

A1533-A Morelle No Same as
State Finance Law

TITLE....Authorizes the commissioner of general services to commence a used printer cartridge collection program

01/21/03 referred to governmental operations
05/14/03 reported referred to ways and means
06/03/03 reported referred to rules
06/09/03 rules report cal.332
06/09/03 ordered to third reading rules cal.332
06/12/03 amended on third reading (t) 1533a
01/07/04 referred to governmental operations

STATE OF NEW YORK

1533--A

R. R. 332

2003-2004 Regular Sessions

IN ASSEMBLY

January 21, 2003

Introduced by M. of A. MORELLE -- read once and referred to the Committee on Governmental Operations -- amended on the special order of third reading, ordered reprinted as amended, retaining its place on the special order of third reading

AN ACT to amend the state finance law, in relation to establishing a used printer cartridge collection program and to repeal such provisions upon the expiration thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Legislative findings and intent. The legislature finds that
2 New York state's remanufacturing industry, which is composed of a wide
3 array of businesses, many of which are small businesses, is a vital
4 sector of the economy, employing thousands of people while diverting
5 thousands of tons of waste from entering our landfills. The legislature
6 further finds that the state procurement process already encourages the
7 purchasing of products that are recycled and those that can be supplied
8 from our largest growth sector, small businesses. Based on these two
9 precedents and the fact that remanufactured products are the highest
10 form of recycling, the legislature finds and declares that the state
11 should actively seek to purchase remanufactured toner cartridges.

12 § 2. Paragraph b of subdivision 3 of section 165 of the state finance

13 law is amended by adding a new subparagraph (iii) to read as follows:
14 (iii) Notwithstanding the provisions of subparagraph (ii) of this
15 paragraph, the commissioner shall commence a used printer cartridge
16 collection demonstration program, whereby any state employee using a
17 printer, machine or other commodity containing a toner or ink jet print-
18 er cartridge will facilitate the recapture of such toner or ink jet
19 printer cartridge during service and repair or disposal of such item.
20 Nothing in this subparagraph shall be construed to interfere with exist-
21 ing remanufacturing or recycling programs or agreements already in place
22 between any state agencies, original equipment manufacturers, cartridge

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

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1 remanufacturers, or any qualified non-profit agencies for the blind and
2 severely disabled.

3 § 3. Subdivision 3 of section 163 of the state finance law is amended
4 by adding a new paragraph e to read as follows:

5 e. The commissioner shall work in conjunction with printer cartridge
6 remanufacturers and original equipment manufacturers to establish a
7 demonstration recovery program whereby remanufacturers may purchase the
8 collected used toner cartridges for the purpose of remanufacturing them.
9 The commissioner shall permit and prescribe by rule and regulation the
10 conditions and criteria for any qualified remanufacturer approved by the
11 commissioner to make purchases using centralized contracts for toner
12 cartridges for the purposes of being remanufactured. Nothing in this
13 paragraph shall be construed to interfere with existing remanufacturing
14 or recycling programs or agreements already in place between any state
15 agencies, original equipment manufacturers, cartridge remanufacturers,
16 or any qualified non-profit agencies for the blind and severely disa-
17 bled. The commissioner is hereby authorized to promulgate regulations
18 necessary to implement the provisions of this article to administer a
19 demonstration cartridge recovery program.

20 § 4. This act shall take effect on the thirtieth day after it shall
21 have become a law and shall expire and be deemed repealed 3 years after
22 such effective date; provided, however, that the amendments to subdivi-
23 sion 3 of section 163 of the state finance law made by section three of
24 this act shall not affect the repeal of such section and shall be deemed
25 to be repealed therewith.

NEW YORK STATE ASSEMBLY
MEMORANDUM IN SUPPORT OF LEGISLATION
submitted in accordance with Assembly Rule III, Sec 1(e)

BILL NUMBER: A1533A

SPONSOR: Morelle

TITLE OF BILL: An act to amend the state finance law, in relation to
establishing a used printer cartridge collection program and to repeal
such provisions upon the expiration thereof

PURPOSE OR GENERAL IDEA OF BILL:

The purpose of this bill is to encourage the purchasing and use of remanufactured toner cartridges by state agencies.

SUMMARY OF SPECIFIC PROVISIONS:

Section one of the bill is legislative intent.

Section two of the bill adds a new subparagraph (iii) to paragraph (b) of subdivision 3 of Section 165 of the state finance law to authorize the Commissioner of OGS to commence a used printer cartridge collection demonstration program, whereby any state employee using a printer or machine that contains a toner or ink jet printer cartridge shall facilitate the recapture of such cartridge. This bill would not interfere with existing remanufacturing or recycling programs or agreements already in place between any state agencies, original equipment manufacturers, cartridge remanufacturers, or any qualified non-profit agencies for the blind and severely disabled.

Section three of bill adds a new paragraph e to subdivision 3 of section 163 of the state finance law to establish a used toner cartridge recovery program. New York State remanufacturers would be able to purchase toner cartridges for the purpose of being remanufactured. The Commissioner shall permit and prescribe by rule and regulation the conditions and criteria for any qualified remanufacturer approved by the commissioner to make purchases using centralized contracts for toner cartridges for the purposes of being remanufactured.

JUSTIFICATION:

New York state's remanufacturing industry, which is composed of a wide array of businesses, many of which are small businesses, is a vital sector of the economy, employing thousands of people while diverting thousands of tons of waste from entering our landfills. The state procurement process already encourages the purchasing of products that are remanufactured and recycled and those that can be supplied from our largest growth sector, small businesses. Based on these two precedents and the fact that remanufactured products are the highest form of recycling, the legislature finds and declares that the state should actively seek to purchase remanufactured toner cartridges.

PRIOR LEGISLATIVE HISTORY:

A.11433-A of 2002.

FISCAL IMPLICATIONS:

Possible additional revenue to the State.

EFFECTIVE DATE:

30 days and shall be deemed repealed after 3 years.