S T A T E O F N E W Y O R K

10492

I N A S S E M B L Y

May 29, 2012

Introduced by M. of A. P. LOPEZ -- read once and referred to the Committee on Housing

AN ACT to enact the "whole communities recovery act of 2012"; to amend the private housing finance law, in relation to establishing the New York state emergency housing assistance revolving loan program and the New York state emergency housing assistance revolving loan fund; to amend the executive law, in relation to establishing the New York State emergency housing assistance grant program within the division of homeland security and emergency services (Part A); to amend the New York state urban development corporation act, in relation to establishing the New York state business assistance reconstruction and employee retention program and the New York state business assistance reconstruction and employee retention revolving loan fund; to amend the economic development law, in relation to establishing the New York state business assistance reconstruction and employee retention grant program (Part B); to amend the New York state urban development corporation act, in relation to establishing the New York state production agricultural assistance reconstruction loan program and the New York state production agricultural assistance reconstruction revolving loan fund; to amend the agriculture and markets law, in relation to establishing the New York state production agricultural assistance grant program (Part C); to amend the public authorities law, in relation to directing the dormitory authority to establish the New York state municipal and school district stop gap program, the New York state municipal and school district stop gap revolving loan fund and the New York state municipal and school district stop gap grant program (Part D); to amend the private housing finance law, in relation to establishing the New York state tax assistance revolving loan fund program (Part E); to amend the real property tax law, in relation to requiring the reassessment of real property damaged or destroyed as the result of a natural disaster; to amend the tax law, in relation to establishing business franchise and personal income tax credits for additional real property taxes paid after the value of the property is diminished as the result of a natural disaster (Part F); to amend the workers' compensation law and the general municipal law, in relation to municipal insurance coverage of members of community emergency response teams (Part G); to amend the executive law, in relation to suspension

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

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of executive orders, rules and regulations after a natural disaster; to amend the labor law, in relation to suspension of public work restrictions after a natural disaster; to amend the state finance law and the general municipal law, in relation to suspension of separate specifications for public work after a natural disaster (Part H); and to amend the real property tax law, in relation to establishing a disaster property tax recovery grant program (Part I)

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Short title. This act shall be known and may be cited as the "whole communities recovery act of 2012".

S 2. Legislative intent. The legislature hereby recognizes the profound and often long-term impacts that natural disasters have on the health and well being of the citizens of this state, and that the history of state involvement has clearly demonstrated the ability of our communities to recover from natural disasters is heavily reliant on the availability of resources outside the impacted communities to assist businesses, farms, local governments, school districts, residents and others in rebuilding their lives and property to ensure their stability and future growth.

While the state has proven itself able to provide strong initial response in the wake of natural disasters, its ability to help communities through the fragile process of disaster recovery has been limited and subject to ad hoc decision-making, further complicated by limited ability to reprogram state and federal moneys to effectively meet infrastructure, housing and economic development demands associated with a full and prompt recovery of the affected areas of the state.

This act is intended to provide a consistent and predictable framework for helping New Yorkers rebuild in the aftermath of future disasters.

S 3. This act enacts into law major components of legislation necessary for providing assistance to homeowners, businesses, farmers, municipalities, school districts and community emergency response teams for expenses incurred as the result of a disaster declared by the governor. Each component is wholly contained within a Part identified as Parts A through I. The effective date for each particular provision contained within such Part is set forth is the last section of such Part. Any provision in any section contained within a Part, including the effective date of the Part, which makes a reference to a section "of this act", when used in connection with that particular component, shall be deemed to mean and refer to the corresponding section of the Part in which it is found. Section five of this act sets forth the general effective date of this act.

PART A

Section 1. The private housing finance law is amended by adding two new sections 47-f and 59-j to read as follows:

S 47-F. NEW YORK STATE EMERGENCY HOUSING ASSISTANCE REVOLVING LOAN PROGRAM. 1. THE AGENCY SHALL ESTABLISH, ADMINISTER AND OPERATE A NEW YORK STATE EMERGENCY HOUSING ASSISTANCE REVOLVING LOAN PROGRAM. SUCH PROGRAM SHALL PROVIDE FOR THE ISSUANCE OF INTEREST FREE LOANS TO HOMEOWNERS FOR REHABILITATING THEIR PRIMARY RESIDENCES WHICH WERE DAMAGED OR DESTROYED AS THE RESULT OF A DISASTER DECLARED BY THE GOVERNOR IN THE

COUNTY IN WHICH THE RESIDENCE IS LOCATED. THE PROCEEDS OF SUCH LOANS MAY BE USED TO REFINANCE ANY DEBT AGAINST THE REAL PROPERTY CONSTITUTING THE PRIMARY RESIDENCE OF THE HOMEOWNER WHEN SUCH DEBT IS SECURED BY A LIEN OR MORTGAGE AGAINST THE PROPERTY. LOANS SHALL BE PROVIDED TO APPLICANTS AS FOLLOWS:

(A) TIER 1 LOAN. A LOAN FOR A TERM OF THIRTY YEARS, IN AN AMOUNT NOT TO EXCEED FORTY THOUSAND DOLLARS FOR THE REPAIR OR REPLACEMENT OF CLOTHING, FURNITURE, AUTOMOBILES AND/OR APPLIANCES DAMAGED OR DESTROYED UPON THE PREMISES OF THE APPLICANT'S PRIMARY RESIDENCE DURING THE COURSE OF THE DECLARED DISASTER; AND IN AN AMOUNT NOT TO EXCEED TWO HUNDRED THOUSAND DOLLARS FOR THE REPAIR OF THE APPLICANT'S PRIMARY RESIDENCE TO THE CONDITION IT WAS IN IMMEDIATELY PRIOR TO THE ONSET OF THE DECLARED DISASTER. NO LOAN ISSUED PURSUANT TO THIS SUBDIVISION SHALL BE USED TO UPGRADE OR EXPAND ANY PRIMARY RESIDENCE, UNLESS SUCH UPGRADE IS NECESSARY FOR COMPLIANCE WITH THE STATE OR MUNICIPAL BUILDING CODES; OR

