

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

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Introduced by M. of A. MAGNARELLI, CLARK, COLTON, MARKEY, PHEFFER, ROBINSON, WRIGHT, HEVESI, LUPARDO, JAFFEE, SWEENEY -- Multi-Sponsored by -- M. of A. GOTTFRIED, GUNTHER, HOOPER, JOHN, KOON, LATIMER, MAISEL, McENENY, PERRY, WEISENBERG -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to creating a New York state greenhouse gases management research and development program

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

1 Section 1. Legislative intent. The legislature hereby finds and
2 declares that global climate change is a matter of significant concern
3 for the environment, economy and people of this state. The legislature
4 hereby establishes a research program under the auspices of the New York
5 state energy research and development authority by one or more universi-
6 ties or research entities within the state. The research program shall
7 promote new technologies and processes that will avoid, abate, mitigate,
8 capture or sequester carbon dioxide and other greenhouse gases.
9 According to numerous scientific researchers, a warming trend of about
10 0.7 to 1.5 degrees Fahrenheit has occurred during the twentieth century.
11 The major greenhouse gases emitted by human activities remain in the
12 atmosphere for periods of time ranging from decades to centuries. Many
13 in the scientific community anticipate that average global temperatures
14 and sea levels will continue to rise throughout the twenty-first century
15 as a result of a continued rise in atmospheric concentrations of green-
16 house gases.
17 While the build-up of all of the greenhouse gases into the atmosphere
18 is important to study, promoting the development of methods and proc-
19 esses to mitigate the buildup of carbon dioxide is of great concern.
20 Carbon dioxide is emitted into the atmosphere in the largest amounts

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

1 and is directly linked to human activities such as the burning of fossil
2 fuels. It is, therefore, vitally important that research and development
3 of new methods and processes that avoid, abate, capture and/or sequester
4 carbon dioxide are developed.

5 New York state is a significant contributor of carbon dioxide and
6 other greenhouse gases, as well as an important player in the global
7 economy. New York state is also home to a vast number of research insti-
8 tutions that have already taken a leadership role and have initiated
9 research into global warming and climate change issues. Given the
10 state's contribution to global climate change and its economic and
11 academic leadership role, New York state must take an active role in
12 fighting greenhouse gases and thus the research program is hereby estab-
13 lished.

14 S 2. The public authorities law is amended by adding a new section
15 1884 to read as follows:

16 S 1884. NEW YORK STATE GREENHOUSE GASES MANAGEMENT RESEARCH AND DEVEL-
17 OPMENT PROGRAM; ESTABLISHED. 1. ESTABLISHMENT AND PURPOSE. THERE IS
18 HEREBY CREATED WITHIN THE AUSPICES OF THE AUTHORITY A NEW YORK STATE
19 GREENHOUSE GASES MANAGEMENT RESEARCH AND DEVELOPMENT PROGRAM
20 ("PROGRAM"). THE PURPOSE OF THIS PROGRAM SHALL BE TO PROVIDE GRANTS
21 AUTHORIZED BY THE AUTHORITY FOR RESEARCH THAT PROMOTES NEW TECHNOLOGIES
22 AND PROCESSES THAT WILL AVOID, ABATE, MITIGATE, CAPTURE AND/OR SEQUESTER
23 CARBON DIOXIDE AND OTHER GREENHOUSE GASES BY ONE OR MORE RESEARCH ENTI-
24 TIES IN NEW YORK STATE. POTENTIAL RESEARCH TOPICS SHALL INCLUDE, BUT NOT
25 BE LIMITED TO, THE FOLLOWING:

26 A. THE FEASIBILITY AND EXAMINATION OF GEOLOGICAL, TERRESTRIAL OR OTHER
27 METHODS OF SEQUESTRATION OF CARBON DIOXIDE AND OTHER GREENHOUSE GASES IN
28 NEW YORK STATE. SUCH FEASIBILITY STUDIES SHALL INCLUDE, BUT NOT BE
29 LIMITED TO: THE STATE'S GEOLOGICAL, HYDROLOGICAL AND SEISMOLOGICAL
30 CONDITIONS, MONITORING, MITIGATION AND VERIFICATION TECHNOLOGIES AND
31 POTENTIAL ENVIRONMENTAL IMPACTS.

