

1 C. IDENTIFYING AND EVALUATING POTENTIAL CARBON EMISSIONS REDUCTION
2 MEASURES IDENTIFIED IN TERMS OF GREENHOUSE GAS EMISSIONS REDUCTION
3 POTENTIAL, COST EFFECTIVENESS, SHORT AND LONG-TERM STATE SPECIFIC
4 ECONOMIC IMPACTS, ADMINISTRATIVE FEASIBILITY AND EQUITY CONCERNS;

5 D. EVALUATING THE POTENTIAL ECONOMIC EFFECTS THAT MAY ARISE FROM
6 ACTIONS TO ADDRESS GLOBAL CLIMATE CHANGE;

7 E. IDENTIFYING AND EVALUATING CURRENT EFFORTS UNDERWAY IN NEW YORK
8 STATE TO EDUCATE THE PUBLIC, AS WELL AS SPECIFIC SECTORS INCLUDING AGRI-
9 CULTURE, HEALTH, TRANSPORTATION, RECREATION, INSURANCE, AND INDUSTRIAL,
10 AND COMMERCIAL SECTORS, ABOUT PROJECTED IMPACTS OF CLIMATE CHANGE;

11 F. EVALUATING AND ASSESSING ANY ADAPTIVE MEASURES IDENTIFIED IN TERMS
12 OF FEASIBILITY, ECONOMIC AND PUBLIC HEALTH IMPACTS, AND EFFECTIVENESS.
13 FOR THE PURPOSES OF THIS SECTION, THE TERM "ADAPTIVE MEASURES" REFERS TO
14 ACTIONS THAT MAY BE TAKEN TO ADDRESS THE ANTICIPATED CONSEQUENCES OF
15 CLIMATE CHANGE;

16 G. REVIEWING AND ASSESSING THE IMPLEMENTATION STATUS OF THE RECOMMEN-
17 DATIONS FROM THE NEW YORK GREENHOUSE GAS TASK FORCE ISSUED IN APRIL OF
18 TWO THOUSAND THREE; AND

19 H. ASSESSING THE STATE'S CAPACITY TO MEET THE STATEWIDE GREENHOUSE GAS
20 EMISSION REDUCTION TARGET AS ESTABLISHED IN THE TWO THOUSAND TWO ENERGY
21 PLAN AS UPDATED, A TWENTY PERCENT REDUCTION OF GREENHOUSE GAS EMISSIONS
22 BY TWO THOUSAND TWENTY, AND AN EIGHTY PERCENT REDUCTION OF GREENHOUSE
23 GAS EMISSIONS BY TWO THOUSAND FIFTY.

24 2. THE TASK FORCE SHALL DEVELOP A CLIMATE CHANGE ACTION PLAN THAT WILL
25 INCORPORATE BOTH CARBON REDUCTION MEASURES AND ADOPTIVE MEASURES
26 DESIGNED TO BOTH REDUCE THE SEVERITY OF CLIMATE CHANGE AND BETTER POSI-
27 TION THE STATE AND ITS CITIZENS TO LIVE WITH THE IMPACTS ASSOCIATED WITH
28 CLIMATE CHANGE. SUCH PLAN SHALL INCLUDE, BUT NOT BE LIMITED TO:

29 A. AN INVENTORY OF GREENHOUSE GAS EMISSIONS IN THIS STATE INCLUDING
30 STATIONARY AND MOBILE SOURCES;

31 B. RESULTS OF THE EVALUATION OF POTENTIAL CARBON EMISSIONS REDUCTION
32 MEASURES;

33 C. RESULTS OF THE EVALUATION OF CURRENT EFFORTS TO MITIGATE CLIMATE
34 CHANGE;

35 D. RECOMMENDATIONS TO ADDRESS POTENTIAL CLIMATE CHANGE IN NEW YORK,
36 WHICH SHALL INCLUDE:

37 (I) POTENTIAL GREENHOUSE GAS EMISSIONS REDUCTION MEASURES THAT SHOULD
38 BE UNDERTAKEN BY THE STATE;

39 (II) A LISTING AND EXPLANATION OF POTENTIAL ADAPTIVE MEASURES APPRO-
40 PRIATE FOR NEW YORK STATE, INCLUDING REDUCING HEALTH AND FLOODING RISKS,
41 AND POTENTIAL SHIFTS IN AGRICULTURE AND FORESTRY;

42 (III) A CONSIDERATION OF EFFORTS BEING MADE AT THE NATIONAL AND INTER-
43 NATIONAL LEVEL TO ADDRESS CLIMATE CHANGE;

