## 6430

## 2013-2014 Regular Sessions

IN ASSEMBLY

March 27, 2013

Introduced by M. of A. BRENNAN, SWEENEY, MILLMAN, MAISEL, MAYER, BENE-DETTO, TITONE, ENGLEBRIGHT, JAFFEE, WEISENBERG, GALEF, PEOPLES-STOKES -- Multi-Sponsored by -- M. of A. ABBATE, CLARK, GLICK, SCARBOROUGH, SKARTADOS -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to Hurricane Sandy recovery funds oversight

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

Section 1. The executive law is amended by adding a new article 49-C,

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2 to read as follows: 3 ARTICLE 49-C 4 HURRICANE SANDY RECOVERY FUNDS OVERSIGHT 5 SECTION 996. HURRICANE SANDY RECOVERY FUNDS OVERSIGHT. 6 S 996. HURRICANE SANDY RECOVERY FUNDS OVERSIGHT. 1. DEFINITIONS. FOR 7 THE PURPOSES OF THIS SECTION, THE TERM: (A) "DIVISION" SHALL MEAN: THE NEW YORK STATE DIVISION OF BUDGET. 8 9 (B) "HURRICANE SANDY RECOVERY FUNDING" SHALL MEAN (1) FUNDS PROVIDED 10 PURSUANT TO FEDERAL LEGISLATION WHICH CONTAINS, BUT IS NOT LIMITED TO, 11 DISASTER ASSISTANCE FOR IMPACTS ASSOCIATED WITH HURRICANE SANDY, OR 12 OTHER MAJOR STORMS, IN THE STATE OF NEW YORK; AND (2) ANY FUNDS 13 DISBURSED BY THE STATE FOR UNDERTAKINGS TO ADDRESS THE DAMAGE ASSOCIATED 14 WITH HURRICANE SANDY, WHICH UNDERTAKINGS SHALL INCLUDE EMERGENCY OPER-ATIONS, LOSS REIMBURSEMENT, REPAIRS, REBUILDING, RESTORATIONS, RECON-15 16 STRUCTION, REMOVAL OF DEBRIS, TEMPORARY HOUSING, HOUSEHOLD ASSISTANCE, RELIEF, HAZARD MITIGATION IMPROVEMENTS, CONSTRUCTION, AND OTHER RECOVERY 17 AND REBUILDING ACTIVITIES DEEMED BY THE DIVISION TO BE ASSOCIATED WITH 18 HURRICANE SANDY RECOVERY AND REBUILDING. 19 20 2. (A) THE DIVISION, IN CONSULTATION WITH THE OFFICE OF THE STATE 21 COMPTROLLER, SHALL MAINTAIN A PUBLIC WEBSITE DEDICATED TO THE DISSEM-22 INATION AND TRANSPARENT ADMINISTRATION OF HURRICANE SANDY RECOVERY FUND-EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [] is old law to be omitted.

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ING. THE DIVISION SHALL MAKE AVAILABLE ON ITS WEBSITE OUARTERLY REPORTS 1 ON HURRICANE SANDY RECOVERY FUNDING REQUIRED PURSUANT TO PARAGRAPH B OF 2 3 THIS SUBDIVISION. 4 (B) THE DIVISION SHALL PROVIDE A REPORT TO THE STATE LEGISLATURE 5 CONCERNING THE RECEIPT, DISTRIBUTION, AND ADMINISTRATION OF HURRICANE б SANDY RECOVERY FUNDING, WHICH REPORT SHALL BE DUE ON THE FIRST BUSINESS 7 DAY OF EACH CALENDAR QUARTER COMMENCING AFTER THE DATE THIS ARTICLE EFFECT. THE REPORT SHALL CONTAIN DETAILED 8 SHALL TAKE INFORMATION 9 CONCERNING: 10 (I) THE AMOUNT OF HURRICANE SANDY RECOVERY FUNDING THE STATE HAS 11 RECEIVED; 12 (II) THE MANNER IN WHICH HURRICANE SANDY RECOVERY FUNDING IS RECEIVED; 13 (III) THE PROCESSES BY WHICH HURRICANE SANDY RECOVERY FUNDING IS 14 DISTRIBUTED UPON INITIAL RECEIPT; (IV) STATE OPERATING PLANS FOR HURRICANE SANDY 15 RECOVERY FUNDING 16 PROJECTS AND ADMINISTRATION; 17 (V) THE AWARD OF STATE GRANTS OR STATE CONTRACTS USING HURRICANE SANDY 18 RECOVERY FUNDING; 19 (VI) THE IDENTITY OF HURRICANE SANDY RECOVERY FUNDING STATE GRANT AND 20 CONTRACT RECIPIENTS; 21 (VII) AN ANALYSIS OF WHETHER THE USE OF HURRICANE SANDY RECOVERY FUND-22 ING IS ACCOMPLISHING ITS INTENDED PURPOSE; 23 (VIII) THE NUMBER OF JOBS CREATED BY HURRICANE SANDY RECOVERY FUNDING 24 STATE ADMINISTERED PROJECTS; 25 RECOMMENDATIONS FOR ENHANCED EFFICIENCY AND TRANSPARENCY IN THE (IX) 26 ADMINISTRATION OF HURRICANE SANDY RECOVERY FUNDING, AND FOR ENHANCED 27 COORDINATION IN HURRICANE SANDY RECOVERY EFFORTS; AND 28 (X) ANY OTHER INFORMATION THE DIVISION DEEMS RELEVANT TO THE TRANSPAR-29 ENT ADMINISTRATION OF HURRICANE SANDY RECOVERY FUNDING. IN ADDITION TO PUBLIC DISSEMINATION OF THE REPORT, THE DIVISION 30 (C) SHALL, TO THE EXTENT THE INFORMATION IS AVAILABLE, PROVIDE ON ITS 31 32 WEBSITE DETAILED INFORMATION ON: 33 (I) THE DISTRIBUTION OF HURRICANE SANDY RECOVERY FUNDING BY COUNTY AND 34 MUNICIPALITY; 35 THE ISSUANCE OF EACH STATE CONTRACT ASSOCIATED WITH HURRICANE (II)SANDY RECOVERY FUNDING INCLUDING, BUT NOT LIMITED TO, THE PURPOSE OF THE 36 37 CONTRACT, THE AMOUNT OF THE CONTRACT'S CONSIDERATION, WHETHER THE BID 38 SUBJECT TO PUBLIC BIDDING, AND BACKGROUND INFORMATION ON THE STATE WAS 39 CONTRACT RECIPIENT'S QUALIFICATION FOR RECEIPT OF THE STATE CONTRACT; 40 (III) THE ISSUANCE OF EACH STATE GRANT ASSOCIATED WITH HURRICANE SANDY RECOVERY FUNDING INCLUDING, BUT NOT LIMITED TO, THE 41 PURPOSE OF THE AMOUNT OF THE GRANT, WHETHER THE GRANT WAS SUBJECT TO A 42 GRANT, THE 43 SELECTIVE AWARD PROCESS AND THE NATURE OF THAT PROCESS, AND BACKGROUND 44 INFORMATION ON THE STATE GRANT RECIPIENT'S QUALIFICATION FOR RECEIPT OF 45 THE STATE GRANT; AND 46 (IV) ANY OTHER INFORMATION THE DIVISION DEEMS RELEVANT TO THE TRANS-47 PARENT ADMINISTRATION OF HURRICANE SANDY RECOVERY FUNDING. 48 (D) THE DIVISION SHALL UPDATE THE WEBSITE WITHIN TEN DAYS OF THE 49 RECEIPT OF INFORMATION CONCERNING THE AWARD OF A STATE CONTRACT OR STATE 50 GRANT OR DISTRIBUTION OF HURRICANE SANDY RECOVERY FUNDING. 51 3. THE WEBSITE AND REPORTS REQUIRED PURSUANT TO THIS SECTION SHALL NOT BE USED TO DISTRIBUTE INFORMATION WHICH IF DISCLOSED WOULD JEOPARDIZE 52 COMPLIANCE WITH STATE OR FEDERAL LAW, THREATEN PUBLIC HEALTH, WELFARE, 53 54 OR SAFETY, OR HARM THE COMPETITIVE ECONOMIC POSITION OF A PARTY. 55 S 2. This act shall take effect immediately.