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

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I N A S S E M B L Y

April 7, 2011

Introduced by M. of A. MORELLE, LUPARDO, GUNTHER, SIMOTAS, SCHIMMINGER, SCHIMEL, ROBERTS, MOYA, BRONSON, COOK, TITONE, ZEBROWSKI, WEISENBERG, PEOPLES-STOKES, JAFFEE, REILLY, BING, MAISEL, GALEF, LAVINE, WEPRIN -- Multi-Sponsored by -- M. of A. ABBATE, BURLING, CAHILL, CALHOUN, CERETTO, COLTON, CONTE, CORWIN, CROUCH, GABRYSZAK, GIGLIO, GOODELL, HIKIND, MAGEE, MARKEY, McENENY, OAKS, PHEFFER, ROBINSON, SAYWARD -- read once and referred to the Committee on Energy

AN ACT to amend the public authorities law, in relation to the eligibility of independent not-for-profit institutions of higher education to access energy-related projects, programs and services of the New York power authority and the meaning of energy-related projects, programs and services

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

Section 1. Paragraph (a) of subdivision 16 of section 1005 of the public authorities law, as added by chapter 477 of the laws of 2009, is amended to read as follows:

(a) As deemed feasible and advisable by the trustees, to finance and design, develop, construct, implement, provide and administer energy-related projects, programs and services for any public entity, ANY INDEPENDENT NOT-FOR-PROFIT INSTITUTION OF HIGHER EDUCATION WITHIN THE STATE, and any recipient of the economic development power, expansion power, replacement power, preservation power, high load factor power, municipal distribution agency power, and the power for jobs programs administered by the authority. In establishing and providing high performance and sustainable building programs and services authorized by this subdivision, the authority is authorized to consult standards, guidelines, rating systems, and/or criteria established or adopted by other organizations, including but not limited to the United States green building council under its leadership in energy and environmental design (LEED) programs, the green building initiative's green globes rating system,

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

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and the American National Standards Institute. The source of any financing and/or loans provided by the authority for the purposes of this subdivision may be the proceeds of notes issued pursuant to section one thousand nine-a of this title, the proceeds of bonds issued pursuant to section one thousand ten of this title, or any other available authority funds.

S 2. Subparagraphs 2 and 4 of paragraph (b) of subdivision 16 of section 1005 of the public authorities law, as added by chapter 477 of the laws of 2009, are amended to read as follows:

(2) "Energy-related projects, programs and services" means energy efficiency projects and services[,]; clean energy technology projects and services[, and]; RESEARCH, DEVELOPMENT AND DEMONSTRATION OF NEW SYSTEMS, TECHNOLOGIES AND MATERIALS RELATING TO ENERGY USAGE, STORAGE, TRANSMISSION AND EFFICIENCY; high performance and sustainable building programs and services[,]; and the construction, installation and/or operation of facilities or equipment done in connection with any such projects, programs or services.

(4) "High performance and sustainable building programs and services" means programs and services related to the CONSTRUCTION, renovation and retrofitting of buildings through the incorporation of standards, guidelines, rating systems, and/or criteria relating to design and building techniques established by the authority pursuant to this section, which are addressed to such issues as energy efficiency, energy conservation, the use of CLEAN OR renewable energy OR FUELS, the reduction of air and other pollution, and the conservation of materials and resources such as water.

S 3. This act shall take effect immediately; provided, however, that the amendments to subdivision 16 of section 1005 of the public authorities law made by sections one and two of this act shall not affect the expiration of such subdivision and shall be deemed to expire therewith.