



NEW YORK STATE SENATOR

Jeffrey D. Klein

Independent Democratic Conference Earns Senate Passage of Major Sandy Legislation Aimed at Preparing New York Families and Businesses for the Next Major Storm

JEFFREY D. KLEIN June 18, 2013

| ISSUE: **ENVIRONMENT**

Albany, New York – Last night, the New York State Senate passed five major storm recovery and disaster preparedness bills sponsored by the Independent Democratic Conference. The five IDC bills, part of a sweeping Sandy package passed by the senate, tackle many of the most difficult issues facing Sandy victims months after the storm. These issues include, among others, (1) the removal of mold from homes and businesses, (2) the availability of affordable flood insurance for businesses and homeowners in vulnerable areas, and (3) the ability of New York State agencies to adequately assess the substantial storm-related costs to taxpayers.

Senate Majority Coalition Leader and Independent Democratic Conference Leader Jeffrey D. Klein (D-Bronx/Westchester) said, “Eight months after Super Storm Sandy, it’s clear we need to equip our state with better tools to prepare for, and recover from, the next major natural disaster. Last night, we took decisive action to bring relief and resources to the areas that need it most. I’m pleased that the Senate Task Force on Sandy Recovery worked diligently to address problem areas so that we can build an even more resilient New York.”

In December 2012, Senate Co-Leaders Jeffrey D. Klein and Dean G. Skelos launched the New York State Senate Bipartisan Task Force on Hurricane Sandy Recovery. Senator Diane Savino (D-Staten Island/Rockland) and Senator David Carlucci (D-Rockland/Westchester) were both appointed to the task force. After touring New York's most severely damaged areas, and holding round tables across the New York City Metro Area, the Bipartisan Task Force issued a comprehensive report detailing specific recommendations to address recovery efforts and disaster planning. Last night, the Senate acted on several

of those recommendations, many of which are sponsored by members of the Independent Democratic Conference.

In the weeks and months following Super Storm Sandy, flood victims across New York City and Long Island returned to homes plagued by mold and water damage. Most homeowners elected to either condition the problem area with bleach or to hire an unlicensed contractor. As a result of shoddy work, many homeowners still face costly mold removal projects. Under Senator Savino's bill (S.3667-A), New York State will establish the first statewide licensing procedure for mold removal contractors, so that current and future flood victims can finally verify the expertise of the specialists they hire.

Senator Diane Savino (D-Staten Island/Brooklyn) said, "I speak to families everyday who are still rebuilding their homes, their businesses, and their lives after Sandy. These bills mark a major effort to help not only these businesses and families, but to help areas like Staten Island better prepare for the next major storm. Our constituents sent us up to Albany to fix the problems they encountered post-Sandy. I'm pleased that last night we did right by the people of New York."

The devastation of Sandy left many businesses in ruin, particularly those entities located in coastal areas who suffered from massive flood damage. Many businesses—having never been flooded before—did not have flood insurance, leaving them with overwhelming financial challenges when trying to rebuild. Since many of these businesses are struggling with major repair costs, Senator Savino passed legislation (S.3850) that will provide tax credits for the purchase of flood insurance.

As a result of the tens of billions in personal property damage caused by Super Storm Sandy, many homeowners lost the opportunity to obtain flood insurance from their insurance carrier. Without flood insurance, many homeowners are now completely exposed to the financial losses that will come with the next major storm. To help solve this problem, Senator Klein introduced legislation directing the Department of Financial Services to assist homeowners in obtaining new coverage for their coastal area homes.

Senator Klein also passed legislation that lays the groundwork for New York State to launch an Office of Risk Management (ORAM). The bill (S.5407) empowers the Office of General Services to conduct a

study determining the operational rubric for ORAM in order to improve New York's response to natural disaster. ORAM will not only serve New York State by protecting workers and infrastructure, but will provide tools to local governments so they can make efficient, data driven decisions about capital investments and emergency preparedness.

In addition to the measures passed today, the 2013-14 state budget included several Hurricane Sandy-related items including: providing the appropriation authority to implement federal funding for Sandy recovery efforts; requiring gas stations to install generators or pre-wiring for generators (a measure championed by Senator Carlucci); requiring the state to develop recommendations for the establishment of microgrids to assist in disaster relief and recovery; and providing the Public Service Commission with additional oversight and enforcement authority for certain electric utilities.

Immediately after budget, the legislature passed the IDC's Rockland/Bergen Bi-State Watershed Commission, which will provide recommendations on steps to take to mitigate flooding in Rockland and Bergen County.

Senator David Carlucci (D-Rockland/Westchester) said, "Hurricane Sandy was a real wake up call that fundamentally changed the way New York State responds to major natural disaster in the 21st century. It was clear that in the immediate aftermath of this devastating storm, we needed an aggressive response to rebuild and repair the damage. We now have a comprehensive plan in place that will address many of these storm-related issues, including proper mold remediation, managing risk, and providing financial incentives for those looking to purchase flood insurance. This is a proactive package of legislation that will protect homeowners and businesses for years to come."

Senator David Valesky (D-Oneida) said, "In times of crisis, New Yorkers pull together; it's what makes us the Empire State. Whether it be hurricane Sandy downstate or Irene and Lee upstate, we will take whatever action is needed to put our state back on track."

The following bills are included in the IDC Sandy Relief Package:

- S.3667-A (Savino; Co-sponsors: Carlucci, Klein, Smith, Valesky): Requires mold remediators to guarantee that contractors are properly licensed to remove mold that threatens the health of Sandy affected residents, particularly children and the elderly, who are most vulnerable to its ill effects. This bill ensures that anyone performing mold abatement will have a full understanding of the procedures necessary to properly remove mold.
- S.5087 (Carlucci): Entitles Clarkstown central school district to full state aid, superseding any requirements that may be needed.
- S.5407 (Klein; Co-sponsors: Addabbo, Carlucci, Savino, Valesky): Directs the Office of General Services to create an Office of Risk Assessment and Management (ORAM). This measure will ensure that New York is prepared for future natural disasters, and better equipped to react and repair any damage incurred.
- S.2338A (Klein; Co-Sponsors: Breslin, Savino): Directs the special advisory panel to study homeowner insurance and catastrophe coverage in coastal areas.
- S.3850 (Savino; Co-sponsors: Carlucci, Klein, Smith, Valesky): Provides tax credits for businesses located in high risk flood areas to purchase flood insurance, easing the burden of access to such insurance.