(B) TIER 2 LOAN. A LOAN FOR A TERM OF THIRTY YEARS, IN AN AMOUNT NOT TO EXCEED FORTY THOUSAND DOLLARS FOR THE REPAIR OR REPLACEMENT OF CLOTHING, FURNITURE, AUTOMOBILES AND/OR APPLIANCES DAMAGED OR DESTROYED UPON THE PREMISES OF THE APPLICANT'S PRIMARY RESIDENCE DURING THE COURSE OF THE DECLARED DISASTER; AND IN AN AMOUNT NOT TO EXCEED THREE HUNDRED THOUSAND DOLLARS FOR THE REPAIR OR REPLACEMENT OF THE APPLICANT'S PRIMARY RESIDENCE TO THE CONDITION IT WAS IN IMMEDIATELY PRIOR TO THE ONSET OF THE DECLARED DISASTER, AND SHALL INCLUDE SUCH DISASTER MITIGATION IMPROVEMENTS TO THE APPLICANT'S REAL PROPERTY AS SHALL BE DETERMINED BY THE AGENCY TO BE NECESSARY TO ELIMINATE OR LESSEN THE EFFECTS OF FUTURE SIMILAR DISASTERS; OR

(C) TIER 3 LOAN. A LOAN FOR A TERM OF THIRTY YEARS, IN AN AMOUNT NOT TO EXCEED FORTY THOUSAND DOLLARS FOR THE REPAIR OR REPLACEMENT OF CLOTHING, FURNITURE, AUTOMOBILES AND/OR APPLIANCES DAMAGED OR DESTROYED UPON THE PREMISES OF THE APPLICANTS' PRIMARY RESIDENCE DURING THE COURSE OF THE DECLARED DISASTER; AND IN AN AMOUNT NOT TO EXCEED FOUR HUNDRED THOUSAND DOLLARS FOR RELOCATION AND CONSTRUCTION OF A PRIMARY RESIDENCE OF THE SAME SIZE AND TYPE AS THE PRIMARY RESIDENCE DESTROYED BY THE DECLARED DISASTER, AND LOCATED WITHIN THE SAME VILLAGE, TOWN OR CITY AS THE DESTROYED RESIDENCE, BUT OUTSIDE OF ANY AREAS MOST PRONE TO REOCCURRENCE OF DISASTER DAMAGE AS DETERMINED BY THE AGENCY, AND SUCH NEWLY CONSTRUCTED PRIMARY RESIDENCE SHALL INCLUDE SUCH DISASTER MITIGATION FEATURES AS SHALL BE DETERMINED BY THE AGENCY TO BE NECESSARY TO ELIMINATE OR LESSEN THE EFFECTS OF FUTURE SIMILAR DISASTERS.

2. AS A CONDITION OF THE ISSUANCE OF ANY LOAN PURSUANT TO THIS SECTION, THE AGENCY MAY REQUIRE THE INCLUSION IN ANY CONTRACT OR AGREEMENT OF ANY CONDITIONS AS IT MAY DEEM TO BE DESIRABLE AND/OR APPROPRIATE AND DO ALL THINGS NECESSARY FOR THE EXECUTION OF ANY INSTRUMENT RELATING TO OR DESIRABLE FOR THE PROVISION OF SUCH LOAN. FURTHERMORE, THE AGENCY MAY IMPOSE UPON EACH APPLICANT ANY SUCH FEES AND CHARGES AS SHALL BE NECESSARY FOR THE ISSUANCE OF NOTES AND BONDS BY THE AGENCY FOR THE PURPOSE OF RAISING REVENUE FOR THE PURPOSE OF PROVIDING LOANS PURSUANT TO THIS SECTION.

3. A HOMEOWNER SEEKING A LOAN PURSUANT TO THIS SECTION SHALL SUBMIT AN APPLICATION TO THE AGENCY IN SUCH FORM AND WITH SUCH CONTENT AS THE CHAIRMAN OF THE AGENCY SHALL DETERMINE. ANY APPLICATION MAY BE DENIED UPON ANY SUCH GROUNDS AS THE AGENCY SHALL DETERMINE TO BE NECESSARY.

4. THE AGENCY, IN CONSULTATION WITH THE COMMISSIONER OF HOUSING AND COMMUNITY RENEWAL, SHALL PROMULGATE ANY RULES AND REGULATIONS NECESSARY TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

S 59-J. NEW YORK STATE EMERGENCY HOUSING ASSISTANCE REVOLVING LOAN FUND. 1. THE AGENCY SHALL ESTABLISH A SPECIAL FUND TO BE KNOWN AS THE "NEW YORK STATE EMERGENCY HOUSING ASSISTANCE REVOLVING LOAN FUND", AND SHALL PAY INTO SUCH FUND ANY MONEYS WHICH SHALL BE MADE AVAILABLE TO THE AGENCY FOR THE PURPOSES OF SUCH FUND FROM ANY SOURCE INCLUDING, BUT NOT LIMITED TO, MONEYS APPROPRIATED BY AND MADE AVAILABLE PURSUANT TO APPROPRIATION BY THE STATE AND ANY INCOME OR INTEREST EARNED BY OR INCREMENT TO THE FUND DUE TO INVESTMENT THEREOF.

