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

1820

2009-2010 Regular Sessions

I N A S S E M B L Y

January 12, 2009

Introduced by M. of A. RABBITT, CROUCH, BACALLES, FINCH, TEDISCO, KOLB, P. LOPEZ, WALKER -- Multi-Sponsored by -- M. of A. BARCLAY, BURLING, CALHOUN, CONTE, ERRIGO, GIGLIO, McDONOUGH, MILLER, MOLINARO, O'MARA, QUINN, RAIA, SAYWARD, THIELE -- read once and referred to the Committee on Energy

AN ACT to amend the public authorities law, in relation to establishing an E85 compatible pump matching grant program; and providing for the repeal of such provisions upon expiration thereof

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

Section 1. Section 1854 of the public authorities law is amended by adding a new subdivision 18 to read as follows:

18. TO DEVELOP AND ADMINISTER THE E85 COMPATIBLE PUMP MATCHING GRANT PROGRAM ESTABLISHED PURSUANT TO SECTION EIGHTEEN HUNDRED EIGHTY-FOUR OF THIS ARTICLE.

S 2. The public authorities law is amended by adding a new section 1884 to read as follows:

S 1884. E85 COMPATIBLE PUMP MATCHING GRANT PROGRAM. 1. SUBJECT TO AVAILABLE APPROPRIATION, THERE IS HEREBY ESTABLISHED IN THE AUTHORITY AN E85 COMPATIBLE PUMP MATCHING GRANT PROGRAM, UNDER WHICH GRANTS SHALL BE MADE AVAILABLE TO OWNERS OF SERVICE STATIONS FOR THE PURCHASE OF E85 COMPATIBLE PUMPS OR FOR THE CONVERSION OF CONVENTIONAL GASOLINE PUMPS TO E85 COMPATIBLE PUMPS. GRANTS SHALL NOT EXCEED SEVENTY-FIVE PERCENT OF THE COST OF SUCH PURCHASE OR CONVERSION. OWNERS OF SERVICE STATIONS WHO FAIL TO KEEP SUCH NEW OR CONVERTED E85 COMPATIBLE PUMPS IN SERVICE FOR FIVE OR MORE YEARS SHALL BE SUBJECT TO REIMBURSEMENT TO THE STATE FOR THE AMOUNT OF SUCH GRANT. THE AUTHORITY IS HEREBY AUTHORIZED AND DIRECTED TO PROMULGATE RULES AND REGULATIONS FOR THE ADMINISTRATION OF SUCH MATCHING GRANT PROGRAM AND TO ESTABLISH ELIGIBILITY CRITERIA FOR APPLICANTS. APPLICATION FOR SUCH GRANTS SHALL BE IN A MANNER AND FORM DETERMINED BY THE AUTHORITY.

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

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2. AS USED IN THIS SECTION THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:

A. "E85" SHALL MEAN A PETROLEUM PRODUCT THAT IS A BLEND OF AGRICULTURALLY DERIVED DENATURED ETHANOL AND GASOLINE OR NATURAL GASOLINE THAT TYPICALLY CONTAINS EIGHTY-FIVE PERCENT ETHANOL BY VOLUME, BUT AT A MINIMUM SHALL CONTAIN SIXTY PERCENT ETHANOL BY VOLUME.

B. "SERVICE STATION" MEANS ANY PREMISES WHEREON THE RETAIL SALE OF MOTOR FUELS IS CONDUCTED AS THE PRINCIPAL BUSINESS.

3. THE PROVISIONS OF THIS SECTION SHALL APPLY TO E85 COMPATIBLE PUMPS PLACED IN SERVICE DURING THE PERIOD COMMENCING SEPTEMBER FIRST, TWO THOUSAND NINE AND ENDING SEPTEMBER FIRST, TWO THOUSAND THIRTEEN.

S 3. This act shall take effect immediately and shall expire and be deemed repealed September 1, 2013.