

1 3. "NOT-FOR-PROFIT CORPORATION" MEANS A CORPORATION FORMED PURSUANT TO
2 THE NOT-FOR-PROFIT CORPORATION LAW AND QUALIFIED FOR TAX-EXEMPT STATUS
3 UNDER THE FEDERAL INTERNAL REVENUE CODE.

4 4. "STATE ASSISTANCE PAYMENT" MEANS PAYMENT OF MONIES BY THE STATE FOR
5 PROJECTS AUTHORIZED BY THE CLIMATE CHANGE SOLUTIONS FUND PURSUANT TO
6 SECTION NINETY-TWO-T OF THE STATE FINANCE LAW.

7 S 19-1305. POWERS AND DUTIES OF THE COMMISSIONER.

8 IN ADMINISTERING THE PROVISIONS OF THIS TITLE, THE COMMISSIONER:

9 1. SHALL MAKE AN ITEMIZED ESTIMATE OF FUNDS OR APPROPRIATIONS
10 REQUESTED ANNUALLY FOR INCLUSION IN THE EXECUTIVE BUDGET;

11 2. MAY, IN THE NAME OF THE STATE, AS FURTHER PROVIDED WITHIN THIS
12 TITLE, CONTRACT TO MAKE, WITHIN THE LIMITATIONS OF APPROPRIATIONS AVAIL-
13 ABLE THEREFOR, STATE ASSISTANCE PAYMENTS TO MUNICIPALITIES AND NOT-FOR-
14 PROFIT CORPORATIONS TOWARD THE COST OF ELIGIBLE ACTIVITIES PURSUANT TO
15 THIS TITLE. SUCH CONTRACTS SHALL BE SUBJECT TO APPROVAL BY THE STATE
16 COMPTROLLER AND, AS TO FORM, BY THE ATTORNEY GENERAL;

17 3. SHALL APPROVE VOUCHERS FOR THE PAYMENTS PURSUANT TO APPROVED
18 CONTRACTS. ALL SUCH PAYMENTS SHALL BE PAID ON THE AUDIT AND WARRANT OF
19 THE STATE COMPTROLLER;

20 4. NO LATER THAN THIRTY DAYS AFTER THE END OF EACH CALENDAR YEAR, THE
21 COMMISSIONER SHALL REPORT TO THE GOVERNOR, THE TEMPORARY PRESIDENT OF
22 THE SENATE, THE SPEAKER OF THE ASSEMBLY, THE CHAIR OF THE SENATE FINANCE
23 COMMITTEE AND THE CHAIR OF THE ASSEMBLY WAYS AND MEANS COMMITTEE ON THE
24 IMPLEMENTATION OF THE CLIMATE CHANGE SOLUTIONS PROGRAM AND SHALL MAKE
25 SUCH REPORT AVAILABLE ON THE DEPARTMENT'S WEBSITE. THE DEPARTMENT MAY
26 CONSULT OTHER STATE DEPARTMENTS, AGENCIES AND PUBLIC AUTHORITIES FOR
27 INFORMATION AS MAY BE REQUIRED IN THE PREPARATION OF SUCH REPORT AND
28 SUCH STATE DEPARTMENTS AND AGENCIES AND AUTHORITIES SHALL PROVIDE DATA
29 AND ASSISTANCE AS APPROPRIATE. SUCH REPORT SHALL INCLUDE:

30 A. AN ASSESSMENT OF THE EFFECTIVENESS OF THE PROGRAM, INCLUDING THE
31 ESTIMATED GREENHOUSE GAS REDUCTION RESULTING FROM THE ACTIVITIES
32 DESCRIBED IN THIS TITLE, THE ESTIMATED IMPACT ON CONSUMER ELECTRIC AND
33 HEATING BILLS, AND THE PROGRAM'S OVERALL IMPACT ON ENERGY DEMAND;

34 B. A DETAILED LISTING OF FUND RECEIPTS INCLUDING:

- 35 (I) ALLOWANCE TRADING PRICES,
36 (II) TOTAL QUARTERLY RECEIPTS,
37 (III) TOTAL ANNUAL RECEIPTS, AND
38 (IV) TOTAL LIFE-TO-DATE RECEIPTS;