2. THE MONEYS HELD IN OR CREDITED TO THE NEW YORK STATE EMERGENCY HOUSING ASSISTANCE REVOLVING LOAN FUND SHALL BE EXPENDED SOLELY TO IMPLEMENT THE PROVISIONS OF SECTION FORTY-SEVEN-F OF THIS ARTICLE.

3. SUCH MONEYS SHALL BE PAYABLE AT THE DIRECTION OF THE CHAIRMAN OF THE AGENCY, IN CONSULTATION WITH THE DIRECTOR OF THE BUDGET AND THE COMMISSIONER OF HOUSING AND COMMUNITY RENEWAL.

4. ALL BONDS AND NOTES ISSUED TO PROVIDE MONEYS TO THE NEW YORK STATE EMERGENCY HOUSING ASSISTANCE REVOLVING LOAN FUND SHALL BE SPECIAL LIMITED OBLIGATIONS OF THE AGENCY REPAYABLE SOLELY FROM REVENUE DERIVED FROM THE REPAYMENT OF LOANS ISSUED PURSUANT TO SECTION FORTY-SEVEN-F OF THIS ARTICLE. ALL ASSETS AND LIABILITIES CREATED THROUGH THE ISSUANCE OF BONDS AND NOTES PURSUANT TO THIS SECTION SHALL BE KEPT SEPARATE FROM ALL OTHER ASSETS AND LIABILITIES OF THE AGENCY.

S 2. The executive law is amended by adding a new section 718 to read as follows:

S 718. NEW YORK STATE EMERGENCY HOUSING ASSISTANCE GRANT PROGRAM. 1. THE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES MAY PROVIDE GRANTS FOR DISASTER RELATED, NECESSARY EXPENSES OR SERIOUS NEEDS OF INDIVIDUALS AND HOUSEHOLDS ADVERSELY AFFECTED BY A DISASTER DECLARED BY THE GOVERNOR, IN THOSE INSTANCES IN WHICH SUCH INDIVIDUALS AND HOUSEHOLDS ARE UNABLE TO MEET SUCH EXPENSES AND NEEDS THROUGH FEDERAL ASSISTANCE PURSUANT TO SECTION 408 OF THE ROBERT T. STAFFORD DISASTER RELIEF AND EMERGENCY ASSISTANCE ACT (P.L. 93-288, AS AMENDED (42 U.S.C. S 5174)) OR FROM OTHER SOURCES.

2. THE DIVISION SHALL ONLY PROVIDE GRANTS TO INDIVIDUALS AND HOUSEHOLDS DETERMINED TO BE ELIGIBLE FOR FEDERAL ASSISTANCE TO INDIVIDUALS AND HOUSEHOLDS PURSUANT TO SECTION 5174 OF TITLE 42 OF THE UNITED STATES CODE, AND WHO HAVE UNMET SERIOUS NEEDS AND HAVE SUFFERED LOSSES REIMBURSABLE PURSUANT TO SUCH FEDERAL ASSISTANCE IN EXCESS OF THE MAXIMUM FEDERAL GRANT AMOUNT.

3. THE DIVISION MAY AWARD GRANTS TO INDIVIDUALS AND HOUSEHOLDS EQUAL TO THE DIFFERENCE BETWEEN THE FEDERAL ASSISTANCE PROVIDED TO THE INDIVIDUAL OR HOUSEHOLD AND THE INDIVIDUAL'S OR HOUSEHOLD'S FEDERALLY ELIGIBLE APPRAISED LOSS. PROVIDED THAT NO GRANT TO AN INDIVIDUAL OR HOUSEHOLD AWARDED BY THE DIVISION PURSUANT TO THIS SECTION SHALL EXCEED TEN THOUSAND DOLLARS; UNLESS THE GRANTEE USES SUCH GRANT TO COMPLETE MITIGATION IMPROVEMENT TO PREVENT FUTURE DISASTER DAMAGES, IN WHICH CASE SUCH GRANT SHALL NOT EXCEED THIRTY THOUSAND DOLLARS.

4. APPLICATIONS FOR GRANTS PURSUANT TO THIS SECTION SHALL CONFORM TO THE PROCEDURES ESTABLISHED IN THE ROBERT T. STAFFORD DISASTER RELIEF AND EMERGENCY ASSISTANCE ACT (P.L. 93-288, AS AMENDED). THE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES SHALL ENSURE THAT APPLICANTS FOR GRANTS PURSUANT TO THIS SECTION HAVE EXHAUSTED ALL OTHER AVAILABLE MEANS OF SEEKING RELIEF AND ASSISTANCE FOR DISASTER DAMAGE PRIOR TO THE AWARD OF ANY GRANT PURSUANT TO THIS SECTION.

S 3. This act shall take effect immediately, provided, however, the New York State housing finance agency shall not be required to establish the revolving loan fund pursuant to this part unless and until the

governor has declared a disaster or state of emergency in a county. Upon such declaration by the governor, the agency shall have no more than 10 days to establish and commence the operation of such program in the county in which the disaster has been declared.

