

8810

2009-2010 Regular Sessions

I N A S S E M B L Y

June 10, 2009

Introduced by M. of A. SWEENEY, BRADLEY, LUPARDO, STIRPE, CHRISTENSEN, CAHILL, WEISENBERG, ENGLEBRIGHT, GIBSON, ROSENTHAL -- Multi-Sponsored by -- M. of A. BRENNAN, BRODSKY, BURLING, CYMBROWITZ, DESTITO, DINOWITZ, FARRELL, GIANARIS, GLICK, GOTTFRIED, HEVESI, JAFFEE, KELLNER, LATIMER, LAVINE, MAGEE, O'DONNELL, PEOPLES, SCHIMEL, SPANO, THIELE, WALKER -- read once and referred to the Committee on Environmental Conservation

AN ACT authorizing the creation of a state debt to the amount of five billion dollars, in relation to creating the clean water/clean air/green jobs bond act of 2009, to provide moneys for the preservation, enhancement, restoration, and improvement of the state's environment, to provide for state assistance payments for such purpose, and providing for the submission to the people of a proposition or question therefor to be voted upon at the general election in November 2009

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

1 Section 1. The clean water/clean air/green jobs bond act of 2009 is
2 enacted to read as follows:

3 CLEAN WATER/CLEAN AIR/GREEN JOBS BOND ACT OF 2009

4 Section 1. Short title.

5 2. Creation of a state debt.

6 3. Bonds of the state.

7 4. Use of moneys received.

8 S 1. Short title. This act shall be known and may be cited as the
9 "clean water/clean air/green jobs bond act of 2009".

10 S 2. Creation of a state debt. The creation of a state debt to an
11 amount not exceeding in the aggregate five billion dollars
12 (\$5,000,000,000) is hereby authorized to provide moneys for the single
13 propose of preserving, enhancing, restoring, and improving the quality

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

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1 of the state's environment by the accomplishment of projects and the
2 funding of activities by state agencies, public authorities and public
3 benefit corporations, municipalities, and other governmental entities
4 and not-for-profit corporations for and related to protecting, improv-
5 ing, and enhancing the quality of drinking water and enhancement of
6 water bodies; by providing funds for open space, farmland protection,
7 habitat restoration, climate change adaptation, water quality related
8 research and development and for parks; for repairing, replacing and
9 updating municipal wastewater and drinking water infrastructure; for
10 preserving, enhancing, restoring and maintaining the quality of the air;
11 for restoring and improving contaminated areas and returning those to
12 productive use; for improving environmental health; for protection and
13 pollution prevention projects in urban communities, community gardens
14 and greenways; for energy efficiency, residential and municipal building
15 weatherization; for energy research and development; and for fuel effi-
16 cient transit fleet programs and green transit oriented projects.

17 The legislature may, by appropriate legislation and subject to such
18 conditions as it may impose, make available out of the proceeds of the
19 sale of bonds authorized in this section, moneys disbursed or to be
20 disbursed for state programs or state assistance payments toward the
21 cost of such programs undertaken by or through a state or local public
22 authority or public benefit corporation, not-for-profit corporation,
23 county, city, town, village, school district, supervisory district,
24 district corporation, improvement district within a county, city, town,
25 village, or Indian tribe residing in whole or in part within New York
26 state, or any combination thereof, for the purpose of preserving,
27 enhancing, restoring, and improving the quality of the state's environ-
28 ment and natural resources.

29 S 3. Bonds of the state. The state comptroller is hereby authorized
30 and empowered to issue and sell bonds of the state to the amount of five
31 billion dollars (\$5,000,000,000) for the purpose of this act, subject to
32 the provisions of article five of the state finance law. The aggregate
33 principal amount of such bonds shall not exceed five billion dollars
34 excluding bonds issued to refund or otherwise repay bonds theretofore
35 issued for such purpose; provided, however, that upon any such refunding
36 or repayment the total aggregate principal amount of outstanding bonds
37 may be greater than five billion dollars only if the present value of
38 the aggregate debt service of the refunding or repayment bonds to be
39 issued shall not exceed the present value of the aggregate debt service
40 of the bonds to be refunded or repaid. The method for calculating pres-
41 ent value shall be determined by law.

42 S 4. Use of moneys received. The moneys received by the state from the
43 sale of bonds sold pursuant to this act shall be expended pursuant to
44 appropriations in the following amount:

45 a. For clean water through the protection of the state's watersheds
46 and natural resources; drinking water supply protection and flood
47 control projects, including the protection of open space, farmland
48 protection, habitat restoration, climate change adaptation, water quali-
49 ty related research and development, and for state and municipal parks,
50 one billion dollars (\$1,000,000,000).

51 b. For clear water infrastructure including repairing, replacing, and
52 updating New York's municipal wastewater infrastructure and drinking
53 water supply systems, one billion dollars (\$1,000,000,000).

54 c. For improving environmental health and community restoration,
55 including protection and pollution prevention projects in urban communi-
56 ties, restoring and improving contaminated areas and returning those to

1 productive use, improving environmental health, community gardens and
2 greenways, one billion dollars (\$1,000,000,000).

3 d. For the creation of green jobs through energy efficiency, including
4 residential, municipal and state building weatherization and energy
5 efficiency research and development projects, one billion dollars
6 (\$1,000,000,000).

7 e. For preserving, enhancing, restoring and maintaining the quality of
8 the air and for fuel efficient transit fleet projects, and green transit
9 orientated projects, one billion dollars (\$1,000,000,000).

10 S 2. This act shall take effect immediately, provided that the
11 provisions of section one of this act shall not take effect unless and
12 until this act shall have been submitted to the people at the general
13 election to be held in November 2009, and shall have been approved by a
14 majority of all votes cast for and against it at such election. Upon
15 approval by the people, section one of this act shall take effect imme-
16 diately. The ballots to be furnished for the use of voters upon
17 submission of this act shall be in the form prescribed by the election
18 law and the proposition or question to be submitted shall be printed
19 thereon in substantially the following form, namely, "Shall chapter
20 (here insert the number of the chapter) of the laws of 2009 known as the
21 clean water/clean air/green jobs bond act of 2009, authorizing the
22 creation of state debt to provide moneys for the preservation, enhance-
23 ment, restoration, and improvement of the quality of the state's envi-
24 ronment and natural resources, promote energy efficiency and energy
25 security; and invest in the creation of clean and green jobs in the
26 amount of five billion dollars be approved?".