

# STATE OF NEW YORK

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2856

2023-2024 Regular Sessions

## IN ASSEMBLY

January 27, 2023

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Introduced by M. of A. OTIS, BURDICK -- read once and referred to the Committee on Environmental Conservation

AN ACT relating to establishing the flood mitigation and prevention task force; and providing for the repeal of such provisions upon expiration thereof

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

- 1 Section 1. 1. There is hereby established in the department of envi-  
2 ronmental conservation a flood mitigation and prevention task force  
3 ("task force") to consist of eleven members who shall be appointed as  
4 follows:  
5 (a) the commissioner of environmental conservation or his or her  
6 designee;  
7 (b) the commissioner of general services or his or her designee;  
8 (c) the commissioner of the department of transportation or his or her  
9 designee;  
10 (d) the director of the state emergency management office or his or  
11 her designee;  
12 (e) the commissioner of the New York state division of homeland secu-  
13 rity and emergency services or his or her designee;  
14 (f) two members to be appointed by the speaker of the assembly;  
15 (g) one member to be appointed by the minority leader of the senate;  
16 (h) one member to be appointed by the minority leader of the assembly;  
17 (i) two members to be appointed by the temporary president of the  
18 senate.  
19 2. The at-large members should include individuals who represent  
20 flood-prone municipalities and counties.  
21 3. Task force members shall receive no compensation for their services  
22 but shall be reimbursed for actual, necessary expenses incurred in the  
23 performance of their duties.

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

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1 4. The chairperson of the task force shall be the commissioner of  
2 environmental conservation or his or her designee. The task force shall  
3 meet no less than four times at the call of the chairperson.

4 5. Any vacancies on the task force shall be filled in the manner  
5 provided for in the initial appointment.

6 6. The task force shall be authorized to hold public hearings and  
7 meetings to enable it to accomplish its duties.

8 7. The task force may consult with any organization, educational  
9 institution, other government entity or agency or person including, but  
10 not limited to, the army corps of engineers, in the development of the  
11 report required by subdivision 10 of this section.

12 8. The department of environmental conservation shall provide the task  
13 force with such facilities, assistance and data as will enable the task  
14 force to carry out its powers and duties. Additionally, all other agen-  
15 cies of the state or subdivisions thereof may, at the request of the  
16 chairperson, provide the task force with such facilities, assistance and  
17 data as will enable the task force to carry out its powers and duties.

18 9. The purpose of the flood mitigation/prevention task force shall be  
19 to evaluate ways of protecting New York's communities and residents from  
20 flooding, including inland flooding, and applying the best available  
21 science and research to examine flooding-related issues and impacts.

22 10. No later than December 31, 2024, the task force shall transmit to  
23 the governor, the temporary president of the senate and the speaker of  
24 the assembly a report containing:

25 (a) an assessment of the extent and magnitude of the problem statewide  
26 caused by flooding, including identifying those regions and populations  
27 most affected by flooding;

28 (b) criteria and guidelines for identifying and prioritizing regions  
29 and projects most in need of mitigation;

30 (c) identification of existing and emerging technologies, strategies  
31 and concepts which can mitigate the impact of flooding on populations  
32 and infrastructure;

33 (d) identification of potential funding sources to support residen-  
34 tial, commercial and public mitigation efforts;

35 (e) research projects or studies to better understand how flooding  
36 affects the geography and the population of this state; and

37 (f) recommendations to the governor and the state legislature on how  
38 the state can best use its resources to assist flood-prone counties and  
39 municipalities to prevent or mitigate the effects of flooding.

40 § 2. This act shall take effect immediately and shall expire and be  
41 deemed repealed January 1, 2025.