PART B

Section 1. Section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, is amended by adding two new sections 16-v and 16-w to read as follows:

S 16-V. NEW YORK STATE BUSINESS ASSISTANCE RECONSTRUCTION AND EMPLOYEE RETENTION PROGRAM. 1. THE CORPORATION SHALL ESTABLISH, ADMINISTER AND OPERATE A NEW YORK STATE BUSINESS ASSISTANCE RECONSTRUCTION AND EMPLOYEE RETENTION PROGRAM. SUCH PROGRAM SHALL PROVIDE FOR THE ISSUANCE OF INTEREST FREE LOANS TO BUSINESSES AND NOT-FOR-PROFIT CORPORATIONS FOR REHABILITATING BUSINESS PROPERTY WHICH WAS DAMAGED OR DESTROYED AS THE RESULT OF A DISASTER DECLARED BY THE GOVERNOR IN THE COUNTY IN WHICH THE BUSINESS PROPERTY IS LOCATED. LOANS SHALL BE PROVIDED TO APPLICANTS AS FOLLOWS:

(A) TIER 1 LOAN. A LOAN FOR A TERM OF THIRTY YEARS, IN AN AMOUNT NOT TO EXCEED ONE MILLION DOLLARS FOR THE REPAIR AND REPLACEMENT OF THE BUSINESS PROPERTY TO THE CONDITION IT WAS IN IMMEDIATELY PRIOR TO THE ONSET OF THE DECLARED DISASTER. BUSINESS PROPERTY SHALL INCLUDE REAL PROPERTY, MACHINERY, EQUIPMENT, FIXTURES, INVENTORY AND LEASEHOLD IMPROVEMENTS; OR

(B) TIER 2 LOAN. A LOAN FOR A TERM OF THIRTY YEARS, IN AN AMOUNT NOT TO EXCEED ONE MILLION FIVE HUNDRED THOUSAND DOLLARS FOR THE REPAIR AND REPLACEMENT OF THE BUSINESS PROPERTY TO THE CONDITION IT WAS IN IMMEDIATELY PRIOR TO THE ONSET OF THE DECLARED DISASTER, AND SHALL INCLUDE SUCH DISASTER MITIGATION IMPROVEMENTS TO THE APPLICANT'S BUSINESS PROPERTY AS SHALL BE DETERMINED BY THE CORPORATION TO BE NECESSARY TO ELIMINATE OR LESSEN THE EFFECTS OF FUTURE SIMILAR DISASTERS. BUSINESS PROPERTY SHALL INCLUDE REAL PROPERTY, MACHINERY, EQUIPMENT, FIXTURES, INVENTORY AND LEASEHOLD IMPROVEMENTS; OR

(C) TIER 3 LOAN. A LOAN FOR A TERM OF THIRTY YEARS, IN AN AMOUNT NOT TO EXCEED TWO MILLION DOLLARS FOR THE RELOCATION AND CONSTRUCTION OF THE BUSINESS PROPERTY OF THE SAME SIZE AND TYPE AS THE BUSINESS PROPERTY DESTROYED BY THE DECLARED DISASTER AND LOCATED WITHIN THE SAME VILLAGE, TOWN OR CITY AS THE DESTROYED BUSINESS PROPERTY, BUT OUTSIDE OF ANY AREAS MOST PRONE TO REOCCURRENCE OF DISASTER DAMAGE AS DETERMINED BY THE CORPORATION, AND SUCH NEWLY CONSTRUCTED BUSINESS PROPERTY SHALL INCLUDE SUCH DISASTER MITIGATION FEATURES AS SHALL BE DETERMINED BY THE CORPORATION TO BE NECESSARY TO ELIMINATE OR LESSEN THE EFFECTS OF FUTURE SIMILAR DISASTERS. MONEYS PROVIDED PURSUANT TO THIS PARAGRAPH SHALL BE USED FOR NEW CONSTRUCTION UPON REAL PROPERTY, AND FOR REPAIR AND REPLACEMENT OF MACHINERY, EQUIPMENT, FIXTURES, INVENTORY AND LEASEHOLD IMPROVEMENTS.

2. AS A CONDITION OF THE ISSUANCE OF ANY LOAN PURSUANT TO THIS SECTION, THE CORPORATION MAY REQUIRE THE INCLUSION IN ANY CONTRACT OR AGREEMENT OF ANY CONDITIONS AS IT MAY DEEM TO BE DESIRABLE AND/OR APPROPRIATE AND DO ALL THINGS NECESSARY FOR THE EXECUTION OF ANY INSTRUMENT RELATING TO OR DESIRABLE FOR THE PROVISION OF SUCH LOAN. FURTHERMORE, THE CORPORATION MAY IMPOSE UPON EACH APPLICANT ANY SUCH FEE AND CHARGES AS SHALL BE NECESSARY FOR THE ISSUANCE OF NOTES AND BONDS BY THE CORPORATION FOR THE PURPOSE OF RAISING REVENUE FOR THE PURPOSE OF PROVIDING LOANS PURSUANT TO THIS SECTION.

3. A BUSINESS OR NOT-FOR-PROFIT CORPORATION SEEKING A LOAN PURSUANT TO THIS SECTION SHALL SUBMIT AN APPLICATION TO THE CORPORATION IN SUCH FORM AND WITH SUCH CONTENT AS THE CHAIRMAN OF THE CORPORATION SHALL DETERMINE. ANY APPLICATION MAY BE DENIED UPON ANY SUCH GROUNDS AS THE CORPORATION SHALL DETERMINE TO BE NECESSARY.

4. THE CORPORATION, IN CONSULTATION WITH ITS CHAIRMAN, SHALL PROMULGATE ANY RULES AND REGULATIONS NECESSARY TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

S 16-W. NEW YORK STATE BUSINESS ASSISTANCE RECONSTRUCTION AND EMPLOYEE RETENTION REVOLVING LOAN FUND. 1. THE CORPORATION SHALL ESTABLISH A SPECIAL FUND TO BE KNOWN AS THE "NEW YORK STATE BUSINESS ASSISTANCE RECONSTRUCTION AND EMPLOYEE RETENTION REVOLVING LOAN FUND", AND SHALL PAY INTO SUCH FUND ANY MONEYS WHICH SHALL BE MADE AVAILABLE TO THE CORPORATION FOR THE PURPOSES OF SUCH FUND FROM ANY SOURCE INCLUDING, BUT NOT LIMITED TO, MONEYS APPROPRIATED BY AND MADE AVAILABLE PURSUANT TO APPROPRIATION BY THE STATE AND ANY INCOME OR INTEREST EARNED BY OR INCREMENT TO THE FUND DUE TO INVESTMENT THEREOF.

