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

3126--A

2011-2012 Regular Sessions

I N  S E N A T E

February 9, 2011

Introduced by Sens. MAZIARZ, O'MARA, RITCHIE, VALESKY, YOUNG -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions -- recommitted to the Committee on Corporations, Authorities and Commissions 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 New York state urban development corporation act, in relation to creating the dairy farm improved energy efficiency program

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

Section 1. Legislative findings. The legislature hereby finds and declares that due to their remote locations at the end of the electric grid infrastructure, farms are more difficult to service by electric utilities. Strengthening the energy systems of individual farms and developing micro-grids in remote areas will enhance the overall reliability of the electric system. The legislature further finds that assisting dairy farms with high efficiency lighting, high efficiency pumping and cooling equipment, and other energy management systems, will result in significant energy savings and increased milk yields. The legislature hereby declares that providing low cost tools to farmers will help them become more efficient and reduce their cost of doing business. Advancing new technologies will also help to accelerate the development of the energy services industry, thus providing new and expanded job opportunities for New Yorkers.

Therefore, the legislature seeks to provide funds to encourage energy efficient dairy farms through grants and low interest loans for approved projects to stimulate the New York state dairy industry.

S 2. Section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, is amended by adding a new section 16-v to read as follows:

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

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S 16-V. DAIRY FARM IMPROVED ENERGY EFFICIENCY PROGRAM. 1. DEFINITIONS. FOR THE PURPOSE OF THIS SECTION:

(A) "AUTHORITY" SHALL MEAN THE NEW YORK STATE ENERGY RESEARCH DEVELOPMENT AUTHORITY.

(B) "LOAN FUND" SHALL REFER TO THE DAIRY FARM IMPROVED ENERGY EFFICIENCY LOAN FUND ESTABLISHED PURSUANT TO THIS SECTION.

2. (A) THE CORPORATION, WITH THE ASSISTANCE OF THE AUTHORITY, SHALL ESTABLISH A DAIRY FARM IMPROVED ENERGY EFFICIENCY LOAN FUND TO PROVIDE GRANTS AND LOW INTEREST LOANS TO DAIRY FARMS FOR ENERGY EFFICIENCY PROJECTS AND ADVANCED ENERGY TECHNOLOGIES.

(B) IN ORDER TO BE ELIGIBLE TO PARTICIPATE IN THIS LOAN PROGRAM, A DAIRY FARM MUST HAVE AN ENERGY AUDIT PROVIDED THROUGH THE AUTHORITY'S ENERGY AUDIT PROGRAM THAT HELPS CUSTOMERS MAKE INFORMED ELECTRICAL ENERGY DECISIONS AND IMPLEMENT ENERGY EFFICIENCY STRATEGIES.

3. (A) THE CORPORATION SHALL, WITHIN AVAILABLE APPROPRIATIONS, PROVIDE FINANCIAL, TECHNICAL OR OTHER ASSISTANCE FROM THE LOAN FUND TO ELIGIBLE DAIRY FARMS.

(B) THE CORPORATION IS AUTHORIZED TO PROVIDE GRANTS AND LOW INTEREST LOANS FROM THE LOAN FUND FOR ELIGIBLE IMPROVEMENTS TO DAIRY FARMS. TO BE ELIGIBLE FOR SUCH GRANTS AND LOANS, A DAIRY FARM SHALL IDENTIFY AN ELIGIBLE IMPROVEMENT PROJECT AND PROVIDE NECESSARY DOCUMENTATION.

(C) GRANTS OR LOANS PROVIDED BY THE CORPORATION MAY BE UP TO ONE HUNDRED THOUSAND DOLLARS.

4. ENERGY EFFICIENCY IMPROVEMENTS ELIGIBLE FOR GRANTS OR LOW INTEREST LOANS THROUGH THE LOAN FUND SHALL INCLUDE, BUT NOT BE LIMITED TO:

(A) PRE-QUALIFIED MEASURES THAT ARE PROVEN COST EFFECTIVE INVESTMENTS WHICH REDUCE ENERGY USE;

(B) CUSTOM MEASURES THAT PAY FOR THEMSELVES IN TEN YEARS THROUGH REDUCED ENERGY USE;

(C) PROCESS IMPROVEMENT MEASURES THAT REDUCE MANUFACTURING ENERGY USE ON A COST-PER-UNIT BASIS; AND

(D) RENEWABLE TECHNOLOGIES THAT USE THE SUN, WIND, ANAEROBIC DIGESTION OF ANIMAL WASTES OR OTHER APPROPRIATE TECHNOLOGIES TO GENERATE HEAT OR POWER.

5. APPLICATIONS FOR ASSISTANCE PURSUANT TO THIS SECTION SHALL BE REVIEWED AND EVALUATED BY THE CORPORATION IN COOPERATION WITH THE AUTHORITY PURSUANT TO ELIGIBILITY REQUIREMENTS AND CRITERIA SET FORTH IN THE RULES AND REGULATIONS PROMULGATED BY THE CORPORATION.

6. THE CORPORATION AND THE AUTHORITY SHALL SUBMIT AN ANNUAL WRITTEN REPORT TO THE SPEAKER OF THE ASSEMBLY AND THE TEMPORARY PRESIDENT OF THE SENATE IDENTIFYING THE NUMBER OF DAIRY FARMS ASSISTED THROUGH THE LOAN FUND PROGRAM, AND THE TYPES OF IMPROVEMENTS IMPLEMENTED AND ENERGY COST SAVINGS AND ANY OTHER BENEFITS REALIZED BY THE DAIRY FARMS ASSISTED BY THIS PROGRAM.

S 3. This act shall take effect immediately.