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

10177--A

I N A S S E M B L Y

May 10, 2012

Introduced by M. of A. KEARNS, GABRYSZAK, BURLING, FINCH, SCHIMMINGER, ROBERTS -- read once and referred to the Committee on Governmental Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to create the Buffalo outer-harbor alliance task force to determine potential reuse, rehabilitation and/or conveyance of outer harbor land and buildings owned by the Niagara Frontier Transportation Authority with public input; and providing for the repeal of such provisions upon expiration thereof

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

Section 1. 1. Notwithstanding the provisions of any general, special or local law to the contrary, the Niagara Frontier Transportation Authority shall not sell, lease, or convey any real property at the outer harbor in the city of Buffalo until 45 days after the issuance of recommendations by the Buffalo outer-harbor alliance task force pursuant to subdivision 5 of this section.

2. (a) There is hereby created a Buffalo outer-harbor alliance task force. Such task force shall consist of thirteen members to be appointed as follows: two shall be appointed by the governor; two shall be appointed by the speaker of the assembly; two shall be appointed by the temporary president of the senate; one shall be appointed by the minority leader of the assembly; one shall be appointed by the minority leader of the senate; one shall be appointed by the mayor of the city of Buffalo; one shall be appointed by the executive director of Niagara Frontier Transportation Authority; one shall be appointed by the Buffalo city council; one shall be appointed by the Erie county executive; and one shall be appointed by the Erie county legislature. To the extent practicable, members of the commission shall be residents of Erie county and shall have expertise in environmental sciences, urban planning, land use and redevelopment, smart growth or economic development. All members of the task force shall be appointed within 30 days of the effective date of this act. The chair of the task force shall be designated by the governor from the members appointed. Eight members of the task force

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

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shall constitute a quorum for the purposes of organizing the task force and conducting the business of the task force. The task force shall meet not less than once a month until a recommendation is submitted in accordance with subdivision four of this section.

(b) Members of the Buffalo outer-harbor alliance task force shall receive no compensation for their services, but shall be allowed their actual and necessary expenses incurred in the performance of their duties pursuant to this section.

3. (a) Such task force shall evaluate and report on the potential reuse, redevelopment or conveyance of the outer harbor land and buildings owned by the Niagara Frontier Transportation Authority in the city of Buffalo.

(b) Such task force may request, and is authorized to receive, any information from any state agency or authority that is relevant to the completion of such task force's duties. Such information received by such task force shall be subject to the same requirements for confidentiality and limitations on use, if any, as are applicable to such state agency's use of such information.

4. After the appointment of the members of the task force, the task force shall hold at least three public hearings, including one held at night, in the areas affected by the potential reuse of the outer harbor. Public notice of all such hearings shall be widely published in advance by the task force through all available means including electronic media. The task force shall consider the comments made at such hearings when developing their final report.

5. The task force shall submit to the governor, the temporary president of the senate, and the speaker of the assembly on or before June 30, 2013 a detailed recommendation for the reuse, redevelopment or conveyance of designated available outer harbor land and buildings owned by the Niagara Frontier Transportation Authority that are consistent with applicable state and local laws and, to the extent possible, with the city of Buffalo local waterfront revitalization plan. Such final report shall include, but not be limited to, the environmental impact on the outer harbor land owned by the Niagara Frontier Transportation Authority and the surrounding areas and any zoning changes necessary to reuse or redevelop such land.

S 2. This act shall take effect immediately and shall expire and be deemed repealed on December 31, 2013.