2. THE MONEYS HELD IN OR CREDITED TO THE NEW YORK STATE BUSINESS ASSISTANCE RECONSTRUCTION AND EMPLOYEE RETENTION REVOLVING LOAN FUND SHALL BE EXPENDED SOLELY TO IMPLEMENT THE PROVISIONS OF SECTION SIXTEEN-V OF THIS ACT.

3. SUCH MONEYS SHALL BE PAYABLE AT THE DIRECTION OF THE CHAIRMAN OF THE CORPORATION, IN CONSULTATION WITH THE DIRECTOR OF THE BUDGET.

4. ALL BONDS AND NOTES ISSUED TO PROVIDE MONEYS TO THE NEW YORK STATE BUSINESS ASSISTANCE RECONSTRUCTION AND EMPLOYEE RETENTION REVOLVING LOAN FUND SHALL BE SPECIAL LIMITED OBLIGATIONS OF THE CORPORATION REPAYABLE SOLELY FROM REVENUE DERIVED FROM THE REPAYMENT OF LOANS ISSUED PURSUANT TO SECTION SIXTEEN-V OF THIS ACT. ALL ASSETS AND LIABILITIES CREATED THROUGH THE ISSUANCE OF BONDS AND NOTES PURSUANT TO THIS SECTION SHALL BE SEPARATE FROM ALL OTHER ASSETS AND LIABILITIES OF THE CORPORATION.

S 2. The economic development law is amended by adding a new section 107 to read as follows:

S 107. NEW YORK STATE BUSINESS ASSISTANCE RECONSTRUCTION AND EMPLOYEE RETENTION GRANT PROGRAM. 1. THE DEPARTMENT, IN CONSULTATION WITH ITS REGIONAL COUNCILS, MAY PROVIDE GRANTS OF NOT MORE THAN THIRTY THOUSAND DOLLARS FOR RECONSTRUCTION AND WORKING EXPENSES RELATED TO A DISASTER DECLARED BY THE GOVERNOR IN THE COUNTY IN WHICH A BUSINESS OR NOT-FOR-PROFIT CORPORATION IS LOCATED, AND ADDITIONAL GRANTS OF ONE THOUSAND DOLLARS FOR EACH EMPLOYEE RETAINED. SUCH GRANTS SHALL BE AWARDED SOLELY TO BUSINESSES AND NOT-FOR-PROFIT CORPORATIONS WHICH HAVE SUFFERED SUBSTANTIAL DISASTER RELATED LOSSES.

2. THE COMMISSIONER SHALL PROMULGATE SUCH RULES AND REGULATIONS AS SHALL BE NECESSARY TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

S 3. This act shall take effect immediately; provided, however, the New York State urban development corporation shall not be required to establish the revolving loan fund pursuant to this part unless and until the governor has declared a disaster or state of emergency in a county. Upon such declaration by the governor, the corporation shall have no more than 10 days to establish and commence the operation of such program in the county in which the disaster has been declared.

PART C

Section 1. Section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, is amended by adding two new sections 16-x and 16-y to read as follows:

S 16-X. NEW YORK STATE PRODUCTION AGRICULTURAL ASSISTANCE RECONSTRUCTION LOAN PROGRAM. 1. THE CORPORATION SHALL ESTABLISH, ADMINISTER AND OPERATE A NEW YORK STATE PRODUCTION AGRICULTURAL ASSISTANCE RECONSTRUCTION LOAN PROGRAM. SUCH PROGRAM SHALL PROVIDE FOR THE ISSUANCE OF INTEREST FREE LOANS TO FARMERS FOR REHABILITATION OF THEIR AGRICULTURAL PROPERTY WHICH WAS DAMAGED OR DESTROYED AS THE RESULT OF A DISASTER DECLARED BY THE GOVERNOR IN THE COUNTY IN WHICH THE AGRICULTURAL PROPERTY IS LOCATED. THE PROCEEDS OF SUCH LOANS MAY BE USED TO REFINANCE ANY SECURED DEBT AGAINST THE AGRICULTURAL REAL PROPERTY OR PERSONAL PROPERTY. LOANS SHALL BE PROVIDED TO APPLICANTS AS FOLLOWS:

(A) TIER 1 LOAN. A LOAN FOR A TERM OF THIRTY YEARS, IN AN AMOUNT NOT TO EXCEED ONE MILLION DOLLARS FOR THE REPAIR AND REPLACEMENT OF THE AGRI-BUSINESS TO THE CONDITION IT WAS IN IMMEDIATELY PRIOR TO THE ONSET OF THE DECLARED DISASTER. AGRICULTURAL PROPERTY SHALL INCLUDE REAL PROPERTY, MACHINERY, EQUIPMENT, CROPS, LIVESTOCK, INVENTORY AND LEASEHOLD IMPROVEMENTS; OR

