

STATE OF NEW YORK

3428

2019-2020 Regular Sessions

IN SENATE

February 6, 2019

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

AN ACT to establish a commission to be known as the "New York State Temporary Commission on the Threat of Rising Oceans"

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

1 Section 1. There is hereby established a temporary commission to be
2 known as the "New York State Temporary Commission on the Threat of
3 Rising Oceans", hereinafter referred to in this act as the "commission".

4 § 2. 1. The commission shall:

5 (a) be composed of 17 members appointed in accordance with subdivision
6 two of this section; and

7 (b) conduct its business in accordance with the provisions of this
8 section.

9 2. The members shall be appointed for the life of the commission as
10 follows:

11 (a) 3 shall be appointed by the temporary president of the senate;

12 (b) 1 shall be appointed by the minority leader of the senate;

13 (c) 3 shall be appointed by the speaker of the assembly of which one
14 shall be a representative of the Mayor of New York City;

15 (d) 1 shall be appointed by the minority leader of the assembly; and

16 (e) 9 shall be appointed by the governor.

17 3. The members of the commission shall be individuals who have know-
18 ledge or expertise, whether by experience or training, in matters to be
19 studied by the commission under subdivision seven of this section. The
20 members may be from the public sector, who may include federal, state,
21 or local officers or employees, members of academia, nonprofit organiza-
22 tions, or other interested individuals or the private sector. The
23 members shall include at least 5 representatives from the city of New
24 York.

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

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1 4. The temporary president of the senate, the minority leader of the
2 senate, the speaker of the assembly, the minority leader of the assembly
3 and the governor shall make his or her respective appointments not later
4 than 30 days after the effective date of this act. Any vacancy that
5 occurs during the life of the commission shall not affect the powers of
6 the commission and shall be filled in the same manner as the original
7 appointment not later than 30 days after the vacancy occurs.

8 5. The initial meeting of the commission shall be conducted not later
9 than 30 days after the appointment of the last member of the commission.
10 The first act of the commission shall be to select by consensus a chair-
11 person.

12 6. A majority of the members shall constitute a quorum to conduct
13 business, but the commission may establish a lesser quorum for conduct-
14 ing hearings scheduled by the commission. Each member shall have 1 vote
15 and the vote of each member shall be accorded the same weight. The
16 commission may establish, by majority vote, any other rules for the
17 conduct of the commission's business, insofar as such rules are not
18 inconsistent with this section or other applicable law.

19 7. The commission shall conduct a comprehensive study on the threat of
20 rising ocean levels.

21 (a) The matters studied by the commission under this subdivision shall
22 include, but not be limited to:

23 (1) the threat of rising oceans on shoreline communities, their
24 infrastructure, and residents;

25 (2) options available to protect New York City and Long Island from
26 rising oceans and provide a cost estimate for such options;

27 (3) options available to protect New York Harbor from rising oceans,
28 including, but not limited to, the building of a sea wall and its asso-
29 ciated costs;

30 (4) international infrastructure in place to protect other regions
31 from rising oceans and provide a comparative description of what other
32 nations have done to address that threat in those regions and at what
33 costs;

34 (5) a review of the federal flood insurance program and provide recom-
35 mendations on how New York State can supplement the program or create a
36 state flood insurance program to address the looming threat of damage to
37 waterfront communities;

38 (6) a review of the current flood zone designations of shoreline and
39 waterfront communities and recommend changes to such designations; and

40 (7) a potential public awareness campaign and associated funding
41 requirement for such outreach to inform residents of impacted communi-
42 ties and those in projected flood zones on how to prepare for pending
43 damage by rising oceans.

44 (b) Not later than March 1, 2020, the commission shall submit to the
45 governor, the senate, and the assembly a comprehensive report on the
46 commission's findings and conclusions. Such report shall address each
47 matter studied by the commission.

48 8. The commission shall have the power to hold hearings, at such sites
49 and to act at such times and places, to take such testimony, and to
50 receive such evidence as the commission considers advisable to carrying
51 out its duties under this subdivision.

52 9. The members of the commission shall not be given any form of
53 compensation and shall be allowed no travel expenses while away from
54 their homes or regular places of business in the performance of service
55 for the commission.

56 § 3. This act shall take effect immediately.