

STATE OF NEW YORK

8413--A

2021-2022 Regular Sessions

IN ASSEMBLY

November 8, 2021

Introduced by M. of A. CRUZ, FERNANDEZ, BURDICK, SIMON, DARLING, McDO-
NOUGH, GLICK -- read once and referred to the Committee on Govern-
mental Operations -- recommitted to the Committee on Governmental
Operations in accordance with Assembly Rule 3, sec. 2 -- committee
discharged, bill amended, ordered reprinted as amended and recommitted
to said committee

AN ACT to establish a commission to be known as the "New York State
Temporary Commission on the Threat of Rising Oceans"; and providing
for the repeal of such provisions upon the expiration thereof

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

1 Section 1. There is hereby established a temporary commission to be
2 known as the "New York State Temporary Commission on the Threat of
3 Rising Oceans", hereinafter referred to in this act as the "commission".
4 § 2. 1. The commission shall be composed of 17 members appointed in
5 accordance with subdivision two of this section.
6 2. The members shall be appointed for the life of the commission as
7 follows:
8 (a) 3 shall be appointed by the temporary president of the senate;
9 (b) 1 shall be appointed by the minority leader of the senate;
10 (c) 3 shall be appointed by the speaker of the assembly;
11 (d) 1 shall be appointed by the minority leader of the assembly; and
12 (e) 9 shall be appointed by the governor.
13 3. The members of the commission shall be individuals who have know-
14 ledge or expertise, whether by experience or training, in matters to be
15 studied by the commission under subdivision six of this section.
16 4. The temporary president of the senate, the minority leader of the
17 senate, the speaker of the assembly, the minority leader of the assembly
18 and the governor shall make his or her respective appointments not later
19 than 60 days after the effective date of this act. Any vacancy that
20 occurs during the life of the commission shall not affect the powers of

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

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1 the commission and shall be filled in the same manner as the original
2 appointment not later than 30 days after the vacancy occurs.

3 5. A majority of the members shall constitute a quorum to conduct
4 business, but the commission may establish a lesser quorum for conduct-
5 ing hearings scheduled by the commission. Each member shall have 1 vote
6 and the vote of each member shall be accorded the same weight. The
7 commission may establish, by majority vote, any other rules for the
8 conduct of the commission's business, insofar as such rules are not
9 inconsistent with this section or other applicable law.

10 6. The commission shall conduct a comprehensive study on the threat of
11 rising ocean levels.

12 (a) The matters studied by the commission under this subdivision shall
13 include, but not be limited to:

14 (1) the threat of rising oceans on shoreline communities, their
15 infrastructure, and residents;

16 (2) options available to protect New York City and Long Island from
17 rising oceans and provide a cost estimate for such options;

18 (3) options available to protect New York Harbor from rising oceans,
19 including, but not limited to, the building of a sea wall and its asso-
20 ciated costs;

21 (4) international infrastructure in place to protect other regions
22 from rising oceans and provide a comparative description of what other
23 nations have done to address that threat in those regions and at what
24 costs;

25 (5) a review of the current flood zone designations of shoreline and
26 waterfront communities;

27 (6) a review of current flood insurance rate maps and impact on
28 increasing cost of obtaining flood insurance for property owners in
29 Federal Emergency Management Agency ("FEMA") designated communities that
30 are and will be prone to flooding;

31 (7) a review of critical infrastructure such as water and waste
32 filtration systems, chemical and fuel storage facilities, energy produc-
33 ing facilities and equipment in FEMA designated flood zones and the
34 impact of severe flooding of those areas; and

35 (8) the need for a public awareness campaign to inform residents in
36 flood zones on how to prepare for possible damage by rising oceans.

37 (b) Not later than March 1, 2023, the commission shall submit to the
38 governor, the senate, and the assembly a comprehensive report on the
39 commission's findings and conclusions. Such report shall address each
40 matter studied by the commission.

41 7. The commission shall have the power to hold hearings, at such sites
42 and to act at such times and places, to take such testimony, and to
43 receive such evidence as the commission considers advisable to carrying
44 out its duties under this section.

45 8. Members of the commission shall receive no compensation but shall
46 be reimbursed for their actual and necessary expenses in the performance
47 of their duties pursuant to this act.

48 § 3. This act shall take effect immediately and shall expire April 1,
49 2023 when upon such date the provisions of this act shall be deemed
50 repealed.