

DRAFT LBDC

A BUDGET BILL submitted by the Governor  
in accordance with Article VII of the Constitution

AN ACT to authorize utility and cable television assessments that provide funds to the department of health from cable television assessment revenues and to the department of agriculture and markets, department of environmental conservation, department of state, and the office of parks, recreation and historic preservation from utility assessment revenues (Part );

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

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## PART

2 Section 1. Expenditures of moneys appropriated to the department of  
3 agriculture and markets from the special revenue funds-other/state oper-  
4 ations, miscellaneous special revenue fund-339, public service account  
5 shall be subject to the provisions of this section. Notwithstanding any  
6 other provision of law to the contrary, direct and indirect expenses  
7 relating to the department of agriculture and markets' participation in  
8 general ratemaking proceedings pursuant to section 65 of the public  
9 service law or certification proceedings pursuant to article 7 or 10 of  
10 the public service law, shall be deemed expenses of the department of  
11 public service within the meaning of section 18-a of the public service  
12 law. No later than August 15, annually, the commissioner of the depart-  
13 ment of agriculture and markets shall submit an accounting of such  
14 expenses, including, but not limited to, expenses in the prior state  
15 fiscal year for personal and non-personal services and fringe benefits,

1 to the chair of the public service commission for the chair's review  
2 pursuant to the provisions of section 18-a of the public service law.

3 § 2. Expenditures of moneys appropriated to the department of state  
4 from the special revenue funds-other/state operations, miscellaneous  
5 special revenue fund-339, public service account shall be subject to the  
6 provisions of this section. Notwithstanding any other provision of law  
7 to the contrary, direct and indirect expenses relating to the activities  
8 of the department of state's utility intervention unit pursuant to  
9 subdivision 4 of section 94-a of the executive law, including, but not  
10 limited to participation in general ratemaking proceedings pursuant to  
11 section 65 of the public service law or certification proceedings pursu-  
12 ant to article 7 or 10 of the public service law, and expenses related  
13 to the activities of the major renewable energy development program  
14 established by section 94-c of the executive law, shall be deemed  
15 expenses of the department of public service within the meaning of  
16 section 18-a of the public service law. No later than August 15, annu-  
17 ally, the secretary of state shall submit an accounting of such  
18 expenses, including, but not limited to, expenses in the prior state  
19 fiscal year for personal and non-personal services and fringe benefits,  
20 to the chair of the public service commission for the chair's review  
21 pursuant to the provisions of section 18-a of the public service law.

22 § 3. Expenditures of moneys appropriated to the office of parks,  
23 recreation and historic preservation from the special revenue funds-  
24 other/state operations, miscellaneous special revenue fund-339, public  
25 service account shall be subject to the provisions of this section.  
26 Notwithstanding any other provision of law to the contrary, direct and  
27 indirect expenses relating to the office of parks, recreation and  
28 historic preservation's participation in general ratemaking proceedings

1 pursuant to section 65 of the public service law or certification  
2 proceedings pursuant to article 7 or 10 of the public service law, shall  
3 be deemed expenses of the department of public service within the mean-  
4 ing of section 18-a of the public service law. No later than August 15,  
5 annually, the commissioner of the office of parks, recreation and  
6 historic preservation shall submit an accounting of such expenses,  
7 including, but not limited to, expenses in the prior state fiscal year  
8 for personal and non-personal services and fringe benefits, to the chair  
9 of the public service commission for the chair's review pursuant to the  
10 provisions of section 18-a of the public service law.

11 § 4. Expenditures of moneys appropriated to the department of environ-  
12 mental conservation from the special revenue funds-other/state oper-  
13 ations, environmental conservation special revenue fund-301, utility  
14 environmental regulation account shall be subject to the provisions of  
15 this section. Notwithstanding any other provision of law to the contra-  
16 ry, direct and indirect expenses relating to the department of environ-  
17 mental conservation's participation in state energy policy proceedings,  
18 or certification proceedings pursuant to article 7 or 10 of the public  
19 service law, shall be deemed expenses of the department of public  
20 service within the meaning of section 18-a of the public service law. No  
21 later than August 15, annually, the commissioner of the department of  
22 environmental conservation shall submit an accounting of such expenses,  
23 including, but not limited to, expenses in the prior state fiscal year  
24 for personal and non-personal services and fringe benefits, to the chair  
25 of the public service commission for the chair's review pursuant to the  
26 provisions of section 18-a of the public service law.

27 § 5. Notwithstanding any other law, rule or regulation to the contra-  
28 ry, expenses of the department of health public service education

1 program incurred pursuant to appropriations from the cable television  
2 account of the state miscellaneous special revenue funds shall be deemed  
3 expenses of the department of public service. No later than August 15,  
4 annually, the commissioner of the department of health shall submit an  
5 accounting of expenses in the prior state fiscal year to the chair of  
6 the public service commission for the chair's review pursuant to the  
7 provisions of section 217 of the public service law.

8 § 6. Any expense deemed to be expenses of the department of public  
9 service pursuant to sections one through four of this act shall not be  
10 recovered through assessments imposed upon telephone corporations as  
11 defined in subdivision 17 of section 2 of the public service law.

12 § 7. This act shall take effect immediately and shall be deemed to  
13 have been in full force and effect on and after April 1, 2021.