§ 3-0117. Activities of local governmental agencies.

1. Activities of local health boards, departments and officers and other local government agencies pertaining to functions, powers and duties which were transferred pursuant to chapter 140 of the Laws of 1970, from the Department and Commissioner of Health to the Department and Commissioner of Environmental Conservation shall be eligible for aid under the provisions of titles 1, 2, and 3 of article 6 of the Public Health Law to the same extent such activities were eligible for such aid if conducted immediately prior to the effective date of chapter 140 of the Laws of 1970. The Commissioner of Environmental Conservation shall exercise the same powers of approval and supervision with respect to such activities as were exercised by the Commissioner of Health immediately prior to the effective date of that chapter.

2. Counties and cities shall be eligible for aid for other environmental conservation activities pertaining to functions, powers and duties other than those which were so transferred pursuant to chapter 140 of the Laws of 1970. Such other activities shall be described under rules and regulations adopted pursuant to subdivision four of this section.

3. A county or city shall be eligible for aid whenever it shall appropriate or otherwise make funds available and expend monies for the purpose of defraying expenses incurred in undertaking environmental conservation activities under this section. The appropriations made or to be made by the legislature for the purpose of carrying out the provisions of this section shall be apportioned and made available by the director of the budget to the Commissioner of Environmental Conservation. The rate of aid shall be set annually by the Commissioner of Environmental Conservation, provided however, that except as otherwise provided in the public health law, the rate shall not exceed fifty percentum of the amount expended annually by a county or city. In the event that the amount appropriated by the legislature is insufficient to make full payment of all state aid to which eligible counties and cities would otherwise be entitled under this section, the amounts appropriated shall be apportioned in proportion to the amounts

to which such counties and cities would otherwise be entitled.

4. The Department of Environmental Conservation shall adopt rules and regulations to implement the provisions of this section, which shall include, but not be limited to the establishment of the following: information and reporting requirements; activity, facility, construction, equipment, service, administration and work eligibility requirements and standards; department inspection, examination and approval procedures; qualifications for persons engaged in environmental conservation activities; and minimum criteria for the composition of county and city government bodies that may be authorized to engage in activities for which aid may be sought.