44 (IV) RECOMMENDATIONS TO ENHANCE CLIMATE CHANGE RESEARCH, MONITORING
45 AND PUBLIC EDUCATION IN NEW YORK; AND

46 (V) ECONOMIC OPPORTUNITIES THAT SHOULD BE CONSIDERED WHICH COULD
47 BETTER POSITION NEW YORK IN RESPONDING TO CLIMATE CHANGE; AND

48 E. RECOMMENDATIONS FOR ACHIEVING THE MAXIMUM TECHNOLOGICALLY FEASIBLE
49 AND COST-EFFECTIVE REDUCTIONS IN GREENHOUSE GAS EMISSIONS FROM SOURCES
50 OR CATEGORIES OF SOURCES OF GREENHOUSE GASES OF A TWENTY PERCENT
51 REDUCTION OF GREENHOUSE GAS EMISSIONS BY TWO THOUSAND TWENTY AND AN
52 EIGHTY PERCENT REDUCTION OF GREENHOUSE GAS EMISSIONS BY TWO THOUSAND
53 FIFTY. THE RECOMMENDATIONS SHALL BE ON DIRECT EMISSION REDUCTION MEAS-
54 URES, ALTERNATIVE COMPLIANCE MECHANISMS, MARKET-BASED COMPLIANCE MECH-
55 ANISMS, AND POTENTIAL MONETARY AND NONMONETARY INCENTIVES FOR SOURCE AND
56 CATEGORIES OF SOURCES. THE TASK FORCE SHALL EVALUATE THE TOTAL POTENTIAL

COSTS AND TOTAL POTENTIAL ECONOMIC AND NONECONOMIC BENEFITS OF THE PLAN FOR REDUCING GREENHOUSE GASES TO THE STATE'S ECONOMY, ENVIRONMENT AND PUBLIC HEALTH. THE TASK FORCE SHALL ALSO TAKE INTO ACCOUNT THE RELATIVE CONTRIBUTION OF EACH SOURCE OR SOURCE CATEGORY TO STATEWIDE GREENHOUSE GAS EMISSIONS, AND THE POTENTIAL FOR ADVERSE EFFECTS ON SMALL BUSINESSES, AND SHALL RECOMMEND A DE MINIMIS THRESHOLD OF GREENHOUSE GAS EMISSIONS BELOW WHICH EMISSION REDUCTION REQUIREMENTS WILL NOT APPLY.

S 19-1303. TASK FORCE COMPOSITION.

1. THE TASK FORCE SHALL CONSIST OF A TOTAL OF TWENTY-ONE MEMBERS AND SHALL INCLUDE THE COMMISSIONER, THE COMMISSIONER OF HEALTH, THE COMMISSIONER OF AGRICULTURE AND MARKETS, THE SECRETARY OF STATE, THE COMMISSIONER OF ECONOMIC DEVELOPMENT, THE COMMISSIONER OF TRANSPORTATION, THE COMMISSIONER OF PARKS, RECREATION AND HISTORIC PRESERVATION, THE SUPERINTENDENT OF INSURANCE, THE DIRECTOR OF THE STATE EMERGENCY MANAGEMENT OFFICE, THE PRESIDENT OF THE NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY, THE CHAIRPERSON OF THE METROPOLITAN TRANSPORTATION AUTHORITY, A REPRESENTATIVE FROM THE BOARD OF COMMISSIONERS FOR THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY, AND THE CHAIR OF THE PUBLIC SERVICE COMMISSION OR THEIR DESIGNATED REPRESENTATIVES; THE TEMPORARY PRESIDENT OF THE SENATE SHALL APPOINT THREE MEMBERS; THE SPEAKER OF THE ASSEMBLY SHALL APPOINT THREE MEMBERS; THE MINORITY LEADER OF THE SENATE SHALL APPOINT ONE MEMBER; AND THE MINORITY LEADER OF THE ASSEMBLY SHALL APPOINT ONE MEMBER. ALL APPOINTED MEMBERS OF THE TASK FORCE SHALL HAVE AN EXPERTISE IN ONE OR MORE OF THE FOLLOWING FIELDS: CLIMATOLOGY; HYDROLOGY; PLANNING; HEALTH CARE; ENVIRONMENTAL HEALTH; ECOLOGY; AGRICULTURE; ECONOMICS; AND ENERGY POLICY.

