



Thursday, April 28, 2005

Bill Summary - A07257

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A07257 Summary:

SAME AS Same as S 4544

SPONSOR DiNapoli

COSPNSR Grannis, Colton, Lavine, Englebright

MLTSPNSR Benedetto, Boyland, Brennan, Cahill, Clark, Cook, Diaz R, Glick, Gordon, Gottfried, Jacobs, Lupardo, McEneny, Nolan, Peoples, Sweeney Weinstein, Weisenberg

Amd SS161 & 164, St Fin L; amd S261, Ec Dev L

Provides guidelines for state agencies to implement safe and sustainable procurement practices for services and commodities purchased by such state agencies; requires consideration of the protection of public health and the environment as part of the normal state procurement practice.

A07257 Actions:

04/12/2005 referred to governmental operations

A07257 Votes:

A07257 Memo:

TITLE OF BILL: An act to amend the state finance law and the economic development law, in relation to safe and sustainable procurement

PURPOSE: To establish a preference for the purchase of commodities, services and technologies by the State of New York that minimize potential adverse impacts on public health and the environment.

SUMMARY OF PROVISIONS: Section one of the bill states that this act shall be known and may be cited as the "New York State Safe and Sustainable Procurement Act."

Section two of the bill provides legislative findings and declarations.

Section three of the bill amends subdivision five of section 160 of the State Finance Law to clarify the life cycle costs provisions within the definition of "costs".

Section four of the bill amends subdivision one of section 161 of the State Finance Law to increase the membership of the State Procurement Council to include the Commissioner of the Department of Environmental Conservation as well as two at-large members who are representatives of organizations whose prime function is the enhancement of public health or the environment.

Section five of the bill amends subdivision two of section 161 of the State Finance Law by adding a new paragraph n to establish the role played by the State Procurement Council in implementing the safe and sustainable procurement provisions of this bill.

Section six of the bill amends the State Finance Law by renumbering the current section 164 as section 163-b, and adds a new section 164 to establish a safe and sustainable procurement policy and program for the State of New York.

Sections seven through eleven of the bill amend section 261 of the Economic Development Law to expand an existing grants program for pollution prevention and secondary materials marketing projects to include projects by small businesses, nonprofit organizations and preferred sources (pursuant to 162 of the State Finance Law) to develop, manufacture or provide safe and sustainable commodities, services or technologies.

Section twelve of the bill provides for the effective date.

JUSTIFICATION: As New York moves into the twenty-first century, the state should serve as a role model for practices that will create and maintain a healthy environment and vibrant economy. The manufacture, use and disposal of certain commodities and technologies, the construction of buildings and other structures, and the provision of services may have adverse impacts on public health and the environment. These

impacts impose costs on the state and, ultimately, society as a whole in the form of injury, disability and death; health care expenses; disposal, liability and cleanup costs; the waste of resources and raw materials; and an impaired natural environment. Encouraging innovation, and creating and choosing the safest, most sustainable commodities, services and technologies will help to ensure a higher quality of life for present and future generations. It will also put New York businesses in an economically advantageous position to compete in an increasingly global marketplace.

Including public health and environmental considerations in state purchasing decisions can help New York attain these goals by promoting and investing in commodities, services and technologies that improve public health, conserve natural resources, and reward environmentally conscious manufacturers. Protecting public health and the environment is a natural extension of, and consistent with, the traditional considerations associated with state procurement practice, including lowest price, best value, quality, cost, and efficiency. Historically, New York

has been willing to pay more for high quality commodities, services and technologies. Now, determining quality, value and efficiency shall include the consideration of public health and environmental impacts. Considering such impacts early in the procurement process and adopting an ethic of pollution prevention will not only reduce pollution and waste, it will save money throughout a commodity, service, or technology's life cycle. A major benefit of safe and sustainable procurement is increased efficiency and reduced overall cost to government, taxpayers, and society as a whole.

LEGISLATIVE HISTORY: New bill.

FISCAL IMPLICATIONS: To be determined.

EFFECTIVE DATE: Immediately.

Contact Webmaster