(B) TIER 2 LOAN. A LOAN FOR A TERM OF THIRTY YEARS, IN AN AMOUNT NOT TO EXCEED ONE MILLION FIVE HUNDRED THOUSAND DOLLARS FOR THE REPAIR AND REPLACEMENT OF THE AGRI-BUSINESS TO THE CONDITION IT WAS IN IMMEDIATELY PRIOR TO THE ONSET OF THE DECLARED DISASTER, AND SHALL INCLUDE SUCH DISASTER MITIGATION IMPROVEMENTS TO THE APPLICANT'S AGRICULTURAL PROPERTY AS SHALL BE DETERMINED BY THE CORPORATION TO BE NECESSARY TO ELIMINATE OR LESSEN THE EFFECTS OF FUTURE SIMILAR DISASTERS. AGRICULTURAL PROPERTY SHALL INCLUDE REAL PROPERTY, MACHINERY, EQUIPMENT, CROPS, LIVESTOCK, INVENTORY AND LEASEHOLD IMPROVEMENTS; OR

(C) TIER 3 LOAN. A LOAN FOR A TERM OF THIRTY YEARS, IN AN AMOUNT NOT TO EXCEED TWO MILLION DOLLARS FOR THE RELOCATION AND CONSTRUCTION OF THE AGRI-BUSINESS OF THE SAME SIZE AND TYPE AS THE AGRICULTURAL PROPERTY DESTROYED BY THE DECLARED DISASTER AND LOCATED WITHIN THE SAME VILLAGE, TOWN OR CITY AS THE DESTROYED AGRICULTURAL PROPERTY, BUT OUTSIDE ANY AREAS MOST PRONE TO REOCCURRENCE OF DISASTER DAMAGE AS DETERMINED BY THE CORPORATION, AND SUCH NEWLY CONSTRUCTED AGRICULTURAL PROPERTY SHALL INCLUDE SUCH DISASTER MITIGATION FEATURES AS SHALL BE DETERMINED BY THE CORPORATION TO BE NECESSARY TO ELIMINATE OR LESSEN THE EFFECTS OF FUTURE SIMILAR DISASTERS. MONEYS PROVIDED PURSUANT TO THIS PARAGRAPH SHALL BE USED FOR NEW CONSTRUCTION UPON REAL PROPERTY, AND FOR REPAIR AND REPLACEMENT OF MACHINERY, EQUIPMENT, CROPS, LIVESTOCK, INVENTORY AND LEASEHOLD IMPROVEMENTS.

2. AS A CONDITION OF THE ISSUANCE OF ANY LOAN PURSUANT TO THIS SECTION, THE CORPORATION MAY REQUIRE THE INCLUSION IN ANY CONTRACT OR AGREEMENT OF ANY CONDITIONS AS IT MAY DEEM TO BE DESIRABLE AND/OR APPROPRIATE AND DO ALL THINGS NECESSARY FOR THE EXECUTION OF ANY INSTRUMENT RELATING TO OR DESIRABLE FOR THE PROVISION OF SUCH LOAN. FURTHERMORE, THE CORPORATION MAY IMPOSE UPON EACH APPLICANT ANY SUCH FEES AND CHARGES AS SHALL BE NECESSARY FOR THE ISSUANCE OF NOTES AND BONDS BY THE CORPORATION FOR THE PURPOSE OF RAISING REVENUE FOR THE PURPOSE OF PROVIDING LOANS PURSUANT TO THIS SECTION.

3. AN AGRI-BUSINESS SEEKING A LOAN PURSUANT TO THIS SECTION SHALL SUBMIT AN APPLICATION TO THE CORPORATION IN SUCH FORM AND WITH SUCH CONTENT AS THE CHAIRMAN OF THE CORPORATION SHALL DETERMINE. ANY APPLICATION MAY BE DENIED UPON ANY SUCH GROUNDS AS THE CORPORATION SHALL DETERMINE TO BE NECESSARY.

4. THE CORPORATION, IN CONSULTATION WITH ITS CHAIRMAN AND THE COMMISSIONER OF AGRICULTURE AND MARKETS, SHALL PROMULGATE ANY RULES AND REGULATIONS NECESSARY TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

S 16-Y. NEW YORK STATE PRODUCTION AGRICULTURAL ASSISTANCE RECONSTRUCTION REVOLVING LOAN FUND. 1. THE CORPORATION SHALL ESTABLISH A SPECIAL FUND TO BE KNOWN AS THE "NEW YORK STATE PRODUCTION AGRICULTURAL ASSISTANCE RECONSTRUCTION REVOLVING LOAN FUND", AND SHALL PAY INTO SUCH FUND ANY MONEYS WHICH SHALL BE MADE AVAILABLE TO THE CORPORATION FOR THE PURPOSES OF SUCH FUND FROM ANY SOURCE INCLUDING, BUT NOT LIMITED TO, MONEYS APPROPRIATED BY AND MADE AVAILABLE PURSUANT TO APPROPRIATION BY THE STATE AND ANY INCOME OR INTEREST EARNED BY OR INCREMENTED TO THE FUND DUE TO INVESTMENT THEREOF.

2. THE MONEYS HELD IN OR CREDITED TO THE NEW YORK STATE PRODUCTION AGRICULTURAL ASSISTANCE RECONSTRUCTION REVOLVING LOAN FUND SHALL BE EXPENDED SOLELY TO IMPLEMENT THE PROVISIONS OF SECTION SIXTEEN-X OF THIS ACT.

3. SUCH MONEYS SHALL BE PAYABLE AT THE DIRECTION OF THE CHAIRMAN OF THE CORPORATION, IN CONSULTATION WITH THE DIRECTOR OF THE BUDGET AND THE COMMISSIONER OF AGRICULTURE AND MARKETS.