39 C. A DETAILED DESCRIPTION OF EXPENDITURES INCLUDING:

- 40 (I) TOTAL APPROPRIATIONS,
41 (II) TOTAL PROJECT COSTS,
42 (III) TOTAL COMMITMENTS,
43 (IV) TOTAL OUTSTANDING ENCUMBRANCES,
44 (V) TOTAL YEAR-TO-DATE DISBURSEMENTS,
45 (VI) TOTAL LIFE-TO-DATE DISBURSEMENTS, AND
46 (VII) THE TOTAL REMAINING UNCOMMITTED FUND BALANCE; AND

47 5. MAY PERFORM SUCH OTHER AND FURTHER ACTS AS MAY BE NECESSARY, PROPER
48 OR DESIRABLE TO CARRY OUT THE PROVISIONS OF THIS TITLE.

49 S 19-1307. GREENHOUSE GAS EMISSIONS REDUCTION PROGRAM.

50 1. AS USED IN THIS SECTION:

51 A. "CLEAN-FUELED VEHICLE" SHALL MEAN ANY MOTOR VEHICLE AS DEFINED IN
52 SECTION ONE HUNDRED TWENTY-FIVE OF THE VEHICLE AND TRAFFIC LAW, THAT
53 USES ELECTRICITY, INCLUDING ELECTRICITY EITHER STORED OR GENERATED
54 ON-BOARD, AS ITS PRIMARY MOTIVE FORCE, OR THAT IS FUELED BY NATURAL GAS,
55 PROPANE, OR HYDROGEN.

B. "COSTS" MEAN THE CAPITAL COST OF A GREENHOUSE GAS EMISSIONS REDUCTION PROJECT INCLUDING BUT NOT LIMITED TO ENGINEERING AND ARCHITECTURAL SERVICES, SURVEYS, PLANS AND SPECIFICATIONS; CONSULTANT AND LEGAL SERVICES.

C. "GREENHOUSE GAS EMISSION REDUCTION PROJECTS" MEAN THE PURCHASE AND INSTALLATION OF GREENHOUSE GAS EMISSION REDUCTION TECHNOLOGIES.

D. "GREENHOUSE GAS EMISSION REDUCTION TECHNOLOGIES" SHALL INCLUDE BUT NOT BE LIMITED TO:

(I) COGENERATION TECHNOLOGIES, WHICH SHALL MEAN ANY ONE OF THE SEVERAL TECHNOLOGIES WHEREIN WASTE HEAT FROM ON-SITE ELECTRIC GENERATION PROCESS IS RECOVERED TO PROVIDE STEAM OR HOT WATER TO MEET ON-SITE NEEDS, SUCH AS HEATING AND/OR AIR CONDITIONING AND WHICH ATTAINS OVERALL SYSTEM EFFICIENCY AS ESTABLISHED BY THE DEPARTMENT, CONSIDERING BOTH THERMAL AND ELECTRICAL PROCESSES TOGETHER;

(II) FURNACE AND BOILER REPLACEMENTS AND RETROFITS, PROVIDED THAT NEW OR RETROFITTED FURNACES AND BOILERS SHALL NOT AT ANY TIME OPERATE ON DIESEL FUEL WITH A SULFUR CONTENT GREATER THAN 0.05 PERCENT BY WEIGHT;

(III) THE PURCHASE OF CLEAN FUELED VEHICLES OR THE CONVERSION OF EXISTING VEHICLES TO CLEAN FUELED VEHICLES; AND

(IV) OTHER MEASURES THAT WILL REDUCE THE DEMAND FOR AND/OR THE CONSUMPTION OF ENERGY, INCLUDING FUELS, AS DETERMINED BY THE DEPARTMENT IN CONSULTATION WITH THE AUTHORITY.

2. THE DEPARTMENT IS AUTHORIZED, WITHIN AMOUNTS APPROPRIATED, TO MAKE STATE ASSISTANCE PAYMENTS ON A COMPETITIVE BASIS FOR APPROVED GREENHOUSE GAS EMISSIONS REDUCTION PROJECTS TO MUNICIPALITIES AND NOT-FOR-PROFIT CORPORATIONS.

