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

1146

2009-2010 Regular Sessions

I N S E N A T E

January 26, 2009

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:

Section 1. Paragraph a of subdivision 2 of section 92-s of the state finance law, as added by chapter 610 of the laws of 1993, is amended to read as follows:

a. The comptroller shall establish the following separate and distinct accounts within the environmental protection fund:

(i) solid waste account;

(ii) parks, recreation and historic preservation account;

(iii) open space account; [and]

(iv) environmental protection transfer account[.]; AND

(V) CLEAN AIR ACCOUNT.

S 2. Paragraph (e) of subdivision 6 of section 92-s of the state finance law is relettered paragraph (f) and a new paragraph (e) is added to read as follows:

(E) MONEYS FROM THE CLEAN AIR ACCOUNT SHALL BE AVAILABLE, PURSUANT TO APPROPRIATION, FOR CLEAN AIR ACCOUNT PROJECTS ACCORDING TO THE FOLLOWING:

(I) THIRTY-FIVE MILLION DOLLARS TO UPGRADE SCHOOL BOILERS. THE COMMISSIONER OF EDUCATION SHALL ESTABLISH A PROCEDURE TO DETERMINE THE PRIORITY OF WHICH SCHOOL BOILERS SHALL BE REPLACED;

(II) FIVE MILLION DOLLARS FOR GRANTS TO SCHOOLS IN CLEAN AIR NON-ATTAINMENT AREAS TO PAY FOR THE INCREASED COST OF ULTRA LOW SULFUR DIESEL; AND

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

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

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

S 4. This act shall take effect immediately.