

6276

I N S E N A T E

(PREFILED)

January 6, 2016

Introduced by Sen. BRESLIN -- read twice and ordered printed, and when printed to be committed to the Committee on Commerce, Economic Development and Small Business

AN ACT to amend the economic development law, in relation to establishing the transitional green development program

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

1 Section 1. Legislative findings and declaration. At a time when munic-  
2 ipal budgets are stretched to their limits with regard to traditional  
3 expenditures, it is hereby found and declared that there exists within  
4 the state the need to augment the capabilities of municipalities to  
5 identify and coordinate those qualities that give them unique identi-  
6 ties, in order to best exploit those qualities as they transition from  
7 the formerly industrial-based economies to those premised on environ-  
8 mentally sustainable economic growth. The legislature recognizes that  
9 those qualities vary widely from municipality to municipality across the  
10 state and include, but are not limited to, cultural, educational, agri-  
11 cultural, environmental and infrastructural characteristics that  
12 contribute to the municipal and regional identity. It is further found  
13 that it is the public policy of the state to provide special assistance  
14 to those municipalities that seek to best identify and integrate those  
15 capabilities to promote transitional growth and development.

16 S 2. The economic development law is amended by adding a new article  
17 23 to read as follows:

18 ARTICLE 23

19 TRANSITIONAL GREEN DEVELOPMENT PROGRAM

20 SECTION 450. DEFINITIONS.

21 451. TRANSITIONAL GREEN DEVELOPMENT GRANT PROGRAM.

22 452. DISTRIBUTION OF GRANTS.

23 453. GREEN DEVELOPMENT COORDINATOR.

24 454. RULES AND REGULATIONS.

25 S 450. DEFINITIONS. AS USED IN THIS ARTICLE, THE FOLLOWING TERMS SHALL  
26 HAVE THE FOLLOWING MEANINGS:

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

LBD13324-01-5

1 1. "APPLICANT" SHALL MEAN THE COUNTY, CITY, TOWN OR VILLAGE SUBMITTING  
2 AN APPLICATION FOR A TRANSITIONAL GREEN DEVELOPMENT GRANT.

3 2. "COMMISSIONER" SHALL MEAN THE COMMISSIONER OF ECONOMIC DEVELOPMENT.

4 3. "TRANSITIONAL GREEN DEVELOPMENT" SHALL MEAN UTILIZING ALL ELEMENTS  
5 OF A MUNICIPALITY'S CURRENT CULTURAL, EDUCATIONAL, ENVIRONMENTAL AND  
6 INFRASTRUCTURAL CHARACTER AND COORDINATING THOSE ATTRIBUTES WITH  
7 VESTIGES OF ITS INDUSTRIAL PAST TO ACHIEVE SUSTAINABLE GREEN DEVELOP-  
8 MENT.

9 4. "TRANSITIONAL GREEN DEVELOPMENT COORDINATOR" SHALL MEAN AN INDIVID-  
10 UAL DESIGNATED BY THE EXECUTIVE OF THE MUNICIPALITY TO IDENTIFY STAKE-  
11 HOLDERS AND COMMUNITY RESOURCES, AND DIRECT, COORDINATE AND DEVELOP A  
12 PLAN FOR TRANSITIONAL GREEN DEVELOPMENT. SUCH INDIVIDUAL SHALL BE A  
13 RESIDENT OF THE MUNICIPALITY RECEIVING THE TRANSITIONAL GREEN DEVELOP-  
14 MENT GRANT, AND HAVE A BACKGROUND IN URBAN OR REGIONAL PLANNING AND  
15 DEVELOPMENT.

16 5. "TRANSITIONAL GREEN DEVELOPMENT GRANT" SHALL MEAN A TWO-YEAR GRANT  
17 TO THE APPLICANT, FUNDED THROUGH THE EMPIRE STATE DEVELOPMENT CORPO-  
18 RATION, DEDICATED TO THE SPECIFIC TASK OF BRINGING TOGETHER LOCAL OFFI-  
19 CIALS, BUSINESS LEADERS, EDUCATIONAL INSTITUTIONS AND A WIDE RANGE OF  
20 COMMUNITY PARTNERS IN A COLLABORATIVE EFFORT TO IDENTIFY THE MUNICI-  
21 PALITY'S UNIQUE QUALITIES, AND DESIGN INNOVATIVE STRATEGIES TO BEST  
22 EXPLOIT THOSE IDENTIFIED CHARACTERISTICS FOR SUSTAINABLE GREEN DEVELOP-  
23 MENT. SUCH GRANT SHALL NOT EXCEED ONE HUNDRED FIFTY THOUSAND DOLLARS.

24 6. "TRANSITIONAL GREEN DEVELOPMENT PLAN" SHALL BE THE PRODUCT OF  
25 CONSULTATION WITH ELECTED AND APPOINTED OFFICIALS, BUSINESS LEADERS, AND  
26 RESIDENTS OF THE COMMUNITY, THE ACTIVE SEARCH AND INVITATION OF IDEAS,  
27 COORDINATION AND CONTEMPORARY, HISTORICAL AND ACADEMIC RESEARCH.