3. ANY MUNICIPALITY OR NOT-FOR-PROFIT CORPORATION UPON APPROVAL OF ITS GOVERNING BODY MAY SUBMIT AN APPLICATION TO THE DEPARTMENT IN SUCH FORM CONTAINING SUCH INFORMATION AS THE DEPARTMENT MAY REQUIRE FOR STATE ASSISTANCE PAYMENTS FOR THE COSTS OF GREENHOUSE GAS EMISSION REDUCTION PROJECTS.

4. TO THE FULLEST EXTENT PRACTICABLE, IT IS THE POLICY OF THE STATE TO PROMOTE AN EQUITABLE REGIONAL DISTRIBUTION OF GREENHOUSE GAS REDUCTION PROJECTS, PROVIDED THAT PRIORITY SHALL BE GIVEN TO PROJECTS THAT RESULT IN THE HIGHEST GREENHOUSE GAS EMISSION REDUCTIONS.

5. STATE ASSISTANCE PAYMENTS SHALL NOT EXCEED SEVENTY-FIVE PERCENT OF THE COSTS OF THE PROJECT, PROVIDED THAT FOR THE PURPOSES OF THIS SECTION ANY OTHER MONIES OF THE AUTHORITY OR THE DEPARTMENT MAY NOT BE USED FOR THE LOCAL SHARE. SUCH COSTS ARE SUBJECT TO FINAL COMPUTATION BY THE COMMISSIONER UPON COMPLETION OF THE PROJECT AND SHALL NOT EXCEED THE MAXIMUM ELIGIBLE COST SET FORTH IN THE CONTRACT.

6. THE DEPARTMENT SHALL REVIEW SUCH APPLICATIONS AND MAY APPROVE, DISAPPROVE OR RECOMMEND MODIFICATIONS THERETO CONSISTENT WITH APPLICABLE LAW.

S 19-1309. ENERGY EFFICIENCY PROGRAM.

1. AS USED IN THIS SECTION:

A. "COST" SHALL MEAN THE CAPITAL COST OF AN ENERGY EFFICIENCY PROJECT INCLUDING BUT NOT LIMITED TO ENGINEERING AND ARCHITECTURAL SERVICES, PLANS AND SPECIFICATIONS, CONSULTANT AND LEGAL SERVICES.

B. "ENERGY EFFICIENCY PROJECTS" SHALL MEAN THE PURCHASE AND INSTALLATION OF ENERGY EFFICIENCY TECHNOLOGIES THAT WILL REDUCE THE CONSUMPTION OF ELECTRICITY AT NEW OR EXISTING BUILDINGS.

C. "ENERGY EFFICIENCY TECHNOLOGIES" SHALL MEAN TECHNOLOGIES THAT REDUCE THE CONSUMPTION OF ELECTRICITY INCLUDING BUT NOT LIMITED TO:

(I) REPLACEMENT OF INEFFICIENT LIGHTING FIXTURES;

(II) APPLIANCES AND EQUIPMENT THAT MEET ENERGY EFFICIENCY PERFORMANCE STANDARDS AS IDENTIFIED IN CHAPTER FOUR HUNDRED THIRTY-ONE OF THE LAWS OF TWO THOUSAND FIVE; AND

(III) OTHER SUCH MEASURES THAT WILL REDUCE THE DEMAND FOR AND/OR THE CONSUMPTION OF ELECTRICITY AS DETERMINED BY THE AUTHORITY.

D. "FINANCIAL ASSISTANCE" MEANS STATE ASSISTANCE PAYMENTS, LOANS, INTEREST SUBSIDIES, ZERO PERCENT INTEREST LOANS, AND/OR ENERGY PERFORMANCE CONTRACTS, AS DEFINED IN SUBDIVISION FOUR OF SECTION 9-102 OF THE ENERGY LAW.

2. THE AUTHORITY IN CONSULTATION WITH THE DEPARTMENT IS AUTHORIZED WITHIN AMOUNTS APPROPRIATED, TO PROVIDE FINANCIAL ASSISTANCE ON A COMPETITIVE BASIS FOR APPROVED ENERGY EFFICIENCY PROJECTS.

