

5363

2013-2014 Regular Sessions

I N S E N A T E

May 16, 2013

Introduced by Sens. FLANAGAN, FELDER -- 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  
state smart growth public infrastructure criteria

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

1 Section 1. Subdivision 1 of section 6-0107 of the environmental  
2 conservation law, as added by chapter 433 of the laws of 2010, is  
3 amended to read as follows:  
4 1. In addition to meeting other criteria and requirements of law  
5 governing approval, development, financing and state aid for the  
6 construction of new or expanded public infrastructure or the recon-  
7 struction thereof, no state infrastructure agency shall approve, under-  
8 take, support or finance a public infrastructure project, including  
9 providing grants, awards, loans or assistance programs, unless, to the  
10 extent practicable, it is consistent with the relevant criteria speci-  
11 fied in subdivision two of this section. NOTWITHSTANDING THE PROVISIONS  
12 OF THIS SUBDIVISION OR ANY OTHER PROVISION OF THIS ARTICLE TO THE  
13 CONTRARY, PROJECTS FOR THE RECONSTRUCTION, RENOVATION, REPAIR OR  
14 IMPROVEMENT OF EXISTING PUBLIC SCHOOL FACILITIES OR EXISTING LIBRARY  
15 FACILITIES, AND PROJECTS FOR THE CONSTRUCTION OF NEW OR EXPANDED PUBLIC  
16 SCHOOL OR LIBRARY FACILITIES IN CITIES HAVING A POPULATION OF ONE  
17 HUNDRED TWENTY-FIVE THOUSAND INHABITANTS OR MORE, SHALL NOT BE DEEMED  
18 PUBLIC INFRASTRUCTURE PROJECTS SUBJECT TO THE REQUIREMENTS OF THIS ARTI-  
19 CLE.  
20 S 2. This act shall take effect immediately.

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

LBD11073-01-3