S T A T E O F N E W Y O R K

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2009-2010 Regular Sessions

I N S E N A T E

May 27, 2009

Introduced by Sens. STEWART-COUSINS, DIAZ, HASSELL-THOMPSON -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the public lands law, in relation to site selection for state use

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The public lands law is amended by adding a new section 2-c to read as follows:

S 2-C. SITE SELECTION FOR STATE USE. 1. IT IS HEREBY DECLARED TO BE THE POLICY OF THE STATE THAT STATE FACILITIES AND STATE USE OF SPACE IN URBAN AREAS SHALL SERVE TO STRENGTHEN THE STATE'S CITIES AND TO MAKE THEM ATTRACTIVE PLACES TO LIVE AND WORK. SUCH SPACE SHALL CONSERVE EXISTING URBAN RESOURCES AND ENCOURAGE THE DEVELOPMENT AND REDEVELOPMENT OF CITIES. PROCEDURES FOR MEETING SPACE NEEDS IN URBAN AREAS SHALL GIVE SERIOUS CONSIDERATION TO THE IMPACT A SITE SELECTION WILL HAVE ON IMPROVING THE SOCIAL, ECONOMIC, ENVIRONMENTAL, AND CULTURAL CONDITIONS OF THE COMMUNITIES IN THE URBAN AREA.

2. EXCEPT WHERE SUCH SELECTION IS OTHERWISE PROHIBITED, THE PROCESS FOR MEETING STATE SPACE NEEDS IN URBAN AREAS SHALL GIVE FIRST CONSIDERATION TO A CENTRALIZED COMMUNITY BUSINESS AREA AND ADJACENT AREAS OF SIMILAR CHARACTER, INCLUDING OTHER SPECIFIC AREAS WHICH MAY BE RECOMMENDED BY LOCAL OFFICIALS.

3. THE PROCESS OF MEETING STATE SPACE NEEDS IN URBAN AREAS SHALL BE CONSISTENT WITH THE POLICIES OF THIS SECTION AND SHALL INCLUDE CONSIDERATION OF THE FOLLOWING CRITERIA:

(A) COMPATIBILITY OF THE SITE WITH STATE, REGIONAL, OR LOCAL DEVELOPMENT, REDEVELOPMENT, OR CONSERVATION OBJECTIVES.

(B) IMPACT ON ECONOMIC DEVELOPMENT AND EMPLOYMENT OPPORTUNITIES IN THE URBAN AREA, INCLUDING THE UTILIZATION OF HUMAN, NATURAL, CULTURAL, AND COMMUNITY RESOURCES.

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

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(C) AVAILABILITY OF ADEQUATE LOW AND MODERATE INCOME HOUSING FOR STATE EMPLOYEES AND THEIR FAMILIES ON A NONDISCRIMINATORY BASIS.

(D) AVAILABILITY OF ADEQUATE PUBLIC TRANSPORTATION AND PARKING AND ACCESSIBILITY TO THE PUBLIC.

4. PROCEDURES FOR MEETING SPACE NEEDS IN URBAN AREAS SHALL BE CONSISTENT WITH THE POLICIES OF THIS SECTION AND SHALL INCLUDE CONSIDERATION OF THE FOLLOWING ALTERNATIVES:

(A) AVAILABILITY OF EXISTING STATE CONTROLLED FACILITIES.

(B) UTILIZATION OF BUILDINGS OF HISTORIC, ARCHITECTURAL, OR CULTURAL SIGNIFICANCE.

(C) ACQUISITION OR UTILIZATION OF EXISTING PRIVATELY OWNED FACILITIES.

(D) CONSTRUCTION OF NEW FACILITIES.

(E) OPPORTUNITIES FOR LOCATING CULTURAL, EDUCATIONAL, RECREATIONAL, OR COMMERCIAL ACTIVITIES WITHIN THE PROPOSED FACILITY.

5. THE COMMISSIONER OF GENERAL SERVICES SHALL DEVELOP PROGRAMS TO IMPLEMENT THE POLICIES OF THIS SECTION THROUGH THE EFFICIENT ACQUISITION AND UTILIZATION OF STATE OWNED AND LEASED SPACE. IN PARTICULAR, SUCH COMMISSIONER SHALL:

(A) SELECT, ACQUIRE, AND MANAGE STATE SPACE IN A MANNER WHICH WILL FOSTER THE POLICIES AND PROGRAMS OF THE STATE GOVERNMENT AND IMPROVE THE MANAGEMENT AND ADMINISTRATION OF GOVERNMENT ACTIVITIES.

(B) ISSUE REGULATIONS, STANDARDS, AND CRITERIA FOR THE SELECTION, ACQUISITION, AND MANAGEMENT OF STATE OWNED AND LEASED SPACE.

(C) PERIODICALLY UNDERTAKE SURVEYS OF SPACE REQUIREMENTS AND SPACE UTILIZATION IN THE EXECUTIVE AGENCIES.

(D) ENSURE, IN COOPERATION WITH THE HEADS OF EXECUTIVE AGENCIES, THAT THEIR ESSENTIAL SPACE REQUIREMENTS ARE MET IN A MANNER THAT IS ECONOMICALLY FEASIBLE AND PRUDENT.

(E) MAKE MAXIMUM USE OF EXISTING STATE CONTROLLED FACILITIES WHICH, IN HIS JUDGMENT, ARE ADEQUATE OR ECONOMICALLY ADAPTABLE TO MEETING THE SPACE NEEDS OF EXECUTIVE AGENCIES.

(F) ANNUALLY SUBMIT LONG-RANGE PLANS AND PROGRAMS FOR THE ACQUISITION, MODERNIZATION, AND USE OF SPACE FOR APPROVAL BY THE GOVERNOR.

S 2. This act shall take effect immediately.