nonresident membership of a fire corporation in towns outside of villages and fire districts to no more than 45% of the total membership. This bill would have removed this restriction for fire companies in the Town of Fleming.

The following bills passed the Assembly but failed to pass the Senate:

A.1567/Brodsky This bill would have required corporations whose shares are traded on a stock exchange or in the over-the-counter market to implement measures that would provide a reasonable opportunity for shareholders that are not physically at a meeting to witness the proceedings and vote or cast proxies via electronic communication such as webcast, and telephonic and internet voting.

Corporations would have also been required to post notice of the means by which shareholders and proxyholders could witness the proceedings of and vote via electronic communication at a meeting.

A.4727/Morelle Current law requires that a lay delegate serving in a Protestant Episcopal parish be at least eighteen years of age. This bill would have lowered the age eligibility for voting and serving as a lay delegate in the Protestant Episcopal parishes to sixteen.

D. TELECOMMUNICATIONS AND UTILITIES

The following bills were signed into law:

A.3639-C/Hevesi; Chapter 359 of the Laws of 2009 This law requires utility companies, energy services companies (ESCOs), municipalities, telephone companies and cable television companies to provide, upon written request by a customer, customer billing statements and notices in large print format (font size 16 or larger) beginning no later than 60 days after the date the request is received. Such companies are required to provide notice to every customer, upon service initiation and once a year thereafter that billing statements and notices are available in large print format.

A.4904/Jeffries; Chapter 226 of the Laws of 2009 This law expands the list of business entities that are required to obtain PSC approval prior to acquiring more than 10% of the franchises or stock of certain utility corporations to include, but not be limited to, companies, associations, partnerships, or persons proposing to acquire such franchises or stock.

The following bill was vetoed by the Governor:

A.6632/Kavanagh; Veto Memo 58 This bill would have required utility companies to prominently display on all billing statements and notices (written and electronic) a reference to the existence of the powertochoose.ny.com website.

The following bills passed the Assembly but failed to pass the Senate:

A.237-B/Hevesi This bill would have required utilities or other entities entering into contracts or engaging in the sale or trade of energy metering to file with the PSC, the governor, the legislature, and the Chair of the State Energy Planning Board, an annual report detailing the type of generating equipment producing and providing energy to the utility, the net amount of energy produced by each customer-generator, the amount of distributed energy sources within the service territory of any utility engaging in the sale or trade of distributed energy sources, and the amount of energy produced by such sources.

A.509/Kavanagh Current law requires utility corporations to permit a residential customer to designate a third-party to receive copies of all notices relating to termination of service or collection of amounts due. This bill would have extended this provision to require utilities to permit a designated third-party to receive notice of the total amount due or past due on all bills, the amounts of any payments made by or on behalf of the customer, and all notices relating to the collection of amounts due. The bill also would have extended such third-party notification option

to customers of telephone corporations, cable television corporations, and cell phone service providers.

A.1064/Destito This legislation would have required the PSC to adopt rules and regulations for the conservation of numbering resources and for reclamation of underutilized numbering resources. The PSC would have been required to conduct an investigation to determine whether such conservation measures have been followed, whether numbering resources have been oversupplied in areas, and identify alternatives to the creation of a new area code. This bill also would have required that an administrative law judge be appointed to hold evidentiary hearings on the need for a new area code.

A.4472/Brodsky This legislation would have required the PSC to take formal action on all petitions within 90 days of receipt. For petitions currently pending before the PSC, the Commission would have been required to act within 90 days from the effective date of this legislation unless it is determined that action on such petitions would not serve the public interest. In such cases, the PSC would have been required to issue a report setting forth the facts and circumstances upon which it based such decisions. For prudency petitions, the PSC would have been required to take formal action within 30 days of receipt, and would have been required to take formal action on all pending prudency petitions within 30 days of the effective date of this legislation.

A.4671/Benjamin This bill would have required all utility corporations to include on their bills to customers advance notice of the date and place of any public hearings including, but not limited to, those public hearings concerning a proposed rate increase.

A.4888/Alessi This bill would have prohibited the commissioner or any employee of the Department of Public Service from communicating with any party involved in an adjudicatory proceeding before the PSC to which the commissioner or such employee is assigned to render a decision, except when all parties are notified and allowed to participate, and vice versa. A violation of the aforementioned would have been subject to a civil penalty of \$100,000.

