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

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I N A S S E M B L Y

April 4, 2013

Introduced by M. of A. MAYER, BUCHWALD, CROUCH, JAFFEE, LAVINE, ORTIZ, RAIA, ROZIC, SCHIMEL, SKARTADOS, OTIS, TITONE, ABINANTI, MALLIOTAKIS -- Multi-Sponsored by -- M. of A. BROOK-KRASNY, COOK, GUNTHER, PERRY, RIVERA, SALADINO, THIELE, WEISENBERG -- read once and referred to the Committee on Environmental Conservation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT relating to establishing the flood mitigation and prevention task force; and providing for the repeal of such provisions upon the expiration thereof

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

Section 1. 1. There is hereby established in the department of environmental conservation a flood mitigation and prevention task force ("task force") to consist of eleven members who shall be appointed as follows:

(a) the commissioner of environmental conservation or his or her designee;

(b) the commissioner of general services or his or her designee;

(c) the commissioner of the department of transportation or his or her designee;

(d) the director of the state emergency management office or his or her designee;

(e) the commissioner of the New York state division of homeland security and emergency services or his or her designee;

(f) two members to be appointed by the speaker of the assembly;

(g) one member to be appointed by the minority leader of the senate;

(h) one member to be appointed by the minority leader of the assembly;

(i) two members to be appointed by the temporary president of the senate;

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

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2. The at-large members should include individuals who represent flood-prone municipalities and counties.

3. Task force members shall receive no compensation for their services but shall be reimbursed for actual, necessary expenses incurred in the performance of their duties.

4. The chairperson of the task force shall be the commissioner of environmental conservation or his or her designee. The task force shall meet no less than four times at the call of the chairperson.

5. Any vacancies on the task force shall be filled in the manner provided for in the initial appointment.

6. The task force shall be authorized to hold public hearings and meetings to enable it to accomplish its duties.

7. The task force may consult with any organization, educational institution, other government entity or agency or person including, but not limited to, the army corps of engineers, in the development of the report required by subdivision 10 of this section.

8. The department of environmental conservation 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 as will enable the task force to carry out its powers and duties.

9. The purpose of the flood mitigation/prevention task force shall be to evaluate ways of protecting New York's communities and residents from flooding, including inland flooding, and applying the best available science and research to examine flooding-related issues and impacts.

10. No later than December 31, 2016, the task force shall transmit to the governor, the temporary president of the senate and the speaker of the assembly a report containing:

(a) an assessment of the extent and magnitude of the problem statewide caused by flooding, including identifying those regions and populations most affected by flooding;

(b) criteria and guidelines for identifying and prioritizing regions and projects most in need of mitigation;

(c) identification of existing and emerging technologies, strategies and concepts which can mitigate the impact of flooding on populations and infrastructure;

(d) identification of potential funding sources to support residential, commercial and public mitigation efforts;

(e) research projects or studies to better understand how flooding affects the geography and the population of this state; and

(f) recommendations to the governor and the state legislature on how the state can best use its resources to assist flood-prone counties and municipalities to prevent or mitigate the effects of flooding.

S 2. This act shall take effect immediately and shall expire and be deemed repealed January 1, 2017.