

4056

2011-2012 Regular Sessions

I N   S E N A T E

March 16, 2011

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Introduced by Sen. GRISANTI -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to the powers and duties of commissioner of environmental conservation or secretary of state

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

1     Section 1. Section 54-0103 of the environmental conservation law, as  
2     added by chapter 610 of the laws of 1993, the section heading as amended  
3     by chapter 309 of the laws of 1996, is amended to read as follows:  
4     S 54-0103. Powers and duties of the commissioner or secretary.  
5     In administering the provisions of this article the respective commis-  
6     sioner or the secretary:  
7     1. shall make an itemized estimate of funds or appropriations  
8     requested annually for inclusion in the executive budget;  
9     2. may, in the name of the state, as further provided within this  
10    article, contract to make, within the limitations of appropriations  
11    available therefor, state assistance payments to a municipality toward  
12    the cost of a project approved and to be undertaken pursuant to this  
13    article, or to a not-for-profit corporation toward the costs of a  
14    project approved and to be undertaken pursuant to titles three and nine  
15    of this article. SUCH CONTRACTS SHALL INCLUDE PROVISIONS TO MAXIMIZE  
16    AWARENESS FOR THE PUBLIC THAT A SOURCE OF FUNDING FOR SUCH PROJECT IS  
17    THE NEW YORK STATE ENVIRONMENTAL PROTECTION FUND. SUCH PROVISIONS SHALL  
18    NOT REQUIRE ANY EXPENDITURE OF FUNDS BEYOND THAT WHICH THE MUNICIPALITY  
19    MAY DECIDE IF IT COMMUNICATES TO THE PUBLIC REGARDING THE PROJECT. Such  
20    contracts shall be subject to approval by the state comptroller and, as  
21    to form, by the attorney general;  
22    3. may, in the name of the state, enter into contracts, within the  
23    limitations of appropriations available therefor, with not-for-profit  
24    corporations, public benefit corporations, and private contractors for

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

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1 services contemplated by this article to be funded hereunder. SUCH  
2 CONTRACTS SHALL INCLUDE PROVISIONS TO MAXIMIZE AWARENESS FOR THE PUBLIC  
3 THAT A SOURCE OF FUNDING FOR SUCH SERVICES IS THE NEW YORK STATE ENVI-  
4 RONMENTAL PROTECTION FUND. SUCH PROVISIONS SHALL NOT REQUIRE ANY EXPEND-  
5 ITURE OF FUNDS BEYOND THAT WHICH THE NOT-FOR-PROFIT CORPORATIONS, PUBLIC  
6 BENEFIT CORPORATIONS, AND PRIVATE CONTRACTORS MAY DECIDE IF IT COMMUNI-  
7 CATES TO THE PUBLIC REGARDING THE PROJECT. Such contracts shall be  
8 subject to approval by the state comptroller and, as to form, by the  
9 attorney general;

10 4. shall approve vouchers for the payments pursuant to an approved  
11 contract. All such payments shall be paid on the audit and warrant of  
12 the state comptroller; and

13 5. may perform such other and further acts as may be necessary, proper  
14 or desirable to carry out the provisions of this article.

15 S 2. This act shall take effect April 1, 2012.