A.7593-A/Cahill This bill would have required gas and electric companies, and municipalities that provide such services, to provide certain call center service assistance from facilities located within New York State. No call center service would be allowed to close or relocate without notice and hearing before the PSC.

A.7867/Kellner This bill would have required that the PSC regulations for the handling of utility customer complaints include requiring utilities to provide annual notification to residential customers (including submetered customers) that the complaint handling procedures of the PSC can be invoked to obtain an administrative determination of a utility service complaint by telephone, letter, online complaint form, or visit to a PSC office.

A.8441/Sweeney This bill would have required LIPA to notify the PSC of any proposal for a rate increase exceeding 2.5 percent over a 12-month period, or the extension or reestablishment of any portion of a temporary rate increase over 2.5 percent. No such proposals for a rate increase would have been implemented without PSC approval following a full evidentiary hearing.

III. 2009 PUBLIC HEARINGS

The Committee convened the following hearings:

A. Public Financing for Construction of a New Yankee Stadium in New York City

**January 14th
10:00 a.m.
New York City**

The Corporations, Authorities and Commissions Committee held the first in a series of hearings regarding the use of public financing for the construction of Yankee Stadium in the Bronx and the request by the New York Yankees for additional financing to complete construction of the stadium.

Testimony was provided by New York City Comptroller Bill Thompson; Seth Pinsky, President of the New York City Economic Development Corporation (EDC) and NYC Industrial Development Authority (NYC IDA); Randy Levine, President of the New York Yankees; and George Sweeting of the NYC Independent Budget Office.

The Committee sought to address policy and legal questions raised about the NYC IDA and other government agencies using public financing to construct a new Yankee Stadium. Issues explored during this hearing included: the scope of the project and what components would be funded with tax-exempt financing; transparency and accuracy in the process for the approval of the tax-exempt bonds; compliance with relevant State and federal laws; the role of New York City agencies including the Comptroller's Office, the Department of Finance, and the IDA/EDC; and the projected benefits to be received by the public such as jobs and ticket prices.

B. Redevelopment of Lower Manhattan and the World Trade Center Site

**January 29th
10:00 a.m.
New York City**

The Corporations, Authorities and Commissions Committee along with the Assembly Speaker, the Committee on Cities, and the Committee on Oversight, Analysis and Investigation, held a public hearing on the status of redevelopment at Lower Manhattan and Ground Zero.

Testimony was presented by Chris Ward, Executive Director of the Port Authority of New York and New Jersey; Elliot G. Sander, Executive Director and CEO of the Metropolitan Transportation Authority (MTA); Michael Horodniceau of the MTA; Larry A. Silverstein, President and CEO of Silverstein Properties; Avi Schick, Chairman of Lower Manhattan Development Corporation; Elizabeth H. Berger, President of Alliance for Downtown New York;

Julie Menin, Chairperson of Community Board 1; and Robert Harvey, Acting Executive Director of the Lower Manhattan Construction Command Center.

Topics discussed during the hearing include transparency in Port Authority rebuilding activities and disclosure to the public; coordination among the stakeholders; the completion of milestones; and construction schedules and deadlines. Also discussed was the opening of the Memorial scheduled for 2010. The Committees also expressed the need for independent oversight of rebuilding efforts.

C. Public Financing for Construction of a New Yankee Stadium in New York City

March 6th
10:30 a.m.
New York City

The Corporations Committee along with the Committee on Cities held a second hearing on the use of public financing for the construction of Yankee Stadium.

Testimony was provided by Randy Levine, President of New York Yankees.

The hearing was held so that the Committees could receive subpoenaed documents, gain a better understanding of such documents and how they conformed to the subpoena. The Yankees presented documents related to the issuance of debt by the Industrial Development Authority for the construction of the stadium; information related to any negotiation for and/or agreement to provide a luxury suite to New York City; and materials related to the tax abatements, deferrals and other tax benefits provided for the stadium's construction including documents regarding Yankees' PILOT payments.

Also discussed were the Yankees' policy for the relocation of tickets in the new stadium, and the schedule of ticket prices and their "affordability."

The Committee noted that the documents produced by the New York Yankees were not whole and fully compliant with the subpoena. Additional information was requested including a summary of salaries, wages and compensation that would be paid to employees of the new stadium; and documents related to the assessment of land and facilities for the stadium.

