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:

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

§ 2. 1. The commission shall:

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

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

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

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

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

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

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

(e) 9 shall be appointed by the governor.

3. The members of the commission shall be individuals who have knowledge or expertise, whether by experience or training, in matters to be studied by the commission under subdivision seven of this section. The members may be from the public sector, who may include federal, state, or local officers or employees, members of academia, nonprofit organizations, or other interested individuals or the private sector. The members shall include at least 5 representatives from the city of New York.

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

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

5. The initial meeting of the commission shall be conducted not later than 30 days after the appointment of the last member of the commission. The first act of the commission shall be to select by consensus a chairperson.

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

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

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

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

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

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

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

(5) a review of the federal flood insurance program and provide recommendations on how New York State can supplement the program or create a state flood insurance program to address the looming threat of damage to waterfront communities;

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

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

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

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

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

§ 3. This act shall take effect immediately.