3. ANY NEW YORK ELECTRIC UTILITY CUSTOMER MAY SUBMIT AN APPLICATION TO THE AUTHORITY FOR THE COST OF ENERGY EFFICIENCY PROJECTS IN SUCH FORM CONTAINING SUCH INFORMATION AS THE AUTHORITY MAY REQUIRE.

4. PRIORITY SHALL BE GIVEN TO PROJECTS THAT:

A. ESTIMATE THE HIGHEST AMOUNT OF ENERGY SAVINGS AS MEASURED AGAINST A THREE YEAR BASELINE; OR

B. ARE CONDUCTED IN (I) AREAS WITH CENSUS TRACTS AND BLOCK NUMBERING AREAS WHICH, AS OF THE TWO THOUSAND CENSUS HAVE A POVERTY RATE OF AT LEAST TWENTY PERCENT FOR THE YEAR TO WHICH THE DATA RELATE OR (II) AREAS WITH AN UNEMPLOYMENT RATE OF AT LEAST ONE AND ONE-QUARTER TIMES THE STATEWIDE UNEMPLOYMENT RATE FOR THE YEAR TO WHICH THE DATA RELATE.

THE AUTHORITY SHALL ESTABLISH ADDITIONAL INCOME AND OTHER ELIGIBILITY CRITERIA TO PROMOTE AN EQUITABLE DISTRIBUTION OF ENERGY EFFICIENCY PROJECTS THROUGHOUT THE STATE. SUCH CRITERIA SHALL SEEK TO ENSURE THAT PROJECTS ARE CONDUCTED IN LOW-INCOME COMMUNITIES THROUGHOUT THE STATE AND THAT LOW AND MIDDLE CLASS RESIDENTIAL CUSTOMERS RECEIVE ACCESS TO SUCH PROJECT FUNDING.

5. STATE ASSISTANCE PAYMENTS SHALL NOT EXCEED SEVENTY-FIVE PERCENT OF THE COSTS OF THE PROJECT, PROVIDED THAT FOR THE PURPOSES OF THIS SECTION ANY OTHER MONIES OF THE AUTHORITY OR THE DEPARTMENT MAY NOT BE USED FOR THE LOCAL SHARE. OTHER FINANCIAL ASSISTANCE SHALL NOT EXCEED LIMITS ESTABLISHED IN RULES AND REGULATIONS DEVELOPED BY THE AUTHORITY AND SUBJECT TO THE APPROVAL OF THE DEPARTMENT.

6. PRIOR TO PROCESSING APPLICATIONS FOR FINANCIAL ASSISTANCE TOWARD THE COST OF ENERGY EFFICIENCY PROJECTS, THE PRESIDENT OF THE AUTHORITY SHALL PROMULGATE, IN CONSULTATION WITH THE COMMISSIONER, RULES AND REGULATIONS WHICH SHALL INCLUDE CRITERIA FOR DETERMINING ELIGIBLE EXPENDITURES AND PROCEDURES FOR GOVERNING THE COMMITMENT AND DISBURSEMENT OF FINANCIAL ASSISTANCE IN ACCORDANCE WITH THIS SECTION.

7. SUCH COSTS ARE SUBJECT TO FINAL COMPUTATION BY THE PRESIDENT OF THE AUTHORITY UPON COMPLETION OF THE PROJECT AND SHALL NOT EXCEED THE MAXIMUM ELIGIBLE COST SET FORTH IN THE CONTRACT.

8. THE AUTHORITY SHALL REVIEW SUCH APPLICATIONS AND MAY APPROVE, DISAPPROVE OR RECOMMEND MODIFICATIONS THERETO CONSISTENT WITH APPLICABLE LAW.

S 19-1311. RENEWABLE ENERGY DEVELOPMENT PROGRAM.

1. AS USED IN THIS SECTION:

A. "COST" SHALL MEAN THE CAPITAL COST OF A RENEWABLE ENERGY DEVELOPMENT PROJECT INCLUDING BUT NOT LIMITED TO ENGINEERING AND ARCHITECTURAL SERVICES, SURVEYS, PLANS AND SPECIFICATIONS; CONSULTANT AND LEGAL SERVICES.