32 B. METHODS AND PROCESSES TO FURTHER REDUCE ENERGY CONSUMPTION AND
33 IMPROVE ENERGY EFFICIENCY BY COMMERCIAL, AGRICULTURAL AND RESIDENTIAL
34 ENTITIES WHICH ARE LIKELY TO RESULT IN SIGNIFICANT REDUCTION OF GREEN-
35 HOUSE GASES.

36 C. ANY OTHER TECHNOLOGIES OR PROCESSES THAT WILL AVOID, ABATE, MITI-
37 GATE, CAPTURE, AND/OR SEQUESTER CARBON DIOXIDE AND OTHER GREENHOUSE
38 GASES.

39 2. DEFINITIONS. THE FOLLOWING DEFINITIONS SHALL HAVE THE FOLLOWING
40 MEANINGS IN THIS SECTION, RESPECTIVELY: A. "GREENHOUSE GASES" SHALL MEAN
41 CARBON DIOXIDE, METHANE, NITROUS OXIDE, HYDROFLUOROCARBONS, PERFLUORO-
42 CARBONS AND SULPHUR HEXAFLUORIDE.

43 B. "RESEARCH ENTITY" SHALL MEAN AN ORGANIZATION, INCLUDING A NOT-FOR-
44 PROFIT COLLEGE, UNIVERSITY OR OTHER INSTITUTION THAT CONDUCTS AN INTEN-
45 SIVE, ONGOING PROGRAM OF RESEARCH AND STUDY DIRECTED TOWARD GREATER
46 KNOWLEDGE OF A SCIENTIFIC SUBJECT OR TOWARD APPLYING A NEW SCIENTIFIC
47 KNOWLEDGE TO MEET A RECOGNIZED NEED. SUCH ENTITIES SHALL PURSUE RESEARCH
48 THAT PROMOTES NEW TECHNOLOGIES AND PROCESSES THAT WILL AVOID, ABATE,
49 MITIGATE, CAPTURE AND/OR SEQUESTER CARBON DIOXIDE AND OTHER GREENHOUSE
50 GASES.

51 3. GRANT AUTHORIZATION AND APPROVAL. A. THE AUTHORITY SHALL USE ANY
52 MONIES MADE AVAILABLE IN THE BUDGET PURSUANT TO THIS SECTION FOR GRANTS
53 TO RESEARCH ENTITIES LOCATED IN NEW YORK STATE TO PURSUE RESEARCH AND
54 DEVELOPMENT THAT PROMOTES NEW TECHNOLOGIES AND PROCESSES THAT WILL
55 AVOID, ABATE, MITIGATE, CAPTURE AND/OR SEQUESTER CARBON DIOXIDE AND
56 OTHER GREENHOUSE GASES.

1 B. THE AUTHORITY MAY APPROVE GRANTS AUTHORIZED UNDER THIS SECTION
2 PROVIDED INDIVIDUAL GRANTS DO NOT EXCEED ONE HUNDRED FIFTY THOUSAND
3 DOLLARS PER YEAR.

4 4. REPORTING REQUIREMENTS. THE AUTHORITY SHALL, ON OR BEFORE SEPTEMBER
5 FIRST, TWO THOUSAND ELEVEN AND ANNUALLY THEREAFTER, SUBMIT A REPORT TO
6 THE GOVERNOR, THE TEMPORARY PRESIDENT OF THE SENATE, THE SPEAKER OF THE
7 ASSEMBLY AND THE CHAIRPERSONS OF THE SENATE FINANCE COMMITTEE AND OF THE
8 ASSEMBLY WAYS AND MEANS COMMITTEE, SUCH REPORTS ON THE EFFECTIVENESS AND
9 ACCOMPLISHMENTS OF THE PROGRAM. SUCH REPORT SHALL INCLUDE A LIST OF EACH
10 GRANT AWARDED, THE NAME AND LOCATION OF THE RECIPIENT, A DESCRIPTION OF
11 THE RESEARCH, THE AMOUNT OF THE GRANT, THE TOTAL PROJECT COST, THE
12 POTENTIAL IMPACT OF THE RESEARCH, AND SUCH OTHER INFORMATION AS THE
13 AUTHORITY SHALL DEEM APPROPRIATE.

14 S 3. This act shall take effect immediately.