

5081

2011-2012 Regular Sessions

I N S E N A T E

May 3, 2011

Introduced by Sen. MAZIARZ -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications

AN ACT to amend the energy law, in relation to appliance and equipment energy efficiency standards

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

1 Section 1. Section 5-108-a of the energy law is amended by adding a
2 new subdivision 3 to read as follows:
3 3. CONSUMER AUDIO AND VIDEO PRODUCTS AS DEFINED IN SUBDIVISION ELEVEN
4 OF SECTION 16-102 OF THIS CHAPTER PURCHASED BY OR FOR THE STATE OR ANY
5 AGENCY THEREOF SHALL MEET OR EXCEED THE FOLLOWING REQUIREMENTS: (I)
6 THAT SUCH PRODUCTS MEET THE ELECTRONIC PRODUCT ENVIRONMENTAL ASSESSMENT
7 TOOL (EPEAT) GOLD STANDARDS FOR ENVIRONMENTAL PERFORMANCE FOR AT LEAST
8 NINETY-FIVE PERCENT OF PRODUCTS PURCHASED IN ALL RELEVANT ELECTRONIC
9 PRODUCT CATEGORIES, UNLESS THERE IS NO EPEAT GOLD STANDARD FOR SUCH
10 PRODUCT; (II) THAT SUCH PRODUCTS MEET THE CURRENT VERSION OF THE APPLI-
11 CABLE ENERGY STAR STANDARD; (III) THAT POLICIES ARE ESTABLISHED AND
12 IMPLEMENTED TO EXTEND THE USEFUL LIFE OF THE AGENCY ELECTRONIC EQUIP-
13 MENT; AND (IV) THAT ENVIRONMENTALLY SOUND PRACTICES ARE USED WITH
14 RESPECT TO DISPOSITION OF AGENCY ELECTRONIC EQUIPMENT THAT HAS REACHED
15 THE END OF ITS USEFUL LIFE.
16 S 2. Paragraph (a) of subdivision 2 of section 16-106 of the energy
17 law, as added by chapter 431 of the laws of 2005, is amended to read as
18 follows:
19 (a) On or before [June thirtieth, two thousand six] JANUARY
20 THIRTY-FIRST, TWO THOUSAND THIRTEEN, the secretary, in consultation with
21 the president, shall adopt regulations in accordance with the provisions
22 of this article establishing: (i) energy efficiency performance stand-
23 ards for new products of the types set forth in paragraphs (a) through
24 (n) of subdivision one of section 16-104 of this article, with the

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

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1 exception of such [paragraph] PARAGRAPHS (E) (CONSUMER AUDIO AND VIDEO
2 PRODUCTS) AND (g) (incandescent reflector lamps); (ii) procedures for
3 testing the energy efficiency of the products covered by paragraphs (a)
4 through (n) of subdivision one of section 16-104 of this article; (iii)
5 procedures for manufacturers to certify that products covered under this
6 article meet the energy efficiency standards to be promulgated under
7 this article; and (iv) such further matters as are necessary to insure
8 the proper implementation and enforcement of the provisions of this
9 article. WITH RESPECT TO CONSUMER AUDIO AND VIDEO PRODUCTS, INCLUDED IN
10 PARAGRAPH (E) OF SUBDIVISION ONE OF SECTION 16-104 OF THIS ARTICLE, THE
11 SECRETARY, IN CONSULTATION WITH THE PRESIDENT, SHALL CONDUCT A STUDY TO
12 DETERMINE WHETHER AN ENERGY PERFORMANCE STANDARD FOR SUCH PRODUCT SHOULD
13 BE ESTABLISHED, TAKING INTO ACCOUNT FACTORS INCLUDING BUT NOT LIMITED
14 TO, THE POTENTIAL IMPACT ON ELECTRICITY USAGE, PRODUCT AVAILABILITY,
15 MANUFACTURING COST, INNOVATION, PRODUCT CONVERGENCE, PRODUCT FEATURES
16 AND FUNCTION, AND CONSUMER AND ENVIRONMENTAL BENEFITS. BASED ON THE
17 RECOMMENDATIONS OF SUCH STUDY, THE SECRETARY, IN CONSULTATION WITH THE
18 PRESIDENT, MAY ADOPT REGULATIONS IN ACCORDANCE WITH THE PROVISIONS OF
19 THIS ARTICLE ESTABLISHING ENERGY PERFORMANCE STANDARDS FOR SUCH PRODUCTS
20 ON OR BEFORE JANUARY THIRTY-FIRST, TWO THOUSAND THIRTEEN. With respect
21 to incandescent reflector lamps, included in paragraph (g) of subdivi-
22 sion one of section 16-104 of this article, the secretary, in consulta-
23 tion with the president, shall conduct a study to determine whether an
24 energy efficiency performance standard for such product should be estab-
25 lished, taking into account factors including the potential impact on
26 electricity usage, product availability and consumer and environmental
27 benefits. If it is determined based on this study that such a standard
28 would reduce energy use and would not be preempted by the federal law,
29 the secretary, in consultation with the president, shall adopt regu-
30 lations in accordance with the provisions of this article establishing
31 energy performance standards for such product on or before January
32 first, two thousand eight.

33 S 3. This act shall take effect immediately; provided, however, that
34 no energy efficiency performance standard shall become effective for a
35 product less than one hundred eighty days after such energy efficiency
36 performance standard shall become final.