2. THE COMMISSIONER OR HIS OR HER DESIGNATED REPRESENTATIVE SHALL SERVE AS CHAIRPERSON OF THE TASK FORCE.

3. FOR THE PURPOSES OF THIS SECTION, THE NON-GOVERNMENTAL APPOINTEES SHALL BE CONSIDERED OFFICERS OR EMPLOYEES OF PUBLIC ENTITIES AND SHALL BE AFFORDED SUCH DEFENSE AND INDEMNIFICATION PROVIDED UNDER THE PUBLIC OFFICERS LAW.

4. THE MEMBERS OF THE 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.

5. NO APPOINTED MEMBER OF THE TASK FORCE SHALL BE AN ELECTED OR APPOINTED PUBLIC OFFICER.

S 19-1305. POWERS AND DUTIES OF THE TASK FORCE.

1. THE TASK FORCE SHALL MEET QUARTERLY, AND AT THE CALL OF THE CHAIRPERSON.

2. IN RECOGNITION OF THE GLOBAL NATURE OF CLIMATE CHANGE, THE TASK FORCE MAY CONSULT WITH ANY ORGANIZATION, EDUCATIONAL INSTITUTION, OTHER GOVERNMENT ENTITY OR AGENCY OR PERSON IN THE DEVELOPMENT OF ITS RECOMMENDATIONS.

3. THE DEPARTMENT SHALL PROVIDE THE TASK FORCE WITH SUCH FACILITIES, ASSISTANCE AND DATA AS WILL ENABLE THE TASK FORCE TO CARRY OUT ITS POWERS AND DUTIES. ADDITIONALLY, ALL OTHER AGENCIES OF THE STATE OR SUBDIVISIONS THEREOF MAY, AT THE REQUEST OF THE CHAIRPERSON, PROVIDE THE TASK FORCE WITH SUCH FACILITIES, ASSISTANCE, AND DATA TO ENABLE THE TASK FORCE TO CARRY OUT ITS POWERS AND DUTIES.

4. A. WITHIN TWELVE MONTHS OF THE EFFECTIVE DATE OF THIS TITLE, THE TASK FORCE SHALL ISSUE A DRAFT CLIMATE CHANGE ACTION PLAN AS PROVIDED FOR IN SUBDIVISION TWO OF SECTION 19-1301 OF THIS TITLE. THE DRAFT CLIMATE CHANGE ACTION PLAN SHALL BE POSTED ON THE DEPARTMENT'S WEBSITE AND A NOTICE OF THE ISSUANCE OF THE DRAFT PLAN SHALL BE POSTED IN THE ENVIRONMENTAL NOTICE BULLETIN. AT LEAST ONE PUBLIC HEARING SHALL BE HELD

1 IN EACH DEPARTMENTAL REGION TO PROVIDE THE PUBLIC WITH THE OPPORTUNITY
2 TO COMMENT ON THE DRAFT CLIMATE CHANGE ACTION PLAN. NOTICE OF SUCH
3 PUBLIC HEARINGS SHALL BE PROVIDED ON THE DEPARTMENT'S WEBSITE AND IN THE
4 ENVIRONMENTAL NOTICE BULLETIN.

5 B. WITHIN SIXTY DAYS OF THE DATE OF THE FINAL PUBLIC HEARING, THE TASK
6 FORCE SHALL SUBMIT A FINAL CLIMATE CHANGE ACTION PLAN TO THE GOVERNOR,
7 THE TEMPORARY PRESIDENT OF THE SENATE AND THE SPEAKER OF THE ASSEMBLY.
8 COPIES OF SUCH CLIMATE CHANGE ACTION PLAN SHALL ALSO BE MADE AVAILABLE
9 TO THE PUBLIC AND POSTED ON THE DEPARTMENT'S WEBSITE AND NOTICE OF THE
10 AVAILABILITY OF SUCH PLAN SHALL BE PUBLISHED IN THE ENVIRONMENTAL NOTICE
11 BULLETIN.

12 C. THE CLIMATE CHANGE ACTION PLAN SHALL BE REVIEWED AND UPDATED EVERY
13 TWO YEARS WITH ASSOCIATED PUBLIC HEARINGS, PUBLIC RELEASE AND POSTING OF
14 THE UPDATED PLAN ON THE DEPARTMENT'S WEBSITE AND NOTICE IN THE ENVIRON-
15 MENTAL NOTICE BULLETIN.

16 S 2. This act shall take effect on the ninetieth day after it shall
17 have become a law; provided, however, that effective immediately, the
18 addition, amendment and/or repeal of any rule or regulation necessary
19 for the implementation of this act on its effective date is authorized
20 and directed to be made and completed on or before such effective date.