

1081--A

Cal. No. 303

2013-2014 Regular Sessions

I N   S E N A T E

(PREFILED)

January 9, 2013

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Introduced by Sens. MAZIARZ, GALLIVAN, GRISANTI, LARKIN, O'BRIEN, O'MARA, RITCHIE, SAVINO, SEWARD, YOUNG -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

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:

1     Section 1. Legislative findings. The legislature hereby finds and  
2 declares that due to their remote locations at the end of the electric  
3 grid infrastructure, farms are more difficult to service by electric  
4 utilities. Strengthening the energy systems of individual farms and  
5 developing micro-grids in remote areas will enhance the overall reli-  
6 ability of the electric system. The legislature further finds that  
7 assisting dairy farms with high efficiency lighting, high efficiency  
8 pumping and cooling equipment, and other energy management systems, will  
9 result in significant energy savings and increased milk yields. The  
10 legislature hereby declares that providing low cost tools to farmers  
11 will help them become more efficient and reduce their cost of doing  
12 business. Advancing new technologies will also help to accelerate the  
13 development of the energy services industry, thus providing new and  
14 expanded job opportunities for New Yorkers.  
15     Therefore, the legislature seeks to provide funds to encourage energy  
16 efficient dairy farms through grants and low interest loans for approved  
17 projects to stimulate the New York state dairy industry.

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

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

4 S 16-W. DAIRY FARM IMPROVED ENERGY EFFICIENCY PROGRAM. 1. DEFI-  
5 NITIONS. FOR THE PURPOSE OF THIS SECTION:

6 (A) "AUTHORITY" SHALL MEAN THE NEW YORK STATE ENERGY RESEARCH DEVELOP-  
7 MENT AUTHORITY.

8 (B) "LOAN FUND" SHALL REFER TO THE DAIRY FARM IMPROVED ENERGY EFFI-  
9 CIENCY LOAN FUND ESTABLISHED PURSUANT TO THIS SECTION.

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

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

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

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

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

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

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

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

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

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

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

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

48 S 3. This act shall take effect immediately.