D. New York State Thruway Authority Plans for the Inner Harbor in Syracuse

April 23rd
2:00 p.m.
Syracuse

The Thruway Authority had been engaged in the process of seeking appropriate redevelopment and revitalization of the area in Syracuse known as Inner Harbor. At the time of the hearing, a draft Request for Proposals (RFP) for the sale, lease and redevelopment of the Inner Harbor site had been issued to solicit public comment on its contents. The Assembly Corporations

Committee held a public hearing to obtain information on the plans, procedures and goals surrounding the development of parcels of land in the area.

The Committee heard testimony from Michael Fleischer, Executive Director of the Thruway Authority; Timothy Carroll, Director of Operations of the City of Syracuse; Joseph LaGuardia, Executive Director of Lakefront Development Corporation; David M. Aitken of Destiny USA; Robert M. Simpson, President of the Metropolitan Development Corporation of Syracuse and Central New York; and William C. Towsley, President of Central and Northern New York Building Trades. Testimony was also provided by Hon. Van B. Robinson and Hon. Lance Denno, members of the Syracuse Common Council.

Testimony provided by Mr. Fleischer focused on the disposition of certain parcels of the land at the site that is owned by the Thruway Authority via the Canal Corporation. Mr. Fleischer referred to pending legislation (Senate Bill 3622) that would permit the Canal Corporation to sell approximately 3.85 acres of Canal terminal lands at the Inner Harbor site. Fleischer testified that sale of the land rather than a lease of a portion of it was necessary to facilitate the development of the Inner Harbor area. In his testimony, he also noted that the draft RFP was developed to take into consideration issues and concerns presented in prior RFPs that did not move forward. Mr. Fleischer also testified that the Canal Corporation worked closely with all stakeholders through the process to ensure its success including the City of Syracuse and the Lakefront Development Corporation; and has been working with regulatory agencies such as the Department of Environmental Conservation and NYS Historic Preservation Office.

Testimony provided by the LDC and the City of Syracuse stressed that development at the Inner Harbor site would have a positive impact on the city and noted that redevelopment at Inner Harbor would encourage further interest and investment by developers and entrepreneurs in bordering properties. They also testified that the new approach taken in the draft RFP would be a significant help in moving the process forward.

Syracuse common council members testified that they would submit to the Thruway Authority an official statement requesting that the RFP be amended to include prevailing wage requirements, project labor agreements, MWBE requirements, and flexibility in zoning regulations.

Corporations Committee members presented a number of concerns with the RFP and stressed the importance of including provisions for prevailing wage, minority and women-owned businesses (MWBE), “green” standards and sustainability practices. Other issues raised by the Committee included economic development benefits to the city; the potential impact on the public; and the level of input from the city and its lawmakers. The Committee also expressed concern with the sale rather than lease of the property and the potential for not receiving the actual value of the property in a sale. Committee members also expressed their concerns with allowing for bidding on parcels of the land in the RFP and sought more clarification on how this would affect the master plan for the development of the Inner Harbor site.

IV. OUTLOOK FOR 2010

In the year ahead, the Committee on Corporations, Authorities and Commissions will continue its work aimed at overseeing the operations and functions of public authorities in the state. The Committee will also continue its oversight of the Metropolitan Transportation Authority (MTA). Among the Committee's priorities will be to continue to monitor the progress of the MTA's capital program projects such as the Fulton Street Station, East Side Access, Second Avenue Subway, Number 7 Line Extension, and Moynihan Station.

The Committee will also continue its oversight of the telecommunications industry. Legislation aimed at strengthening consumer protections within cable corporations, advancing legislation aimed at net neutrality, and exploring the idea of statewide cable franchises is a Committee priority. The Committee plans to continue to advocate for the passage of a meaningful telecommunications reform bill.

There are a number of issues the Committee will continue to be active in and closely monitor over the next year. These issues include, but are not limited to, the progress made at Ground Zero, as well as constant oversight of the dealings of large public authorities, such as the Empire State Development Corporation (ESDC). These are all issues which will require constant monitoring over the next year to ensure that actions taken are in the best interest of the citizens of New York State.

