

3946

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

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:

1 Section 1. The state finance law is amended by adding a new section
2 99-w to read as follows:

3 S 99-W. SUSTAINABLE COMMUNITIES FUND. 1. THERE IS HEREBY ESTABLISHED
4 IN THE JOINT CUSTODY OF THE STATE COMPTROLLER AND THE COMMISSIONER OF
5 ENVIRONMENTAL CONSERVATION A FUND TO BE KNOWN AS THE "SUSTAINABLE COMMU-
6 NITIES FUND".

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

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

23 4. FOLLOWING APPROPRIATION BY THE LEGISLATURE, MONIES OF THE FUND
24 SHALL BE AVAILABLE ONLY FOR DISTRIBUTION TO ELIGIBLE PROJECTS. SUCH
25 ELIGIBLE PROJECTS SHALL INCORPORATE SMART GROWTH PRINCIPLES OR UTILIZE

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

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1 CLIMATE RESILIENT AND ENVIRONMENTALLY FRIENDLY CONSTRUCTION TECHNIQUES
2 AND SHALL INCLUDE, BUT NOT BE LIMITED TO, CREATING WALKABLE COMMUNITIES
3 INCLUDING THE WIDENING OF SIDEWALKS AND BIKE LANES, WATERFRONT REVITALI-
4 ZATION PROJECTS INCLUDING DREDGING, BEAUTIFICATION PROJECTS, COMBATING
5 URBAN SPRAWL, AND DEVELOPING MIXED USE COMMUNITIES.

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

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