S T A T E O F N E W Y O R K

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I N A S S E M B L Y

February 20, 2009

Introduced by M. of A. McKEVITT, ALFANO, RAIA, BARRA, MOLINARO, McDONOUGH, GIGLIO, TOBACCO, BARCLAY, WALKER, SCOZZAFAVA, JAFFEE, FINCH, SALADINO, P. LOPEZ -- Multi-Sponsored by -- M. of A. CROUCH, HAYES, SPANO, THIELE, TOWNSEND, WEISENBERG -- read once and referred to the Committee on Energy

AN ACT to amend the public authorities law, in relation to creating the biofuel/biodiesel permit process task force

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

Section 1. The public authorities law is amended by adding a new section 1885 to read as follows:

S 1885. BIOFUEL/BIODIESEL PERMIT PROCESS TASK FORCE. 1. THE AUTHORITY SHALL ESTABLISH A TASK FORCE TO DEVELOP A PROCESS FOR ENTITIES TO OBTAIN A PERMIT TO RETAIL BIOFUEL OR BIODIESEL.

2. (A) SUCH TASK FORCE SHALL BE COMPRISED OF STATE OFFICIALS, LOCAL OFFICIALS, ENGINEERS AND OTHER INDIVIDUALS POSSESSING KNOWLEDGE OF THE FUEL INDUSTRY.

(B) THE MEMBERS OF THE TASK FORCE SHALL NOT RECEIVE ANY COMPENSATION BUT SHALL BE ENTITLED TO REIMBURSEMENT FOR ANY NECESSARY EXPENSES INCURRED IN CONNECTION WITH THE PERFORMANCE OF THEIR DUTIES.

3. THE AUTHORITY SHALL ADMINISTER SUCH PERMIT PROCESS ONCE DEVELOPED BY THE BIOFUEL/BIODIESEL PERMIT PROCESS TASK FORCE.

4. FOR PURPOSES OF THIS SECTION:

A. "BIOFUEL" MEANS A FUEL WHICH INCLUDES BIODIESEL AND ETHANOL OR ANY OTHER STANDARD APPROVED BY THE AUTHORITY;

B. "BIODIESEL" MEANS A FUEL COMPRISED EXCLUSIVELY OF MONO-ALKYL ESTERS OF LONG CHAIN FATTY ACIDS DERIVED FROM VEGETABLE OILS OR ANIMAL FATS, DESIGNATED B100, WHICH MEETS THE SPECIFICATIONS OF AMERICAN SOCIETY OF TESTING AND MATERIALS DESIGNATION D 6751-02; AND

C. "ETHANOL" MEANS ETHYL ALCOHOL MANUFACTURED IN THE UNITED STATES AND ITS TERRITORIES AND SOLD (I) FOR FUEL USE AND WHICH HAS BEEN RENDERED

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

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UNFIT FOR BEVERAGE USE IN A MANNER AND WHICH IS PRODUCED AT A FACILITY APPROVED BY THE FEDERAL BUREAU OF ALCOHOL, TOBACCO AND FIREARMS FOR THE PRODUCTION OF ETHANOL FOR FUEL, OR (II) AS DENATURED ETHANOL USED BY BLENDERS AND REFINERS WHICH HAS BEEN RENDERED UNFIT FOR BEVERAGE USE.

S 2. This act shall take effect on the ninetieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.