STATE OF NEW YORK

8413--A

2021-2022 Regular Sessions

IN ASSEMBLY

November 8, 2021

Introduced by M. of A. CRUZ, FERNANDEZ, BURDICK, SIMON, DARLING, McDONOUGH, GLICK -- read once and referred to the Committee on Governmental Operations -- recommitted to the Committee on Governmental Operations in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to establish a commission to be known as the "New York State Temporary Commission on the Threat of Rising Oceans"; and providing for the repeal of such provisions upon the expiration thereof

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 be composed of 17 members appointed in accordance with subdivision two 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;

(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 six of this section.

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 60 days after the effective date of this act. Any vacancy that occurs during the life of the commission shall not affect the powers of

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

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the commission and shall be filled in the same manner as the original appointment not later than 30 days after the vacancy occurs.

5. 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.

6. 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 current flood zone designations of shoreline and waterfront communities;

(6) a review of current flood insurance rate maps and impact on increasing cost of obtaining flood insurance for property owners in Federal Emergency Management Agency ("FEMA") designated communities that are and will be prone to flooding;

(7) a review of critical infrastructure such as water and waste filtration systems, chemical and fuel storage facilities, energy producing facilities and equipment in FEMA designated flood zones and the impact of severe flooding of those areas; and

(8) the need for a public awareness campaign to inform residents in flood zones on how to prepare for possible damage by rising oceans.

(b) Not later than March 1, 2023, 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.

7. 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 section.

8. Members of the commission shall receive no compensation but shall be reimbursed for their actual and necessary expenses in the performance of their duties pursuant to this act.

§ 3. This act shall take effect immediately and shall expire April 1, 2023 when upon such date the provisions of this act shall be deemed repealed.