

1725

2009-2010 Regular Sessions

I N S E N A T E

February 5, 2009

Introduced by Sen. MARCELLINO -- read twice and ordered printed, and
when printed to be committed to the Committee on Environmental Conser-
vation

AN ACT to amend the environmental conservation law, in relation to envi-
ronmental protection funding for coastal purposes

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

1 Section 1. Subdivisions 4, 5, 6, 7, 8, 9, 10, 11 and 12 of section
2 54-0101 of the environmental conservation law are renumbered subdivi-
3 sions 5, 6, 7, 8, 9, 10, 11, 12 and 13 and a new subdivision 4 is added
4 to read as follows:
5 4. "EDUCATION CORPORATION" MEANS A CORPORATION AS DEFINED IN SUBDIVI-
6 SION ONE OF SECTION TWO HUNDRED SIXTEEN-A OF THE EDUCATION LAW.
7 S 2. Subdivision 2 of section 54-0103 of the environmental conserva-
8 tion law, as added by chapter 610 of the laws of 1993, is amended to
9 read as follows:
10 2. may, in the name of the state, as further provided within this
11 article, contract to make, within the limitations of appropriations
12 available therefor, state assistance payments to a municipality toward
13 the cost of a project approved and to be undertaken pursuant to this
14 article, or to a not-for-profit corporation toward the costs of a
15 project approved and to be undertaken pursuant to titles three and nine
16 OR SECTION 54-1101 OF TITLE ELEVEN, OR TO AN EDUCATION CORPORATION
17 TOWARD THE COSTS OF A PROJECT APPROVED AND TO BE UNDERTAKEN PURSUANT TO
18 SECTION 54-1101 OF TITLE ELEVEN of this article. Such contracts shall be
19 subject to approval by the state comptroller and, as to form, by the
20 attorney general;
21 S 3. Subdivision 1 of section 54-1101 of the environmental conserva-
22 tion law, as amended by chapter 309 of the laws of 1996, is amended to
23 read as follows:

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

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1 1. The secretary is authorized to provide on a competitive basis,
2 within amounts appropriated, state assistance payments to municipalities
3 OR TO NOT-FOR-PROFIT CORPORATIONS OR EDUCATION CORPORATIONS THAT COOPER-
4 ATE WITH HOST MUNICIPALITIES toward the cost of any local waterfront
5 revitalization program. Eligible costs include planning, studies, prep-
6 aration of local laws, and construction projects.

7 S 4. Subdivision 5 of section 54-1101 of the environmental conserva-
8 tion law, as amended by chapter 309 of the laws of 1996, is amended to
9 read as follows:

10 5. The secretary shall impose such contractual requirements and condi-
11 tions upon any municipality, NOT-FOR-PROFIT CORPORATION OR EDUCATION
12 CORPORATION which receives state assistance payments pursuant to this
13 article as may be necessary and appropriate to ensure that a public
14 benefit shall accrue from the use of such funds by the municipality,
15 NOT-FOR-PROFIT CORPORATION OR EDUCATION CORPORATION.

16 S 5. This act shall take effect immediately.