**APPENDIX A
2009 SUMMARY SHEET**

**Summary of Action on All Bills Referred to the Committee on
CORPORATIONS, AUTHORITIES, AND COMMISSIONS**

<u>Final Action</u>	<u>Assembly Bills</u>	<u>Senate Bills</u>	<u>Total Bills</u>
<u>Bills Reported With or Without Amendment</u>			
To Floor; not returning to Committee	13	0	13
To Ways and Means Committee	42	0	42
To Codes Committee	13	0	13
To Rules Committee	8	0	8
To Judiciary Committee	0	0	0
Total	76	0	76
<u>Bills Having Committee Reference Changed</u>			
To Corrections	1	0	1
Total	1	0	1
<u>Senate Bills Substituted or Recalled</u>			
Substituted		2	2
Recalled		0	0
Total		2	2
<u>Bills Defeated in Committee</u>	0	0	0
<u>Bills Held for Consideration with a Roll-Call Vote</u>	1	0	1
<u>Bills Never Reported, Held in Committee</u>	278	3	281
<u>Bills Having Enacting Clauses Stricken</u>	5	0	5
<u>Motions to Discharge Lost</u>	0	0	0
TOTAL BILLS IN COMMITTEE	361	5	366
<u>TOTAL NUMBER OF COMMITTEE MEETINGS HELD</u>			13

**APPENDIX B
BILLS THAT BECAME LAW**

<u>Bill #</u>	<u>Sponsor</u>	<u>Chapter #</u>	<u>Description</u>
A.1032	McEneny	38	Authorizes Dormitory Authority to provide financing for the construction of facilities for the Albany Convention Center Authority.
A.1544-B	Schimmel	350	Authorizes Dormitory Authority to provide financing for the construction of facilities at the United States Merchant Marine Academy.
A.2209-C	Brodsky	505	Makes several changes to the Public Authorities Accountability Act of 2005.
A.3639-C	Hevesi	359	Requires utility companies, energy service companies and municipalities providing such service to provide billing statements and notices in large print format upon request of a customer.
A.4218	Brodsky	363	Authorizes a solvent cemetery corporation to assume management and maintenance of an abandoned cemetery upon approval of the Cemetery Board.
A.4904	Jeffries	226	Requires companies, associations, partnerships, or persons proposing to acquire more than 10% of the franchises or stock of utility companies to obtain prior approval from the Public Service Commission.
A.6361-C	P. Rivera	369	Authorizes the Dormitory Authority to finance the construction of facilities for the not-for-profit members of the Alliance of Long Island Agencies, Inc.
A.6417	Stirpe	312	Authorizes the Dormitory Authority to provide financing for facilities for the YMCA of Greater Syracuse.
A.7460-A	Jaffee	139	Extends for an additional ten years, until 2019, the Village of Suffern Parking Authority.
A.8454	Galef	170	Increases the bonding authority of the NYS Bridge Authority to \$153.255 million.

<u>Bill #</u>	<u>Sponsor</u>	<u>Chapter #</u>	<u>Description</u>
A.8573	Rosenthal	238	Increases the aggregate amount in which the Dormitory Authority is authorized to issue hospital and nursing home project notes and bonds to \$15 billion.
A.8599-A	Powell	465	Authorizes the Dormitory Authority to provide financing assistance to the Reece School.
A.8614	Farrell	182	Extends provisions of the NYC Transitional Finance Authority.
A.8729-A	Lavine	470	Authorizes the Dormitory Authority to provide financing assistance to Friends Academy in Glen Cove, Nassau County.
A.8768	P. Rivera	471	Authorizes the Dormitory Authority to provide financing assistance to the InterAgency Council of Mental Retardation and Developmental Agencies, Inc.
A.40012	Rules/Brodsky	506	Makes several modifications to the Public Authorities Law.
A.8114-A	Canestrari	452	Provides Fordham Preparatory School, Inc. eligible for financing through the dormitory authority of New York.

**APPENDIX C
BILLS VETOED BY THE GOVERNOR**

<u>Bill #</u>	<u>Sponsor</u>	<u>Veto #</u>	<u>Description</u>
A.4343	Brotsky	66	Prohibits a public authority from contracting out for services except under certain circumstances.
A.6632	Kavanagh	26	Requires utility companies to display on all billing statements and notices a reference to the existence of the powertochooseny.com website.
A.6854	Finch	39	Currently, nonresident membership of a fire corporation is restricted to 45% of total membership. This would have removed the restriction for fire companies within the Town of Fleming.