

# STATE OF NEW YORK

3292--A

2017-2018 Regular Sessions

## IN SENATE

January 20, 2017

Introduced by Sens. TEDISCO, BAILEY, BOYLE, CARLUCCI, CROCI, DeFRANCISCO, GALLIVAN, ROBACH, SANDERS -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation -- recommitted to the Committee on Environmental Conservation 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 environmental conservation law, in relation to establishing the safe water infrastructure action program for the purpose of making payments toward the replacement and rehabilitation of existing local municipally-owned and funded drinking water, storm water and sanitary sewer systems

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The environmental conservation law is amended by adding a  
2 new section 3-0321 to read as follows:

3 § 3-0321. Safe water and infrastructure action program.

4 1. Notwithstanding any other provisions of this chapter or any other  
5 law and subject to an appropriation made therefor and in accordance with  
6 the provisions of this section and with the rules and regulations  
7 promulgated by the commissioner in connection therewith, on and after  
8 the first day of April, two thousand nineteen, a consolidated local  
9 infrastructure program is hereby established for the purpose of making  
10 payments toward the replacement and rehabilitation of existing local  
11 municipally-owned and funded drinking water, storm water and sanitary  
12 sewer systems. For purposes of this section, such program shall apply to  
13 any county, city, town or village drinking water system, storm water  
14 system or sanitary sewer system within the state that is not under the  
15 maintenance and/or operational jurisdiction of the state nor any private  
16 entity. The commissioner, in conjunction with the environmental facili-  
17 ties corporation, shall promulgate all necessary rules and regulations

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

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1 to carry out the program so that an equitable distribution of aid shall  
2 be made for the general operation and/or general maintenance of any  
3 existing county, city, town and village drinking water system, storm  
4 water system or sanitary sewer system.

5 2. On or before the twenty-fifth day of April, June, September and  
6 November of each state fiscal year commencing with the state fiscal year  
7 beginning on April first, two thousand nineteen, there shall be distrib-  
8 uted and paid to counties, cities, towns and villages an amount equal to  
9 the moneys appropriated for the purposes of this section divided by the  
10 number of payment dates in that state fiscal year. Such amounts shall be  
11 distributed and paid pursuant to subdivision three of this section.

12 3. Amounts shall be distributed for local drinking water, storm water  
13 and sanitary sewer systems based upon the total length and width of all  
14 pipelines and mains owned and operated by the municipality.

15 4. Monies made available may be used to match other state and federal  
16 funds made available for such projects. The funds may also be used to  
17 support special improvement districts created to provide drinking water,  
18 waste water and storm water services under articles twelve, twelve-A,  
19 twelve-C and thirteen of the town law. The remainder of the apportion-  
20 ment may be used for any existing drinking water, storm water or sewer  
21 system purchases, including but not limited to, the acquisition of mate-  
22 rials for the replacement or rehabilitation.

23 5. For any city, town, or village which proposes infrastructure  
24 consolidation under this section or merges with another municipality,  
25 the funds appropriated under this section may fund costs associated with  
26 such consolidation.

27 6. For each fiscal year, starting in two thousand nineteen, funds are  
28 to be made available to the local infrastructure assistance account of  
29 the general fund, and distributed from that account, in an amount that  
30 is at least equal to those appropriated and made available in the  
31 Consolidated Local Street and Highway Improvement Program (CHIPS).

32 § 2. This act shall take effect immediately.