

## LAWS OF NEW YORK, 2009

## CHAPTER 488

AN ACT to amend a chapter of the laws of 2009 amending the public authorities law relating to establishing the "green jobs-green New York act of 2009"; and amending the state finance law relating to establishing the green jobs-green New York fund, as proposed in legislative bills numbers S.5888 and A.8901, and to amend the public authorities law, in relation to the green jobs-green New York fund; and to repeal certain provisions of such chapter and the state finance law relating thereto

Became a law October 9, 2009, with the approval of the Governor.

Passed by a majority vote, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 1 of a chapter of the laws of 2009 amending the public authorities law relating to establishing the "green jobs-green New York act of 2009"; and amending the state finance law relating to establishing the green jobs-green New York fund, as proposed in legislative bills numbers S.5888 and A.8901, is amended to read as follows:

Section 1. Legislative findings. The legislature finds and declares that promoting widespread dissemination of energy conservation and clean energy technologies represents a clear and cost-effective strategy for communities in New York state to curtail the emission of greenhouse gases and harmful air contaminants, reducing dependence on fossil fuels, lowering housing costs, supporting community development and creating green jobs to sustain and enhance our economy. These jobs will provide meaningful employment opportunities for displaced workers, the long-term unemployed and new workforce entrants. Installation of energy efficiency improvements to reduce the loss or waste of energy will allow consumers to pay for these improvements through energy savings over a reasonable period of time. However, lack of affordable and accessible financing for many owners of residential properties, small businesses and non-profit organizations has hindered progress in fully realizing the promise of these technologies. Therefore, it is the intent of the legislature to enact a "Green Jobs-Green New York" program to perform energy-efficient retrofits at no initial cost to residential property owners, with the ultimate goals of improving at least one million residential units over the next five years, creating thousands of new green jobs, training workers to fill them and demonstrating the effectiveness of innovative financing mechanisms in reaching this goal.

It is the intent of the legislature that a portion of the proceeds collected by the New York state energy research and development authority from the auction or sale of emission allowances allocated by the department of environmental conservation to the authority be used to help fulfill these goals.

§ 2. Sections 4 and 5 of a chapter of the laws of 2009 amending the public authorities law relating to establishing the "green jobs-green New York act of 2009"; and amending the state finance law relating to

EXPLANATION--Matter in *italics* is new; matter in brackets [-] is old law to be omitted.

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establishing the green jobs-green New York fund, as proposed in legislative bills numbers S.5888 and A.8901, are REPEALED and three new sections 4, 5 and 6 are added to read as follows:

§ 4. Section 1854 of the public authorities law is amended by adding a new subdivision 18 to read as follows:

18. To provide for the deposit of all or a portion of the proceeds collected by the authority from the auction or sale of emission allowances allocated by the department of environmental conservation to the authority pursuant to regulations adopted by the department of environmental conservation to a green jobs-green New York fund to be established in the custody of the commissioner of taxation and finance. The monies in such fund shall be available for the green jobs-green New York program pursuant to title nine-A of article eight of this chapter.

§ 5. The New York state energy research and development authority shall deposit one hundred twelve million dollars (\$112,000,000) of the proceeds collected from the auction or sale of carbon dioxide allowances that are allocated by the department of environmental conservation pursuant to regulations adopted by the department of environmental conservation to the green jobs-green New York fund established pursuant to section eighteen hundred fifty-four of the public authorities law.

§ 6. Severability. The provisions of this act shall be severable and if any phrase, clause, sentence or provision of this act, or the applicability thereof to any person or circumstance shall be held invalid, the remainder of this act and the application thereof shall not be affected thereby.

§ 3. Section 6 of a chapter of the laws of 2009 amending the public authorities law relating to establishing the "green jobs-green New York act of 2009"; and amending the state finance law relating to establishing the green jobs-green New York fund, as proposed in legislative bills numbers S.5888 and A.8901, is renumbered section 7.

§ 4. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2009 amending the public authorities law relating to establishing the "green jobs-green New York act of 2009"; and amending the state finance law relating to establishing the green jobs-green New York fund, as proposed in legislative bills numbers S.5888 and A.8901, takes effect.

The Legislature of the STATE OF NEW YORK ss:

Pursuant to the authority vested in us by section 70-b of the Public Officers Law, we hereby jointly certify that this slip copy of this session law was printed under our direction and, in accordance with such section, is entitled to be read into evidence.

MALCOLM A. SMITH  
Temporary President of the Senate

SHELDON SILVER  
Speaker of the Assembly