

2457

2009-2010 Regular Sessions

I N   S E N A T E

February 20, 2009

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Introduced by Sens. PARKER, ONORATO -- read twice and ordered printed,  
and when printed to be committed to the Committee on Energy and Tele-  
communications

AN ACT to amend the public authorities law, in relation to authorizing  
the New York state energy research and development authority to devel-  
op a temporary middle income home energy assistance program and  
providing for the repeal of such provisions upon expiration thereof

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

1     Section 1. Section 1854 of the public authorities law is amended by  
2     adding a new subdivision 9 to read as follows:  
3     9. TEMPORARY MIDDLE INCOME HOME ENERGY ASSISTANCE PROGRAM. (A) THE  
4     AUTHORITY IS AUTHORIZED, IN CONJUNCTION WITH THE DEPARTMENT OF TAXATION  
5     AND FINANCE, TO DEVELOP, IMPLEMENT, ADMINISTER AND OPERATE A PLAN, AND  
6     HOLD AND SECURE FUNDS AVAILABLE FOR SUCH PLAN, TO MAKE AVAILABLE  
7     ONE-TIME SUPPLEMENTING GRANTS FOR THE PURPOSE OF ASSISTING ELIGIBLE  
8     HOUSEHOLDS TO OBTAIN HOME HEATING FUEL.  
9     (B) FOR PURPOSES OF THIS SUBDIVISION, THE TERM "HOME HEATING FUEL"  
10    SHALL MEAN FUEL OIL, COAL, WOOD, PROPANE, NATURAL GAS, ELECTRICITY,  
11    STEAM, KEROSENE AND ANY OTHER FUEL WHEN USED FOR RESIDENTIAL HEATING  
12    PURPOSES.  
13    (C) THE AUTHORITY IS REQUIRED, IN ACCORDANCE WITH THE PLAN ESTABLISHED  
14    IN PARAGRAPH (A) OF THIS SUBDIVISION, TO PARTICIPATE IN THE TEMPORARY  
15    MIDDLE INCOME HOME ENERGY ASSISTANCE PROGRAM AND TO ASSIST ELIGIBLE  
16    HOUSEHOLDS TO OBTAIN MIDDLE INCOME HOME ENERGY ASSISTANCE.  
17    (D) PERSONS WHO QUALIFY FOR MIDDLE INCOME HOME ENERGY ASSISTANCE IN  
18    ACCORDANCE WITH STANDARDS PROMULGATED BY THE AUTHORITY, SHALL BE CERTI-  
19    FIED AS ELIGIBLE FOR AND ENTITLED TO RECEIVE SUCH HOME ENERGY ASSIST-  
20    ANCE. NO PERSON, HOWEVER, SHALL BE CERTIFIED AS ELIGIBLE FOR AND ENTI-  
21    TLED TO RECEIVE SUCH HOME ENERGY ASSISTANCE IF NO STATE FUNDS ARE  
22    AVAILABLE FOR SUCH PURPOSE.

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

LBD02511-01-9

1 (E) NOTWITHSTANDING ANY INCONSISTENT PROVISION OF LAW TO THE CONTRARY,  
2 THE AMOUNT OF ANY HOME ENERGY ASSISTANCE PAYMENTS OR ALLOWANCES PROVIDED  
3 TO AN ELIGIBLE HOUSEHOLD UNDER SUCH PLAN SHALL NOT BE CONSIDERED INCOME  
4 OR RESOURCES OF SUCH HOUSEHOLDS, OR OF ANY MEMBER THEREOF, FOR ANY  
5 PURPOSE UNDER ANY STATE LAW.

6 (F) EXPENDITURES MADE BY THE AUTHORITY PURSUANT TO THE STATE MIDDLE  
7 INCOME HOME ENERGY ASSISTANCE PROGRAM, INCLUDING THE COSTS OF ADMINIS-  
8 TRATION, SHALL BE SUBJECT TO ONE HUNDRED PERCENT REIMBURSEMENT BY THE  
9 STATE, IF AND FOR AS LONG AS STATE FUNDS ARE AVAILABLE FOR THE FULL  
10 AMOUNT OF SUCH EXPENDITURES.

11 (G) ADMINISTRATIVE FUNDS TO IMPLEMENT THE PROGRAM DESCRIBED IN THIS  
12 SUBDIVISION AT THE STATE AND LOCAL LEVELS SHALL BE SET AT TEN PERCENT OF  
13 THE TOTAL AMOUNT ALLOCATED. ADMINISTRATIVE MONIES SHALL BE DERIVED FROM  
14 FUNDS IDENTIFIED BY THE DIVISION OF THE BUDGET.

15 S 2. This act shall take effect immediately and shall expire and be  
16 deemed repealed April 1, 2011.