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2011-2012 Regular Sessions

I N S E N A T E

January 12, 2011

Introduced by Sens. PERKINS, ADAMS, DIAZ, DILAN, DUANE, HASSELL-THOMPSON, KRUEGER, PARKER, SAMPSON, SERRANO, STEWART-COUSINS -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to amend the state finance law, in relation to establishing a clean air account; and making an appropriation therefor

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Paragraph a of subdivision 2 of section 92-s of the state
2 finance law, as added by chapter 610 of the laws of 1993, is amended to
3 read as follows:
4 a. The comptroller shall establish the following separate and distinct
5 accounts within the environmental protection fund:
6 (i) solid waste account;
7 (ii) parks, recreation and historic preservation account;
8 (iii) open space account; [and]
9 (iv) environmental protection transfer account[.]; AND
10 (V) CLEAN AIR ACCOUNT.
11 S 2. Paragraph (e) of subdivision 6 of section 92-s of the state
12 finance law is relettered paragraph (f) and a new paragraph (e) is added
13 to read as follows:
14 (E) MONEYS FROM THE CLEAN AIR ACCOUNT SHALL BE AVAILABLE, PURSUANT TO
15 APPROPRIATION, FOR CLEAN AIR ACCOUNT PROJECTS ACCORDING TO THE FOLLOW-
16 ING:
17 (I) THIRTY-FIVE MILLION DOLLARS TO UPGRADE SCHOOL BOILERS. THE COMMIS-
18 SIONER OF EDUCATION SHALL ESTABLISH A PROCEDURE TO DETERMINE THE PRIORI-
19 TY OF WHICH SCHOOL BOILERS SHALL BE REPLACED;
20 (II) FIVE MILLION DOLLARS FOR GRANTS TO SCHOOLS IN CLEAN AIR NON-AT-
21 TAINMENT AREAS TO PAY FOR THE INCREASED COST OF ULTRA LOW SULFUR DIESEL;
22 AND

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 (III) TEN MILLION DOLLARS TO FUND THE INITIAL COSTS ASSOCIATED WITH
2 CONVERSION TO BOILERS OR FURNACES THAT USE BIO-FUEL.

3 S 3. The sum of fifty million dollars (\$50,000,000), or so much there-
4 of as may be necessary, is hereby appropriated to the department of
5 environmental conservation out of any moneys in the state treasury in
6 the general fund to the credit of the clean air account, not otherwise
7 appropriated, and made immediately available, for the purpose of carry-
8 ing out the provisions of this act. Such moneys shall be payable on the
9 audit and warrant of the comptroller on vouchers certified or approved
10 by the commissioner of the department of environmental conservation in
11 the manner prescribed by law.

12 S 4. This act shall take effect immediately.