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

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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:

Section 1. Legislative intent. The legislature hereby finds and declares that global climate change is a matter of significant concern for the environment, economy and people of this state. The legislature hereby establishes a research program under the auspices of the New York state energy research and development authority by one or more universities or research entities within the state. The research program shall promote new technologies and processes that will avoid, abate, mitigate, capture or sequester carbon dioxide and other greenhouse gases.

According to numerous scientific researchers, a warming trend of about 0.7 to 1.5 degrees Fahrenheit has occurred during the twentieth century. The major greenhouse gases emitted by human activities remain in the atmosphere for periods of time ranging from decades to centuries. Many in the scientific community anticipate that average global temperatures and sea levels will continue to rise throughout the twenty-first century as a result of a continued rise in atmospheric concentrations of greenhouse gases.

While the build-up of all of the greenhouse gases into the atmosphere is important to study, promoting the development of methods and processes to mitigate the buildup of carbon dioxide is of great concern. 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.

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

New York state is a significant contributor of carbon dioxide and other greenhouse gases, as well as an important player in the global economy. New York state is also home to a vast number of research institutions that have already taken a leadership role and have initiated research into global warming and climate change issues. Given the state's contribution to global climate change and its economic and academic leadership role, New York state must take an active role in fighting greenhouse gases and thus the research program is hereby established.

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

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

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

B. METHODS AND PROCESSES TO FURTHER REDUCE ENERGY CONSUMPTION AND IMPROVE ENERGY EFFICIENCY BY COMMERCIAL, AGRICULTURAL AND RESIDENTIAL ENTITIES WHICH ARE LIKELY TO RESULT IN SIGNIFICANT REDUCTION OF GREENHOUSE GASES.

C. ANY OTHER TECHNOLOGIES OR PROCESSES THAT WILL AVOID, ABATE, MITIGATE, CAPTURE, AND/OR SEQUESTER CARBON DIOXIDE AND OTHER GREENHOUSE GASES.

2. DEFINITIONS. THE FOLLOWING DEFINITIONS SHALL HAVE THE FOLLOWING MEANINGS IN THIS SECTION, RESPECTIVELY: A. "GREENHOUSE GASES" SHALL MEAN CARBON DIOXIDE, METHANE, NITROUS OXIDE, HYDROFLUOROCARBONS, PERFLUOROCARBONS AND SULPHUR HEXAFLUORIDE.

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

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

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

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

S 3. This act shall take effect immediately.