

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. *MAGNARELLI, CLARK, COLTON, MARKEY, ROBINSON, WRIGHT, LUPARDO, JAFFEE, SWEENEY* -- Multi-Sponsored by -- M. of A. *GOTTFRIED, GUNTHER, HOOPER, MAISEL, 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 and/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 build-up of carbon dioxide is of great concern.  
20 Carbon dioxide is emitted into the atmosphere in the largest amounts  
21 and is directly linked to human activities such as the burning of fossil

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

1 fuels. It is, therefore, vitally important that research and development  
2 of new methods and processes that avoid, abate, capture and/or sequester  
3 carbon dioxide are developed.

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

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

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

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

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

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

38 2. DEFINITIONS. THE FOLLOWING DEFINITIONS SHALL HAVE THE FOLLOWING  
39 MEANINGS IN THIS SECTION, RESPECTIVELY:

40 A. "GREENHOUSE GASES" SHALL MEAN CARBON DIOXIDE, METHANE, NITROUS  
41 OXIDE, HYDROFLUOROCARBONS, PERFLUOROCARBONS AND SULPHUR HEXAFLUORIDE.

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

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