B. "FINANCIAL ASSISTANCE" SHALL MEAN STATE ASSISTANCE PAYMENTS AND/OR PERFORMANCE BASED INCENTIVES THAT ARE DIRECTLY PROPORTIONAL TO REAL,

1 VERIFIED KWH PRODUCTION GENERATED BY THE RENEWABLE ELECTRIC POWER TECH-
2 NOLOGY.

3 C. "RENEWABLE ENERGY DEVELOPMENT PROJECTS" MEAN THE PURCHASE AND
4 INSTALLATION OF TECHNOLOGIES DESIGNED TO CONVERT RENEWABLE ENERGY INTO
5 ELECTRICITY OR OTHER END USES, WHERE RENEWABLE ENERGY INCLUDES SOLAR,
6 WIND, TIDAL, FUEL CELL, GEOTHERMAL AND HYDROGEN, BUT DOES NOT INCLUDE
7 COMBUSTION OR PYROLOSIS OF SOLID WASTE AS DEFINED IN SECTION 27-0701 OF
8 THIS CHAPTER OR ELECTRICITY GENERATED FROM NUCLEAR POWER PLANTS.

9 2. THE AUTHORITY IN CONSULTATION WITH THE DEPARTMENT IS AUTHORIZED,
10 WITHIN AMOUNTS APPROPRIATED, TO PROVIDE FINANCIAL ASSISTANCE ON A
11 COMPETITIVE BASIS FOR APPROVED RENEWABLE ENERGY DEVELOPMENT PROJECTS.

12 3. ANY NEW YORK ELECTRIC UTILITY CUSTOMER MAY SUBMIT AN APPLICATION TO
13 THE AUTHORITY FOR THE COST OF RENEWABLE ENERGY DEVELOPMENT PROJECTS OR
14 PERFORMANCE BASED INCENTIVES IN SUCH FORM CONTAINING SUCH INFORMATION AS
15 THE AUTHORITY MAY REQUIRE.

16 4. STATE ASSISTANCE PAYMENTS SHALL NOT EXCEED NINETY PERCENT OF THE
17 COSTS OF THE PROJECT, PROVIDED THAT FOR THE PURPOSES OF THIS SECTION ANY
18 OTHER MONIES OF THE AUTHORITY OR THE DEPARTMENT MAY NOT BE USED FOR THE
19 LOCAL SHARE. OTHER FINANCIAL ASSISTANCE SHALL NOT EXCEED LIMITS ESTAB-
20 LISHED IN RULES AND REGULATIONS DEVELOPED BY THE AUTHORITY AND SUBJECT
21 TO THE APPROVAL OF THE DEPARTMENT.

22 5. SUCH COSTS ARE SUBJECT TO FINAL COMPUTATION BY THE PRESIDENT OF THE
23 AUTHORITY UPON COMPLETION OF THE PROJECT AND SHALL NOT EXCEED THE MAXI-
24 MUM ELIGIBLE COST SET FORTH IN THE CONTRACT.

25 6. THE AUTHORITY SHALL REVIEW SUCH APPLICATIONS AND MAY APPROVE,
26 DISAPPROVE OR RECOMMEND MODIFICATIONS THERETO CONSISTENT WITH APPLICABLE
27 LAW.

28 S 19-1313. CLEAN AIR TECHNOLOGY PROGRAM.

29 1. AS USED IN THIS SECTION:

30 A. "BEST AVAILABLE CONTROL TECHNOLOGIES" SHALL MEAN A VERIFIED DIESEL
31 EMISSION CONTROL DEVICE THAT ACHIEVES A PARTICULATE MATTER (PM) EMISSION
32 REDUCTION OF EIGHTY-FIVE PERCENT OR MORE FROM UNCONTROLLED ENGINE EMIS-
33 SION LEVELS, OR THAT REDUCES EMISSIONS TO LESS THAN OR EQUAL TO 0.01
34 GRAMS OF PM PER BRAKE HORSEPOWER-HOUR. BEST AVAILABLE CONTROL ALSO
35 INCLUDES REPOWERING OR REPLACING THE EXISTING DIESEL ENGINE WITH AN
36 ENGINE MEETING USEPA'S 2007 HEAVY-DUTY HIGHWAY DIESEL STANDARDS, OR IN
37 THE CASE OF A NON-ROAD ENGINE, AN ENGINE MEETING THE USEPA'S TIER 4
38 NON-ROAD DIESEL STANDARDS; BEST AVAILABLE CONTROL ALSO INCLUDES NEW
39 DIESEL ENGINES MEETING SAID EMISSIONS STANDARDS.