28 S 451. TRANSITIONAL GREEN DEVELOPMENT GRANT PROGRAM. THERE IS HEREBY  
29 ESTABLISHED WITHIN THE DEPARTMENT OF ECONOMIC DEVELOPMENT A TRANSITIONAL  
30 GREEN DEVELOPMENT GRANT PROGRAM FOR THE PURPOSE OF ADMINISTERING GRANTS  
31 TO MUNICIPALITIES TO ASSIST IN THEIR TRANSITION FROM INDUSTRIAL TO  
32 POST-INDUSTRIAL, ENVIRONMENTALLY SUSTAINABLE ECONOMIES.

33 S 452. DISTRIBUTION OF GRANTS. WITHIN THE AMOUNTS APPROPRIATED AND  
34 AVAILABLE THEREFOR, THE COMMISSIONER MAY AWARD A TRANSITIONAL GREEN  
35 DEVELOPMENT GRANT TO LOCAL GOVERNMENTS FOR THE PLANNING, DESIGN, DEVEL-  
36 OPMENT AND PROGRAMMING OF TRANSITIONAL GREEN DEVELOPMENT. SUCH GRANTS TO  
37 MUNICIPALITIES MAY BE USED FOR:

- 38 1. THE HIRING OF A TRANSITIONAL GREEN DEVELOPMENT COORDINATOR;
- 39 2. THE USE AND MAINTENANCE OF OFFICE SPACE AND MEETING VENUES;
- 40 3. THE REASONABLE TRAVEL EXPENSES OF DEVELOPMENT PROFESSIONALS FROM  
41 EDUCATIONAL AND RESEARCH INSTITUTIONS WITHIN THE STATE OF NEW YORK; AND
- 42 4. THE PURCHASE OF SUPPLIES NECESSARY FOR THE PRODUCTION OF THE TRAN-  
43 SITIONAL GREEN DEVELOPMENT PLAN.

44 S 453. GREEN DEVELOPMENT COORDINATOR. THE TRANSITIONAL GREEN DEVELOP-  
45 MENT COORDINATOR SHALL:

- 46 1. BE A PART-TIME POSITION UNDER THE DIRECTION OF THE EXECUTIVE FOR A  
47 PERIOD NOT TO EXCEED TWENTY-FOUR MONTHS;
- 48 2. BE SUBJECT TO ALL THE RIGHTS, DUTIES AND OBLIGATIONS OF ARTICLE  
49 FOUR OF THE PUBLIC OFFICERS LAW; AND
- 50 3. RECEIVE COMPENSATION NOT TO EXCEED THIRTY THOUSAND DOLLARS, OR  
51 TWENTY-FIVE PERCENT OF THE FULL AMOUNT OF THE TRANSITIONAL GREEN DEVEL-  
52 OPMENT GRANT, WHICHEVER IS LESS, FIFTY PERCENT OF WHICH SHALL BE  
53 DISBURSED DURING EACH YEAR OF THE TWO-YEAR PERIOD OF THE GRANT.

54 THE TRANSITIONAL GREEN DEVELOPMENT COORDINATOR SHALL DIRECT THE  
55 PRODUCTION OF THE TRANSITIONAL GREEN DEVELOPMENT PLAN, DURING THE FIRST  
56 YEAR OF THE GRANT PERIOD, WHICH SHALL BE PRESENTED IN FINAL DRAFT TO THE

1 EXECUTIVE AND THE LEGISLATIVE BODY OF THE MUNICIPALITY WITHIN TWELVE  
2 MONTHS OF THE ACCEPTANCE BY THE COMMISSIONER OF THE GRANT APPLICATION.  
3 SUCH PLAN SHALL IDENTIFY THE GENERAL AND UNIQUE CHARACTERISTICS AND  
4 RESOURCES OF THE MUNICIPALITY AND MAKE RECOMMENDATIONS ON HOW TO INTE-  
5 GRATE THOSE CHARACTERISTICS IN COORDINATED GREEN DEVELOPMENT STRATEGY.  
6 THE TRANSITIONAL GREEN DEVELOPMENT COORDINATOR SHALL OVERSEE THE INITIAL  
7 IMPLEMENTATION OF THE TRANSITIONAL GREEN DEVELOPMENT PLAN DURING THE  
8 SECOND YEAR OF THE GRANT PERIOD. NOTHING IN THIS PROVISION SHALL PROHIB-  
9 IT THE EXECUTIVE AND LEGISLATURE FROM CONTINUING THE POSITION OF THE  
10 TRANSITIONAL GREEN DEVELOPMENT COORDINATOR, BY CONTRACT OR DIRECT  
11 EMPLOYMENT THROUGH MUNICIPAL FUNDS, SUBSEQUENT TO THE EXPIRATION OF THE  
12 TRANSITIONAL GREEN DEVELOPMENT GRANT.

13 S 454. RULES AND REGULATIONS. THE COMMISSIONER SHALL PROMULGATE RULES  
14 AND REGULATIONS FOR THE IMPLEMENTATION OF THE TRANSITIONAL GREEN DEVEL-  
15 OPMENT GRANT PROGRAM AND, TO THE EXTENT PRACTICABLE, PROVIDE TECHNICAL  
16 ASSISTANCE IN ALL AREAS TO THE TRANSITIONAL GREEN DEVELOPMENT COORDINA-  
17 TOR, THE EXECUTIVE AND LEGISLATIVE BODIES OF THE GRANT RECIPIENT IN THE  
18 DEVELOPMENT AND IMPLEMENTATION OF THE TRANSITIONAL GREEN DEVELOPMENT  
19 PLAN.

20 S 3. This act shall take effect immediately.