

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 739 Session of 2013

INTRODUCED BY YAW, PILEGGI, ERICKSON, MENSCH, TOMLINSON, VULAKOVICH, GREENLEAF, YUDICHAK, GORDNER, VOGEL, WHITE, WARD, ROBBINS, VANCE, WOZNIAK, RAFFERTY, COSTA, BAKER, WAUGH, BREWSTER AND BROWNE, APRIL 3, 2013

SENATOR CORMAN, APPROPRIATIONS, RE-REPORTED AS AMENDED, JUNE 3, 2013

AN ACT

1 Amending the act of July 9, 2008 (1st Sp.Sess., P.L.1873, No.1),
2 entitled "An act providing for alternative sources of energy;
3 establishing the Alternative Energy Development Program, the
4 Consumer Energy Program, the Home Energy Efficiency Loan
5 Program, the Home Energy Efficiency Loan Fund and the
6 Alternative Energy Production Tax Credit Program; and
7 providing for the powers and duties of the Department of
8 Environmental Protection," further providing for POLLUTION <--
9 CONTROL TECHNOLOGY PROJECTS AND FOR Commonwealth Financing
10 Authority.

11 The General Assembly of the Commonwealth of Pennsylvania
12 hereby enacts as follows:

13 ~~Section 1. Section 307(c)(1) of the act of July 9, 2008 (1st <--~~
14 ~~Sp.Sess., P.L.1873, No.1), known as the Alternative Energy~~
15 ~~Investment Act, is amended and the section is amended by adding~~
16 ~~a subsection to read:~~

17 SECTION 1. SECTION 304 OF THE ACT OF JULY 9, 2008 (1ST <--
18 SP.SESS., P.L.1873, NO.1), KNOWN AS THE ALTERNATIVE ENERGY
19 INVESTMENT ACT, IS AMENDED TO READ:
20 SECTION 304. POLLUTION CONTROL TECHNOLOGY PROJECTS.

1 (A) ALLOCATION.--THE SUM OF \$25,000,000 SHALL BE TRANSFERRED
2 BY THE AUTHORITY TO THE DEPARTMENT FOR POLLUTION CONTROL
3 TECHNOLOGY PROJECTS. THE FUNDS SHALL BE UTILIZED FOR GRANTS TO
4 ELECTRIC GENERATING UNITS OR COGENERATION UNITS, AS DEFINED
5 UNDER 25 PA. CODE § 123.202 (RELATING TO DEFINITIONS), THAT
6 UTILIZE COAL, AS DEFINED UNDER 25 PA. CODE § 123.202, AS THEIR
7 PRIMARY FUEL SOURCE, AND THAT HAVE AN INSTALLED CAPACITY OF LESS
8 THAN 500 MEGAWATTS, LOCATED IN THIS COMMONWEALTH.

9 (B) DISTRIBUTION.--EACH ELECTRIC GENERATING UNIT OR
10 COGENERATION UNIT SHALL BE ELIGIBLE TO RECEIVE A PRO RATA SHARE
11 OF MONEYS ALLOCATED FOR POLLUTION CONTROL TECHNOLOGY PROJECTS
12 BASED ON CRITERIA DEVELOPED BY THE DEPARTMENT. THE DEPARTMENT
13 SHALL PUBLISH THE CRITERIA TO BE USED IN THE PENNSYLVANIA
14 BULLETIN AND ON ITS INTERNET WEBSITE AND SHALL SUBMIT THE
15 CRITERIA TO THE ENVIRONMENTAL RESOURCES AND ENERGY COMMITTEE OF
16 THE SENATE AND THE ENVIRONMENTAL RESOURCES AND ENERGY COMMITTEE
17 OF THE HOUSE OF REPRESENTATIVES FOR COMMENT AND REVIEW 60 DAYS
18 PRIOR TO ACCEPTING A GRANT APPLICATION UNDER THIS SECTION.

19 (C) NATURAL GAS ACCESS.--

20 (1) THE SUM OF \$10,000,000 OF THE FUNDS TRANSFERRED TO
21 THE DEPARTMENT UNDER SUBSECTION (A) SHALL BE TRANSFERRED TO
22 THE AUTHORITY.