40 B. "CARB" MEANS THE CALIFORNIA AIR RESOURCES BOARD.

41 C. "CLEAN AIR TECHNOLOGY PROJECTS" SHALL MEAN PROJECTS TO PURCHASE AND
42 INSTALL BEST AVAILABLE CONTROL TECHNOLOGIES, PROVIDED THAT THE AUTHORITY
43 SHALL ALSO REQUIRE THE APPLICANT TO INSTALL A CLOSED CRANKCASE VENTI-
44 LATION SYSTEM ON ALL ENGINES.

45 D. "CLOSED CRANKCASE VENTILATION SYSTEM" OR "CCV" SHALL MEAN EQUIPMENT
46 THAT COMPLETELY CLOSES THE CRANKCASE OF A DIESEL ENGINE TO THE ATMOS-
47 PHERE AND ROUTES THE CRANKCASE VAPOR TO THE ENGINE INTAKE AIR SYSTEM OR
48 THE EXHAUST SYSTEM.

49 E. "USEPA" MEANS THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY.

50 F. "VERIFIED DIESEL EMISSION CONTROL DEVICE" MEANS AN EMISSION CONTROL
51 DEVICE OR STRATEGY THAT HAS BEEN VERIFIED TO ACHIEVE A SPECIFIED DIESEL
52 PM REDUCTION BY USEPA OR CARB; OR REPLACEMENT OR REPOWERING WITH AN
53 ENGINE THAT IS CERTIFIED TO SPECIFIC PM EMISSIONS PERFORMANCE BY USEPA
54 OR CARB.

1 2. THE AUTHORITY IN CONSULTATION WITH THE DEPARTMENT IS AUTHORIZED,
2 WITHIN AMOUNTS APPROPRIATED, TO MAKE STATE ASSISTANCE PAYMENTS ON A
3 COMPETITIVE BASIS TO APPROVED CLEAN AIR TECHNOLOGY PROJECTS.

4 3. ANY MUNICIPALITY UPON APPROVAL OF ITS GOVERNING BODY MAY SUBMIT AN
5 APPLICATION TO THE DEPARTMENT IN SUCH FORM CONTAINING SUCH INFORMATION
6 AS THE DEPARTMENT MAY REQUIRE FOR STATE ASSISTANCE PAYMENTS FOR THE
7 COSTS OF CLEAN AIR TECHNOLOGY PROJECTS.

8 4. STATE ASSISTANCE PAYMENTS SHALL NOT EXCEED NINETY PERCENT OF THE
9 COSTS OF THE PROJECT, PROVIDED THAT FOR THE PURPOSES OF THIS SECTION ANY
10 OTHER MONIES OF THE AUTHORITY MAY NOT BE USED FOR THE LOCAL SHARE.

11 5. SUCH COSTS ARE SUBJECT TO FINAL COMPUTATION BY THE PRESIDENT OF THE
12 AUTHORITY UPON COMPLETION OF THE PROJECT AND SHALL NOT EXCEED THE MAXI-
13 MUM ELIGIBLE COST SET FORTH IN THE CONTRACT.

14 6. THE AUTHORITY SHALL REVIEW SUCH APPLICATIONS AND MAY APPROVE,
15 DISAPPROVE OR RECOMMEND MODIFICATIONS THERETO CONSISTENT WITH APPLICABLE
16 LAW.

17 S 2. Subdivision 1 of section 19-0301 of the environmental conserva-
18 tion law is amended by adding a new paragraph g to read as follows:

19 G. PROVIDE FOR THE DEPOSIT OF REVENUES FROM THE AUCTION OF ANY EMIS-
20 SIONS ALLOWANCES FOR AIR CONTAMINANTS TO THE CLIMATE CHANGE SOLUTIONS
21 FUND ESTABLISHED BY SECTION NINETY-TWO-T OF THE STATE FINANCE LAW.

