

1829--B

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. HEVESI -- read once and referred to the Committee on Energy -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the state finance law and 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 165 of the state finance law is amended by adding a
2 new subdivision 9 to read as follows:
3 9. CONSUMER AUDIO AND VIDEO PRODUCTS AS DEFINED IN SUBDIVISION ELEVEN
4 OF SECTION 16-102 OF THE ENERGY LAW PURCHASED BY OR FOR THE STATE OR ANY
5 AGENCY THEREOF SHALL MEET OR EXCEED THE FOLLOWING REQUIREMENTS: A. THAT
6 SUCH PRODUCTS MEET THE ELECTRONIC PRODUCT ENVIRONMENTAL ASSESSMENT TOOL
7 (EPEAT) GOLD STANDARDS FOR ENVIRONMENTAL PERFORMANCE FOR AT LEAST NINE-
8 TY-FIVE PERCENT OF PRODUCTS PURCHASED IN ALL RELEVANT ELECTRONIC PRODUCT
9 CATEGORIES, UNLESS THERE IS NO EPEAT GOLD STANDARD FOR SUCH PRODUCT;
10 B. THAT SUCH PRODUCTS MEET THE CURRENT VERSION OF THE APPLICABLE
11 ENERGY STAR STANDARD;
12 C. THAT POLICIES ARE ESTABLISHED AND IMPLEMENTED TO EXTEND THE USEFUL
13 LIFE OF THE AGENCY ELECTRONIC EQUIPMENT;
14 D. THAT ENVIRONMENTALLY SOUND PRACTICES ARE USED WITH RESPECT TO
15 DISPOSITION OF AGENCY ELECTRONIC EQUIPMENT THAT HAS REACHED THE END OF
16 ITS USEFUL LIFE; AND
17 E. THAT SUCH PRODUCTS ARE LIFE-CYCLE COST-EFFECTIVE AND PRACTICABLE
18 AND WHERE THE RELEVANT PRODUCT'S UTILITY AND PERFORMANCE ARE NOT COMPROMISED AS A RESULT.
19

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

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1 S 2. Paragraph (a) of subdivision 2 of section 16-106 of the energy
2 law, as added by chapter 431 of the laws of 2005, is amended to read as
3 follows:

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

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