23 (2) THE AMOUNT TRANSFERRED TO THE AUTHORITY UNDER
24 PARAGRAPH (1) SHALL BE ALLOCATED BY THE AUTHORITY FOR GRANTS
25 TO SCHOOLS, HOSPITALS AND SMALL BUSINESSES TO OBTAIN ACCESS
26 TO NATURAL GAS.

27 (3) THE AUTHORITY SHALL GIVE PRIORITY TO APPLICATIONS
28 THAT WILL RESULT IN ADJOINING COMMERCIAL OR RESIDENTIAL
29 PROPERTIES UTILIZING NATURAL GAS.

30 (4) GRANTS MAY PROVIDE FOR UP TO 50% OF THE COST OF THE

1 PROJECT.

2 SECTION 2. SECTION 307(A) AND (C)(1) OF THE ACT ARE AMENDED
3 AND THE SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

4 Section 307. Commonwealth Financing Authority.

5 (A) PROJECTS.--

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6 (1) THE SUM OF \$165,000,000 FROM FUNDS AVAILABLE TO THE
7 AUTHORITY UNDER SECTION 302(A) SHALL BE ALLOCATED BY THE
8 AUTHORITY FOR GRANTS OR LOANS FOR THE FOLLOWING PROGRAMS:

9 (I) LOANS TO BUSINESSES OR NONPROFIT ECONOMIC
10 DEVELOPMENT ORGANIZATIONS FOR CLEAN ENERGY PROJECTS.

11 (II) LOANS OR GRANTS TO POLITICAL SUBDIVISIONS FOR
12 CLEAN ENERGY PROJECTS.

13 (III) LOANS AND GRANTS TO BUSINESSES OR NONPROFIT
14 ECONOMIC DEVELOPMENT ORGANIZATIONS FOR ALTERNATIVE ENERGY
15 PRODUCTION PROJECTS.

16 (IV) LOANS AND GRANTS TO BUSINESSES, NONPROFIT
17 ECONOMIC DEVELOPMENT ORGANIZATIONS OR POLITICAL
18 SUBDIVISIONS FOR SITE PREPARATION.

19 (V) LOANS OR GRANTS TO A PUBLIC TRANSPORTATION
20 AGENCY, AS DEFINED IN SECTION 103 OF THE ACT OF DECEMBER
21 8, 2004 (P.L.1801, NO.238), KNOWN AS THE TRANSIT
22 REVITALIZATION INVESTMENT DISTRICT ACT, FOR CLEAN ENERGY
23 PROJECTS WITHIN A TRANSIT REVITALIZATION INVESTMENT
24 DISTRICT.

25 (2) A SOLAR ENERGY PROJECT, INCLUDING SOLAR THERMAL
26 EQUIPMENT, SHALL NOT BE ELIGIBLE FOR A LOAN OR GRANT UNDER
27 THIS SUBSECTION.

28 * * *

29 (c) High performance buildings.--

30 (1) The sum of [\$25,000,000] ~~\$10,000,000~~ \$15,000,000

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1 shall be allocated by the authority for loans or grants to
2 one of the following to meet energy efficient standards under
3 paragraph (2):

4 (i) A small business for the construction or
5 renovation of a building for the use of the small
6 business.

7 (ii) An individual OR BUSINESS for the construction <--
8 or renovation of [a dwelling if the individual does or <--
9 will occupy the dwelling as his primary residence] <--
10 SINGLE-FAMILY OR MULTIUNIT DWELLINGS.

11 * * *

12 (c.1) Natural gas access.--

13 (1) The sum of ~~\$15,000,000~~ \$10,000,000 shall be <--
14 allocated by the authority for grants to schools, hospitals
15 and small businesses to obtain access to natural gas.

16 (2) The authority shall give priority to applications
17 that will result in adjoining commercial or residential
18 properties utilizing natural gas.

19 (3) Grants may provide for up to 50% of the cost of the
20 project.

21 * * *

22 Section 2 3. This act shall take effect in 60 days. <--