22 S 3. The state finance law is amended by adding a new section 92-t to
23 read as follows:

24 S 92-T. CLIMATE CHANGE SOLUTIONS FUND. 1. THERE IS HEREBY ESTABLISHED
25 IN THE JOINT CUSTODY OF THE STATE COMPTROLLER AND THE COMMISSIONER OF
26 TAXATION AND FINANCE A SPECIAL FUND TO BE KNOWN AS THE "CLIMATE CHANGE
27 SOLUTIONS FUND".

28 2. THE CLIMATE CHANGE SOLUTIONS FUND SHALL CONSIST OF THE PROCEEDS
29 COLLECTED FROM THE AUCTION OF ANY EMISSIONS ALLOWANCES FOR AIR CONTAM-
30 INANTS AS PROVIDED FOR DEPOSIT INTO SUCH FUND UNDER SECTION 19-0301 OF
31 THE ENVIRONMENTAL CONSERVATION LAW AND ANY INTEREST GENERATED BY SUCH
32 FUND AND ANY OTHER MONIES MADE AVAILABLE FOR SUCH PURPOSES.

33 3. ALL MONIES RECEIVED BY THE COMPTROLLER FOR DEPOSIT IN THE CLIMATE
34 CHANGE SOLUTIONS FUND SHALL BE DEPOSITED FIRST TO THE CREDIT OF THE
35 CLIMATE CHANGE TRANSFER ACCOUNT. NO MONIES SHALL BE EXPENDED FROM ANY
36 SUCH ACCOUNT FOR ANY PROJECT EXCEPT PURSUANT TO APPROPRIATION BY THE
37 LEGISLATURE.

38 A. ALL MONEYS HERETOFORE AND HEREAFTER DEPOSITED IN THE CLIMATE CHANGE
39 TRANSFER ACCOUNT SHALL BE TRANSFERRED BY THE COMPTROLLER TO THE ENERGY
40 EFFICIENCY ACCOUNT, THE RENEWABLE ENERGY DEVELOPMENT ACCOUNT, THE GREEN-
41 HOUSE GAS EMISSION REDUCTION ACCOUNT OR THE CLEAN AIR ACCOUNT.

42 B. MONEYS FROM THE GREENHOUSE GAS EMISSION REDUCTION ACCOUNT SHALL BE
43 AVAILABLE, PURSUANT TO APPROPRIATION, FOR ANY GREENHOUSE GAS EMISSION
44 REDUCTION PROJECT, AS DEFINED IN SECTION 19-1307 OF THE ENVIRONMENTAL
45 CONSERVATION LAW.

46 C. MONEYS FROM THE ENERGY EFFICIENCY ACCOUNT SHALL BE AVAILABLE,
47 PURSUANT TO APPROPRIATION FOR ANY ENERGY EFFICIENCY PROJECT AS DEFINED
48 IN SECTION 19-1309 OF THE ENVIRONMENTAL CONSERVATION LAW.

49 D. MONEYS FROM THE RENEWABLE ENERGY DEVELOPMENT ACCOUNT SHALL BE
50 AVAILABLE, PURSUANT TO APPROPRIATION, FOR ANY RENEWABLE ENERGY DEVELOP-
51 MENT PROJECT, AS DEFINED IN SECTION 19-1311 OF THE ENVIRONMENTAL CONSER-
52 VATION LAW.

53 E. MONEYS FROM THE CLEAN AIR ACCOUNT SHALL BE AVAILABLE, PURSUANT TO
54 APPROPRIATION, FOR ANY CLEAN AIR TECHNOLOGY PROJECT, AS DEFINED IN
55 SECTION 19-1313 OF THE ENVIRONMENTAL CONSERVATION LAW.

1 4. MONEYS IN THE CLIMATE CHANGE SOLUTIONS FUND SHALL BE KEPT SEPARATE
2 AND SHALL NOT BE COMMINGLED WITH ANY OTHER MONEYS IN THE CUSTODY OF THE
3 COMPTROLLER.
4 5. ALL PAYMENTS OF MONEYS FROM THE FUND SHALL BE MADE ON THE AUDIT AND
5 THE WARRANT OF THE COMPTROLLER.
6 S 4. This act shall take effect immediately.