4. ALL BONDS AND NOTES ISSUED TO PROVIDE MONEYS TO THE NEW YORK STATE PRODUCTION AGRICULTURAL ASSISTANCE RECONSTRUCTION REVOLVING LOAN FUND SHALL BE SPECIAL LIMITED OBLIGATIONS OF THE CORPORATION REPAYABLE SOLELY FROM REVENUE DERIVED FROM THE REPAYMENT OF LOANS ISSUED PURSUANT TO SECTION SIXTEEN-X OF THIS ACT. ALL ASSETS AND LIABILITIES CREATED THROUGH THE ISSUANCE OF BONDS AND NOTES PURSUANT TO THIS SECTION SHALL BE SEPARATE FROM ALL OTHER ASSETS AND LIABILITIES OF THE CORPORATION.

S 2. The agriculture and markets law is amended by adding a new section 324-b to read as follows:

S 324-B. NEW YORK STATE PRODUCTION AGRICULTURAL ASSISTANCE GRANT PROGRAM. 1. THE COMMISSIONER SHALL INITIATE AND MAINTAIN A NEW YORK STATE PRODUCTION AGRICULTURAL ASSISTANCE GRANT PROGRAM TO PROVIDE FINANCIAL ASSISTANCE TO FARMERS OPERATING AGRICULTURAL PRODUCTION BUSINESSES. GRANTS SHALL BE PROVIDED TO FARMERS AS FOLLOWS:

(A) TIER 1. FAMILY FARMS AND OTHER AGRICULTURAL PRODUCTION BUSINESSES SHALL BE ELIGIBLE FOR A GRANT OF NOT MORE THAN THIRTY THOUSAND DOLLARS FOR RECONSTRUCTION AND WORKING EXPENSES RELATED TO AGRICULTURAL PRODUCTION, PLUS AN ADDITIONAL GRANT NOT TO EXCEED FIFTEEN PERCENT OF THE APPLICANT'S GROSS CASH INCOME DURING THE IMMEDIATELY PRECEDING CALENDAR YEAR; OR

(B) TIER 2. AGRICULTURAL PRODUCTION BUSINESSES SHALL BE ELIGIBLE FOR A GRANT OF NOT MORE THAN FIFTY THOUSAND DOLLARS FOR RECONSTRUCTION AND WORKING EXPENSES INCURRED AS THE RESULT OF AN EMERGENCY, INCLUDING A FLOOD, STORM OR OTHER UNFORESEEABLE NATURAL DISASTER, WHERE THE SUSTAINABILITY OF FARM OPERATIONS IS PROHIBITED DUE TO SOIL EROSION, LOSS OF LAND VIABILITY OR OTHER SUCH OCCURRENCES; OR

(C) TIER 3. AGRICULTURAL PRODUCTION BUSINESSES SHALL BE ELIGIBLE FOR A GRANT OF NOT MORE THAN ONE HUNDRED THOUSAND DOLLARS FOR RECONSTRUCTION AND WORKING EXPENSES INCURRED AS THE RESULT OF AN EMERGENCY, INCLUDING A FLOOD, STORM OR OTHER UNFORESEEABLE NATURAL DISASTER, WHERE THE SUSTAINABILITY OF FARM OPERATIONS IS PROHIBITED BY BUILDING OR EQUIPMENT LOSS.

2. THE COMMISSIONER, IN CONSULTATION AND COOPERATION WITH EMERGENCY, ENVIRONMENTAL AND AGRICULTURAL ENTITIES, SHALL PROMULGATE SUCH RULES AND REGULATIONS AS SHALL BE NECESSARY TO IMPLEMENT THE PROVISIONS OF THIS SECTION. SUCH RULES AND REGULATIONS SHALL ESTABLISH CRITERIA FOR DETERMINING THE ELIGIBILITY FOR GRANTS PURSUANT TO THIS SECTION OF AGRICULTURAL PRODUCTION BUSINESSES WHICH HAVE SUFFERED SUBSTANTIAL FARMLAND LOSS IN A NATURAL DISASTER. THE DEPARTMENT SHALL MAKE USE OF ANY AND ALL AVAILABLE RESOURCES OF THE STATE AND ITS COUNTIES AS SHALL BE APPROPRIATE FOR THE IMPLEMENTATION OF THE PROVISIONS OF THIS SECTION.

S 3. This act shall take effect immediately, provided, however, the New York State urban development corporation shall not be required to establish the revolving loan fund pursuant to this part unless and until the governor has declared a disaster or state of emergency in a county. Upon such declaration by the governor, the corporation shall have no more than 10 days to establish and commence the operation of such program in the county in which the disaster has been declared.

PART D

Section 1. The public authorities law is amended by adding three new sections 1679-d, 1679-e and 1679-f to read as follows:

S 1679-D. NEW YORK STATE MUNICIPAL AND SCHOOL DISTRICT STOP GAP PROGRAM. 1. THE AUTHORITY SHALL ESTABLISH, ADMINISTER AND OPERATE A NEW YORK STATE MUNICIPAL AND SCHOOL DISTRICT STOP GAP PROGRAM. SUCH PROGRAM SHALL PROVIDE FOR THE ISSUANCE OF INTEREST FREE LOANS TO CITIES, TOWNS, VILLAGES AND SCHOOL DISTRICTS FOR REHABILITATING MUNICIPAL AND SCHOOL DISTRICT PROPERTY WHICH WAS DAMAGED OR DESTROYED AS THE RESULT OF A DISASTER DECLARED BY THE GOVERNOR IN THE COUNTY IN WHICH THE CITY, TOWN, VILLAGE OR SCHOOL DISTRICT IS LOCATED. LOANS SHALL BE PROVIDED TO APPLICANTS AS FOLLOWS:

