

5231

2015-2016 Regular Sessions

I N S E N A T E

May 8, 2015

Introduced by Sen. GOLDEN -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to amend the executive law, in relation to Hurricane Sandy recovery funds oversight, and providing for the repeal of such provisions upon expiration thereof

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

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

8 (A) "DIVISION" SHALL MEAN: THE NEW YORK STATE DIVISION OF BUDGET.

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-
15 ATIONS, LOSS REIMBURSEMENT, REPAIRS, REBUILDING, RESTORATIONS, RECON-
16 STRUCTION, REMOVAL OF DEBRIS, TEMPORARY HOUSING, HOUSEHOLD ASSISTANCE,
17 RELIEF, HAZARD MITIGATION IMPROVEMENTS, CONSTRUCTION, AND OTHER RECOVERY
18 AND REBUILDING ACTIVITIES DEEMED BY THE DIVISION TO BE ASSOCIATED WITH
19 HURRICANE SANDY RECOVERY AND REBUILDING.

20 2. (A) THE DIVISION, BY JANUARY THIRTY-FIRST, TWO THOUSAND SIXTEEN AND
21 BY JANUARY THIRTY-FIRST OF EACH CALENDAR YEAR THEREAFTER, SHALL ISSUE
22 AND SUBMIT TO THE STATE LEGISLATURE AND TO THE GENERAL PUBLIC A REPORT
23 CONCERNING THE RECEIPT, DISTRIBUTION, AND ADMINISTRATION OF HURRICANE
24 SANDY RECOVERY FUNDING FOR THE PREVIOUS CALENDAR YEAR. COMMENCING IN
25 CALENDAR YEAR TWO THOUSAND SIXTEEN, THE DIVISION SHALL ALSO PREPARE AND
26 ISSUE QUARTERLY REPORTS ON HURRICANE SANDY RECOVERY FUNDING, WHICH
27 REPORTS SHALL BE DUE ON THE FIRST BUSINESS DAY OF EACH CALENDAR QUARTER.

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

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(B) THE REPORTS REQUIRED PURSUANT TO THIS SUBDIVISION SHALL CONTAIN DETAILED INFORMATION CONCERNING:

(I) THE AMOUNT OF HURRICANE SANDY RECOVERY FUNDING THE STATE HAS RECEIVED;

(II) THE MANNER IN WHICH HURRICANE SANDY RECOVERY FUNDING IS RECEIVED;

(III) THE PROCESSES BY WHICH HURRICANE SANDY RECOVERY FUNDING IS DISTRIBUTED UPON INITIAL RECEIPT;

(IV) STATE OPERATING PLANS FOR HURRICANE SANDY RECOVERY FUNDING PROJECTS AND ADMINISTRATION;

(V) THE AWARD OF STATE GRANTS OR STATE CONTRACTS USING HURRICANE SANDY RECOVERY FUNDING;

(VI) THE IDENTITY OF HURRICANE SANDY RECOVERY FUNDING STATE GRANT AND CONTRACT RECIPIENTS;

(VII) AN ANALYSIS OF WHETHER THE USE OF HURRICANE SANDY RECOVERY FUNDING IS ACCOMPLISHING ITS INTENDED PURPOSE;

(VIII) THE NUMBER OF JOBS CREATED BY HURRICANE SANDY RECOVERY FUNDING STATE ADMINISTERED PROJECTS;

(IX) RECOMMENDATIONS FOR ENHANCED EFFICIENCY AND TRANSPARENCY IN THE ADMINISTRATION OF HURRICANE SANDY RECOVERY FUNDING, AND FOR ENHANCED COORDINATION IN HURRICANE SANDY RECOVERY EFFORTS; AND

(X) ANY OTHER INFORMATION THE DIVISION DEEMS RELEVANT TO THE TRANSPARENT ADMINISTRATION OF HURRICANE SANDY RECOVERY FUNDING.

(C) IN ADDITION TO PUBLIC DISSEMINATION OF THE REPORT, THE DIVISION SHALL, TO THE EXTENT THE INFORMATION IS AVAILABLE, PROVIDE ON ITS WEBSITE DETAILED INFORMATION ON:

(I) THE DISTRIBUTION OF HURRICANE SANDY RECOVERY FUNDING BY COUNTY AND MUNICIPALITY;

(II) THE ISSUANCE OF EACH STATE CONTRACT ASSOCIATED WITH HURRICANE SANDY RECOVERY FUNDING INCLUDING, BUT NOT LIMITED TO, THE PURPOSE OF THE CONTRACT, THE AMOUNT OF THE CONTRACT'S CONSIDERATION, WHETHER THE BID WAS SUBJECT TO PUBLIC BIDDING, AND BACKGROUND INFORMATION ON THE STATE CONTRACT RECIPIENT'S QUALIFICATION FOR RECEIPT OF THE STATE CONTRACT;

(III) THE ISSUANCE OF EACH STATE GRANT ASSOCIATED WITH HURRICANE SANDY RECOVERY FUNDING INCLUDING, BUT NOT LIMITED TO, THE PURPOSE OF THE GRANT, THE AMOUNT OF THE GRANT, WHETHER THE GRANT WAS SUBJECT TO A SELECTIVE AWARD PROCESS AND THE NATURE OF THAT PROCESS, AND BACKGROUND INFORMATION ON THE STATE GRANT RECIPIENT'S QUALIFICATION FOR RECEIPT OF THE STATE GRANT; AND

(IV) ANY OTHER INFORMATION THE DIVISION DEEMS RELEVANT TO THE TRANSPARENT ADMINISTRATION OF HURRICANE SANDY RECOVERY FUNDING.

3. (A) THE DIVISION, IN CONSULTATION WITH THE OFFICE OF THE STATE COMPTROLLER, SHALL MAINTAIN A PUBLIC WEBSITE DEDICATED TO THE DISSEMINATION AND TRANSPARENT ADMINISTRATION OF HURRICANE SANDY RECOVERY FUNDING. THE DIVISION SHALL MAKE AVAILABLE ON ITS WEBSITE THE ANNUAL AND QUARTERLY REPORTS ON HURRICANE SANDY RECOVERY FUNDING REQUIRED PURSUANT TO THIS SECTION.

(B) THE DIVISION SHALL UPDATE THE WEBSITE WITHIN TEN DAYS OF THE RECEIPT OF INFORMATION CONCERNING THE AWARD OF A STATE CONTRACT OR STATE GRANT OR DISTRIBUTION OF HURRICANE SANDY RECOVERY FUNDING.

4. THE WEBSITE AND REPORTS REQUIRED PURSUANT TO THIS SECTION SHALL NOT BE USED TO DISTRIBUTE INFORMATION WHICH IF DISCLOSED WOULD JEOPARDIZE COMPLIANCE WITH STATE OR FEDERAL LAW, THREATEN PUBLIC HEALTH, WELFARE, OR SAFETY, OR HARM THE COMPETITIVE ECONOMIC POSITION OF A PARTY.

S 2. This act shall take effect immediately, and shall expire and be deemed repealed February 1, 2018.