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

7891

I N S E N A T E

May 20, 2010

Introduced by Sen. FOLEY -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to amend the energy law, in relation to establishing a pilot program in the county of Suffolk to offer rebates for the purchase of energy efficient building products; and making an appropriation therefor

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

Section 1. The energy law is amended by adding a new section 11-111 to read as follows:

S 11-111. SUFFOLK COUNTY PILOT PROGRAM. 1. PILOT PROGRAM. THERE IS HEREBY ESTABLISHED A PILOT PROGRAM, TO BE ADMINISTERED BY THE SUFFOLK COUNTY DEPARTMENT OF ENVIRONMENT AND ENERGY, FOR THE RENOVATION, REPAIR, REFURBISHING, REFITTING, UPGRADE OR OTHER IMPROVEMENT OF A PRIMARY RESIDENCE WITH ENERGY EFFICIENT PRODUCTS.

2. DEFINITIONS. FOR THE PURPOSES OF THIS SECTION:

(A) "COMMISSIONER" MEANS THE COMMISSIONER OF THE SUFFOLK COUNTY DEPARTMENT OF ENVIRONMENT AND ENERGY.

(B) "DEPARTMENT" MEANS THE SUFFOLK COUNTY DEPARTMENT OF ENVIRONMENT AND ENERGY.

(C) "ENERGY EFFICIENT PRODUCT" MEANS ENERGY STAR CERTIFIED BUILDING PRODUCTS AND INCLUDES, BUT IS NOT LIMITED TO, HEATING PRODUCTS, COOLING PRODUCTS, LIGHTING PRODUCTS INCLUDING CEILING FANS AND PLUMBING PRODUCTS.

(D) "PRIMARY RESIDENCE" MEANS A RESIDENCE IN WHICH THE INDIVIDUAL APPLYING FOR THE REBATE HAS LIVED FOR AT LEAST A YEAR, OR IN WHICH HE OR SHE LISTS AS A PRIMARY RESIDENCE FOR THE PURPOSES OF TAX FILING.

3. APPLICABILITY. (A) INDIVIDUALS AGED SIXTY-FIVE OR OLDER MAY APPLY TO THE DEPARTMENT, ON FORMS AND IN A MANNER PROMULGATED BY THE COMMISSIONER, FOR A REBATE NOT TO EXCEED THE AMOUNT OF TWO THOUSAND DOLLARS FOR THE PURCHASE OF ANY ENERGY EFFICIENT BUILDING PRODUCT. THE APPLICANT MUST, AT A MINIMUM, AFFIRM:

(I) THAT HE OR SHE IS A RESIDENT OF THE COUNTY OF SUFFOLK AND AT THE TIME OF APPLICATION IS SIXTY-FIVE YEARS OF AGE;

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

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(II) THAT THE PURCHASE OR PURCHASES FOR WHICH HE OR SHE IS SEEKING A REBATE HAS BEEN MADE IN THE PAST THREE YEARS;

(III) THAT NO MEMBER OF THEIR HOUSEHOLD HAS PRESENTLY OR PREVIOUSLY RECEIVED THE REBATE;

(IV) THAT THE APPLICANT HAS NOT PREVIOUSLY RECEIVED THE REBATE;

(V) THAT THE PURCHASE OR PURCHASES FOR WHICH THE REBATE IS SOUGHT WAS MADE FOR THE INDIVIDUAL'S PRIMARY RESIDENCE AS DEFINED IN PARAGRAPH (D) OF SUBDIVISION TWO OF THIS SECTION.

(B) THE COMMISSIONER MAY, IN HIS OR HER DISCRETION, PROMULGATE ADDITIONAL REGULATIONS AND QUALIFICATIONS FOR RECEIPT OF SUCH REBATE.

4. THE DEPARTMENT SHALL CONFIRM AND VERIFY, IN A MANNER PRESCRIBED BY THE COMMISSIONER, THAT THE APPLICANT HAS MET THE REQUIREMENTS OF THIS SECTION AND IS ELIGIBLE FOR SUCH REBATE.

S 2. The sum of one million dollars ($1,000,000), or so much thereof as may be necessary, is hereby appropriated to the Suffolk county department of environment and energy out of any moneys in the state treasury in the general fund to the credit of the state purposes 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 3. This act shall take effect immediately.