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

1064--A

2011-2012 Regular Sessions

I N S E N A T E

January 5, 2011

Introduced by Sens. PARKER, PERKINS -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications -- recommitted to the Committee on Energy and Telecommunications in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public authorities law, in relation to authorizing the New York state energy research and development authority to develop 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 ASSEMBLY, 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-

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

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ANCE. NO PERSON, HOWEVER, SHALL BE CERTIFIED AS ELIGIBLE FOR AND ENTITLED TO RECEIVE SUCH HOME ENERGY ASSISTANCE IF NO STATE FUNDS ARE AVAILABLE FOR SUCH PURPOSE.

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

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

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

S 2. This act shall take effect immediately and shall expire and be deemed repealed April 1, 2013.