

**Urging The Passage Of Senate Bill 3379-A/ Assembly Bill 7799-A
Entitled, “An Act To Amend The Public Service Law, In Relation To
Providing Consumers The Option To Elect Not To Use
Transmitting Utility Meters”**

Referred to: The Environmental, Energy, and Technology Committee (Chairman Belfiglio and Legislators Bartels, Lopez, Wawro, and Wishnick)

Legislators Wishnick, Belfiglio, Bartels, Rodriguez, Gregorius, and Donaldson offer the following:

WHEREAS, this Legislative body has heard numerous comments from the public regarding the use of so-called “Smart Meters”; and

WHEREAS, there exists a concern in many States and among people across the nation that so-called “Smart Meters” may cause physical illness to those who are in homes utilizing such meters; and

WHEREAS, those concerns come from, among other places, a recognition that the International Agency for Research on Cancer, part of the World Health Organization, classifies radiofrequency electromagnetic fields as possibly carcinogenic to humans; and

WHEREAS, the American Academy of Environmental Medicine opposes the installation of “wireless smart meters” and states “chronic exposure to wireless radiofrequencies radiation is a preventable environmental hazard that is sufficiently well documented to warrant immediate preventative health action”; and

WHEREAS, although research on the potential health impacts of smart meters it not yet conclusive, this Legislative Body believes there is sufficient concern expressed that consumers should be given a choice to “opt-out” of being forced to utilize “Smart Meters” rather than go without electricity (the alarming choice Ulster County residents have informed this Legislature as presently existing in Ulster County); and

WHEREAS, in addition to the serious public health concerns, public safety concerns exist in that many are concerned that utilizing “Smart Meters” enables “hackers” to electronically monitor the electricity usage of individuals making persons more susceptible to becoming crime victims if it can be determined when persons are home or not; and

WHEREAS, a bi-partisan effort is underway in the New York State Legislature to ensure consumer choice exists in the State of New York as to whether persons should be forced to utilize “Smart Meters”; and

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WHEREAS, Senate Bill 3379-A and Assembly Bill 7799-A, sponsored by Senator Joseph Griffo and Assemblymember Michael DenDekker respectively are presently pending in the Finance Committee (in the case of the Senate) and the Energy Committee (in the case of the Assembly); and

WHEREAS, these bills would enable consumers to choose not to have a "Transmitting Utility Meter" utilized on their home; now, therefore be it

RESOLVED, that this Legislative body expresses support for action to be taken by the New York State Legislature to prohibit electric utility companies from forcing consumers to utilize so-called "Smart Meters" also known in the aforesaid legislation as "Transmitting Utility Meters"; and be it further

RESOLVED, that this Legislative body supports Senate Bill 3379-A and Assembly Bill 7799-A and encourages the adoption thereof; with an amendment to the same which would define smart meters as "any metering device with electronic components and any electric or battery operated meter that is capable of measuring, recording, and sending data from a customer or member to a public utility, municipality, or cooperative association in a manner utilizing one-way communication, two-way communication, or a combination of one-way and two-way communication with any entity or device. (Common names include but are not limited to AMR, ERT, AMI, ETC.)"; and be it further

RESOLVED, that a copy of this resolution shall be transmitted by the Clerk of this body to the representatives of Ulster County in the State Senate and Assembly as well as to Senator Joseph Griffo and Assemblymember Michael DenDekker; to the NYS Association of Counties; to all NYS county legislatures; and to the Chairperson of the Senate Energy and Finance Committees and the Assembly Energy and Ways and Means Committees;

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 12 NOES: 0
(Absent: Legislators Aiello, Briggs, Fabiano,
Harris, Lopez, Maio, John Parete, Robert Parete,
Provenzano, Roberts, and Wawro)

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Passed Committee: Environmental, Energy and Technology on December 5, 2013

FINANCIAL IMPACT:
NONE

STATE OF NEW YORK

ss:

COUNTY OF ULSTER

This is to certify that I, the undersigned Clerk of the Legislature of the County of Ulster have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 17th Day of December, 2013, and that the same is a true and correct transcript of said resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 20th Day of December in the year Two Thousand and Thirteen.

/s/ Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature