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

3946--A

2015-2016 Regular Sessions

I N S E N A T E

February 24, 2015

Introduced by Sen. AVELLA -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- recommitted to the Committee on Finance in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the state finance law, in relation to establishing the sustainable communities fund

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

Section 1. The state finance law is amended by adding a new section 99-y to read as follows:

S 99-Y. SUSTAINABLE COMMUNITIES FUND. 1. THERE IS HEREBY ESTABLISHED IN THE JOINT CUSTODY OF THE STATE COMPTROLLER AND THE COMMISSIONER OF ENVIRONMENTAL CONSERVATION A FUND TO BE KNOWN AS THE "SUSTAINABLE COMMUNITIES FUND".

2. SUCH FUND SHALL CONSIST OF ALL MONIES APPROPRIATED FOR ITS PURPOSE, ALL OTHER MONIES CREDITED OR TRANSFERRED TO SUCH FUND PURSUANT TO LAW, AND ALL MONIES REQUIRED BY THIS SECTION OR ANY OTHER PROVISIONS OF LAW TO BE PAID INTO OR CREDITED TO SUCH FUND.

3. MONEYS OF SUCH FUND SHALL BE MADE AVAILABLE TO THE COMMISSIONER OF ENVIRONMENTAL CONSERVATION AND SHALL BE USED FOR GRANTS TO MUNICIPAL CORPORATIONS, AS THAT TERM IS DEFINED IN SECTION TWO OF THE GENERAL MUNICIPAL LAW, FOR ELIGIBLE PROJECTS PURSUANT TO THIS SECTION. TO QUALIFY FOR SUCH GRANTS, MUNICIPAL CORPORATIONS SHALL (A) INCORPORATE SMART GROWTH PRINCIPLES, AS ENUMERATED IN ARTICLE SIX OF THE ENVIRONMENTAL CONSERVATION LAW, INTO THEIR COMPREHENSIVE PLANS IN ACCORDANCE WITH SECTIONS TWO HUNDRED SEVENTY-TWO-A OF THE TOWN LAW, 7-722 OF THE VILLAGE LAW, AND TWENTY-EIGHT-A OF THE GENERAL CITY LAW, (B) DEMONSTRATE THAT ELIGIBLE PROJECTS CONFORM TO THE COMPREHENSIVE PLANS, AND (C) DEMONSTRATE THE ABILITY TO LEVERAGE ONE DOLLAR IN MATCHING FUNDS FOR EVERY DOLLAR OF STATE FINANCIAL ASSISTANCE.

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

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4. FOLLOWING APPROPRIATION BY THE LEGISLATURE, MONIES OF THE FUND SHALL BE AVAILABLE ONLY FOR DISTRIBUTION TO ELIGIBLE PROJECTS. SUCH ELIGIBLE PROJECTS SHALL INCORPORATE SMART GROWTH PRINCIPLES OR UTILIZE CLIMATE RESILIENT AND ENVIRONMENTALLY FRIENDLY CONSTRUCTION TECHNIQUES AND SHALL INCLUDE, BUT NOT BE LIMITED TO, CREATING WALKABLE COMMUNITIES INCLUDING THE WIDENING OF SIDEWALKS AND BIKE LANES, WATERFRONT REVITALIZATION PROJECTS INCLUDING DREDGING, BEAUTIFICATION PROJECTS, COMBATING URBAN SPRAWL, AND DEVELOPING MIXED USE COMMUNITIES.

5. THE COMMISSIONER OF ENVIRONMENTAL CONSERVATION SHALL PROMULGATE ANY NECESSARY RULES AND REGULATIONS FOR THE APPLICATION AND DISTRIBUTION OF ANY FUNDS PURSUANT TO THIS SECTION.

S 2. This act shall take effect immediately, provided that the commissioner of environmental conservation is immediately authorized and directed to promulgate, amend, and/or repeal any rules and regulations necessary to implement the provisions of this act on or before its effective date.