

1186

2013-2014 Regular Sessions

I N   S E N A T E

(PREFILED)

January 9, 2013

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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 FOURTEEN, 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

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

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

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