



NEW YORK STATE SENATOR

Robert G. Ortt

## Ortt, Morinello, and Norris Sponsor Siting Board Legislation

ROBERT G. ORTT June 14, 2019

| ISSUE: **ARTICLE 10, ENERGY, LOCAL CONTROL**

Recently, Senator Rob Ortt (R,C,I,Ref-North Tonawanda) joined Assembly members Angelo J. Morinello (R,C,I,Ref-Niagara Falls) and Michael Norris (R,C,I,Ref-Lockport) to introduce legislation providing local input on energy projects. The bill (S.6338) would ensure the presence of local representation on any siting board for electric generating projects proposed across the state. Currently, there are 25 proposed electric generating projects proposed in New York with 19 of them lacking a full representation on the projects siting board.

Under the state's Article 10 law, each host municipality of an electric generation project may nominate four individuals to be considered as an ad hoc member on the siting board. From that list, the State Senate and Assembly are granted the first opportunity to appoint one community member each to the siting board. Should the Legislature not act within the allotted time frame outlined by the law, the governor is then given the opportunity to appoint two members from the localities list. If the governor also fails to appoint two community members in the outlined time frame, a quorum of the five permanent members, who are all appointed by the governor, may meet and make a decision on the project.

**Senator Rob Ortt (R,C,I,Ref-North Tonawanda)** said, "The ability for local residents and host municipalities to voice their concerns is essential in siting energy projects. It is unacceptable

for a siting board to act without any local representatives included in the discussions, and for the Legislature and governor to abdicate their responsibilities is equally as troubling. My legislation would ensure that no electric generation project is approved without input from the host municipality.”

**Assemblyman Michael Norris (R,C,I,Ref-Lockport)** said, “Local control and input is critical when determining the viability and desirability of an energy project in a community. New York State already has far too much overreach and authority in making decisions that should be kept at the local level. A community should determine where and how electrical generating projects are constructed, not a board of politically appointed bureaucrats that do not carry the best interest of a host community.”

**Assemblyman Angelo J. Morinello (R,C,I,Ref-Niagara Falls)** said, “It is not right to avoid local input on decisions affecting a community by failing to appoint ad hoc members to the siting board. Article 10 appears to have the effect of all decisions made by Albany bureaucrats.”

The Senate Majority Leader, Speaker of the Assembly and governor all failed to approve any candidates nominated by Cambria and Pendleton for the Bear Ridge solar project. Assembly members Morinello and Norris recently introduced an Assembly version of the Senate legislation calling for local representation to be included on any current and future electric generation projects.

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RELATED LEGISLATION

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**2019-S6338**

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- Introduced
    - ◦ In Committee Assembly
      - In Committee Senate
    - ◦ On Floor Calendar Assembly
      - On Floor Calendar Senate
    - ◦ Passed Assembly
      - Passed Senate
  - Delivered to Governor
  - Signed By Governor
  -

Relates to requiring ad hoc members to be appointed in order to constitute a quorum

June 05, 2019

In Senate Committee [Energy and Telecommunications](#)

Sponsored by [Robert G. Ort](#)

Do you support this bill?