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2009-2010 Regular Sessions

I N A S S E M B L Y

April 28, 2009

Introduced by M. of A. KOON, DelMONTE, REILLY, EDDINGTON, CROUCH,
GUNTHER -- Multi-Sponsored by -- M. of A. BACALLES, CAHILL, CLARK,
COOK, DESTITO, GABRYSZAK, GLICK, GOTTFRIED, JOHN, MAGEE, McENENY,
MILLMAN, PEOPLES, PHEFFER, SAYWARD -- read once and referred to the
Committee on Economic Development, Job Creation, Commerce and Industry

AN ACT to amend the New York state urban development corporation act, in
relation to creating the dairy farm improved energy efficiency program

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

1 Section 1. Legislative findings. The legislature hereby finds and
2 declares that due to their remote locations at the end of the electric
3 grid infrastructure, farms are more difficult to service by electric
4 utilities. Strengthening the energy systems of individual farms and
5 developing micro-grids in remote areas will enhance the overall reli-
6 ability of the electric system. The legislature further finds that
7 assisting dairy farms with high efficiency lighting, high efficiency
8 pumping and cooling equipment, and other energy management systems, will
9 result in significant energy savings and increased milk yields. The
10 legislature hereby declares that providing low cost tools to farmers
11 will help them become more efficient and reduce their cost of doing
12 business. Advancing new technologies will also help to accelerate the
13 development of the energy services industry, thus providing new and
14 expanded job opportunities for New Yorkers.

15 Therefore, the legislature seeks to provide funds to encourage energy
16 efficient dairy farms through grants and low interest loans for approved
17 projects to stimulate the New York state dairy industry.

18 S 2. Section 1 of chapter 174 of the laws of 1968, constituting the
19 New York state urban development corporation act, is amended by adding a
20 new section 16-t to read as follows:

21 S 16-T. DAIRY FARM IMPROVED ENERGY EFFICIENCY PROGRAM. 1. DEFI-
22 NITIONS. FOR THE PURPOSE OF THIS SECTION:

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

LBD02471-01-9

1 (A) "AUTHORITY" SHALL MEAN THE NEW YORK STATE ENERGY RESEARCH DEVELOP-
2 MENT AUTHORITY.

3 (B) "LOAN FUND" SHALL REFER TO THE DAIRY FARM IMPROVED ENERGY EFFI-
4 CIENCY LOAN FUND ESTABLISHED PURSUANT TO THIS SECTION.

5 2. (A) THE CORPORATION, WITH THE ASSISTANCE OF THE AUTHORITY, SHALL
6 ESTABLISH A DAIRY FARM IMPROVED ENERGY EFFICIENCY LOAN FUND TO PROVIDE
7 GRANTS AND LOW INTEREST LOANS TO DAIRY FARMS FOR ENERGY EFFICIENCY
8 PROJECTS AND ADVANCED ENERGY TECHNOLOGIES.

9 (B) IN ORDER TO BE ELIGIBLE TO PARTICIPATE IN THIS LOAN PROGRAM, A
10 DAIRY FARM MUST HAVE AN ENERGY AUDIT PROVIDED THROUGH THE AUTHORITY'S
11 ENERGY AUDIT PROGRAM THAT HELPS CUSTOMERS MAKE INFORMED ELECTRICAL ENER-
12 GY DECISIONS AND IMPLEMENT ENERGY EFFICIENCY STRATEGIES.

13 3. (A) THE CORPORATION SHALL, WITHIN AVAILABLE APPROPRIATIONS, PROVIDE
14 FINANCIAL, TECHNICAL OR OTHER ASSISTANCE FROM THE LOAN FUND TO ELIGIBLE
15 DAIRY FARMS.

16 (B) THE CORPORATION IS AUTHORIZED TO PROVIDE GRANTS AND LOW INTEREST
17 LOANS FROM THE LOAN FUND FOR ELIGIBLE IMPROVEMENTS TO DAIRY FARMS. TO
18 BE ELIGIBLE FOR SUCH GRANTS AND LOANS, A DAIRY FARM SHALL IDENTIFY AN
19 ELIGIBLE IMPROVEMENT PROJECT AND PROVIDE NECESSARY DOCUMENTATION.

20 (C) GRANTS OR LOANS PROVIDED BY THE CORPORATION MAY BE UP TO ONE
21 HUNDRED THOUSAND DOLLARS.

22 4. ENERGY EFFICIENCY IMPROVEMENTS ELIGIBLE FOR GRANTS OR LOW INTEREST
23 LOANS THROUGH THE LOAN FUND SHALL INCLUDE, BUT NOT BE LIMITED TO:

24 (A) PRE-QUALIFIED MEASURES THAT ARE PROVEN COST EFFECTIVE INVESTMENTS
25 WHICH REDUCE ENERGY USE;

26 (B) CUSTOM MEASURES THAT PAY FOR THEMSELVES IN TEN YEARS THROUGH
27 REDUCED ENERGY USE;

28 (C) PROCESS IMPROVEMENT MEASURES THAT REDUCE MANUFACTURING ENERGY USE
29 ON A COST-PER-UNIT BASIS; AND

30 (D) RENEWABLE TECHNOLOGIES THAT USE THE SUN, WIND, ANAEROBIC DIGESTION
31 OF ANIMAL WASTES OR OTHER APPROPRIATE TECHNOLOGIES TO GENERATE HEAT OR
32 POWER.

33 5. APPLICATIONS FOR ASSISTANCE PURSUANT TO THIS SECTION SHALL BE
34 REVIEWED AND EVALUATED BY THE CORPORATION IN COOPERATION WITH THE
35 AUTHORITY PURSUANT TO ELIGIBILITY REQUIREMENTS AND CRITERIA SET FORTH IN
36 THE RULES AND REGULATIONS PROMULGATED BY THE CORPORATION.

37 6. THE CORPORATION AND THE AUTHORITY SHALL SUBMIT AN ANNUAL WRITTEN
38 REPORT TO THE SPEAKER OF THE ASSEMBLY AND THE TEMPORARY PRESIDENT OF THE
39 SENATE IDENTIFYING THE NUMBER OF DAIRY FARMS ASSISTED THROUGH THE LOAN
40 FUND PROGRAM, AND THE TYPES OF IMPROVEMENTS IMPLEMENTED AND ENERGY COST
41 SAVINGS AND ANY OTHER BENEFITS REALIZED BY THE DAIRY FARMS ASSISTED BY
42 THIS PROGRAM.

43 S 3. This act shall take effect immediately.