

1146

2009-2010 Regular Sessions

I N   S E N A T E

January 26, 2009

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Introduced by Sens. PERKINS, ADAMS, DIAZ, DILAN, DUANE, HASSELL-THOMPSON, C. JOHNSON, KRUEGER, ONORATO, PARKER, SAMPSON, SAVINO, SCHNEIDERMAN, SERRANO, STEWART-COUSINS, THOMPSON -- 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.

LBD05468-01-9

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.