(A) TIER 1 LOAN. A LOAN FOR A TERM OF THIRTY YEARS, IN AN AMOUNT NOT TO EXCEED FIVE MILLION DOLLARS FOR THE REPAIR AND REPLACEMENT OF THE MUNICIPAL OR SCHOOL DISTRICT PROPERTY TO THE CONDITION IT WAS IN IMMEDIATELY PRIOR TO THE ONSET OF THE DECLARED DISASTER. MUNICIPAL AND SCHOOL DISTRICT PROPERTY SHALL INCLUDE REAL PROPERTY, INFRASTRUCTURE (INCLUDING WATER AND SEWER FACILITIES, BRIDGES AND ROADS), MACHINERY, EQUIPMENT, FIXTURES AND OTHER EXPENSES APPROVED BY THE AUTHORITY;

(B) TIER 2 LOAN. A LOAN FOR A TERM OF THIRTY YEARS, IN AN AMOUNT NOT TO EXCEED TEN MILLION DOLLARS FOR THE REPAIR AND REPLACEMENT OF THE MUNICIPAL AND SCHOOL DISTRICT PROPERTY TO THE CONDITION IT WAS IN IMMEDIATELY PRIOR TO THE ONSET OF THE DECLARED DISASTER, AND SHALL INCLUDE SUCH DISASTER MITIGATION IMPROVEMENTS TO THE MUNICIPALITY'S OR SCHOOL DISTRICT'S PROPERTY AS SHALL BE DETERMINED BY THE AUTHORITY TO BE NECESSARY TO ELIMINATE OR LESSEN THE EFFECTS OF FUTURE SIMILAR DISASTERS. MUNICIPAL AND SCHOOL DISTRICT PROPERTY SHALL INCLUDE REAL PROPERTY, INFRASTRUCTURE (INCLUDING WATER AND SEWER FACILITIES, BRIDGES AND ROADS), MACHINERY, EQUIPMENT, FIXTURES AND OTHER EXPENSES APPROVED BY THE AUTHORITY; OR

(C) TIER 3 LOAN. A LOAN FOR A TERM OF THIRTY YEARS, IN AN AMOUNT NOT TO EXCEED FIFTEEN MILLION DOLLARS FOR THE RELOCATION AND CONSTRUCTION OF THE MUNICIPAL AND SCHOOL DISTRICT PROPERTY OF THE SAME SIZE AND TYPE AS THE MUNICIPAL AND SCHOOL DISTRICT PROPERTY DESTROYED BY THE DECLARED DISASTER AND OUTSIDE OF ANY AREAS MOST PRONE TO REOCCURRENCE OF DISASTER DAMAGE AS DETERMINED BY THE AUTHORITY, AND SUCH NEWLY CONSTRUCTED MUNICIPAL OR SCHOOL DISTRICT PROPERTY SHALL INCLUDE SUCH DISASTER MITIGATION FEATURES AS SHALL BE DETERMINED BY THE AUTHORITY TO BE NECESSARY TO ELIMINATE OR LESSEN THE EFFECTS OF FUTURE SIMILAR DISASTERS. MONEYS PROVIDED PURSUANT TO THIS PARAGRAPH SHALL BE USED FOR NEW CONSTRUCTION UPON REAL PROPERTY, AND FOR REPAIR AND REPLACEMENT OF INFRASTRUCTURE (INCLUDING WATER AND SEWER FACILITIES, BRIDGES AND ROADS), MACHINERY, EQUIPMENT, FIXTURES AND OTHER EXPENSES APPROVED BY THE AUTHORITY.

2. AS A CONDITION OF THE ISSUANCE OF ANY LOAN PURSUANT TO THIS SECTION, THE AUTHORITY MAY REQUIRE THE INCLUSION IN ANY CONTRACT OR AGREEMENT OF ANY CONDITIONS AS IT MAY DEEM TO BE DESIRABLE AND/OR APPROPRIATE AND DO ALL THINGS NECESSARY FOR THE EXECUTION OF ANY INSTRUMENT

RELATING TO OR DESIRABLE FOR THE PROVISION OF SUCH LOAN. FURTHERMORE, THE AUTHORITY MAY IMPOSE UPON EACH APPLICANT ANY SUCH FEES AND CHARGES AS SHALL BE NECESSARY FOR THE ISSUANCE OF NOTES AND BONDS BY THE AUTHORITY FOR THE PURPOSE OF RAISING REVENUE FOR THE PURPOSE OF PROVIDING LOANS PURSUANT TO THIS SECTION.

3. A CITY, TOWN, VILLAGE OR SCHOOL DISTRICT SEEKING A LOAN PURSUANT TO THIS SECTION SHALL SUBMIT AN APPLICATION TO THE AUTHORITY IN SUCH FORM AND WITH SUCH CONTENT AS THE CHAIR OF THE AUTHORITY SHALL DETERMINE. ANY APPLICATION MAY BE DENIED UPON SUCH GROUNDS AS THE AUTHORITY SHALL DETERMINE TO BE NECESSARY.

4. THE AUTHORITY, IN CONSULTATION WITH THE EDUCATION DEPARTMENT, SHALL PROMULGATE ANY RULES AND REGULATIONS NECESSARY TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

S 1679-E. NEW YORK STATE MUNICIPAL AND SCHOOL DISTRICT STOP GAP REVOLVING LOAN FUND. 1. THE AUTHORITY SHALL ESTABLISH A SPECIAL FUND TO BE KNOWN AS THE "NEW YORK STATE MUNICIPAL AND SCHOOL DISTRICT STOP GAP REVOLVING LOAN FUND", AND SHALL PAY INTO SUCH FUND ANY MONEYS WHICH SHALL BE MADE AVAILABLE TO THE AUTHORITY FOR THE PURPOSES OF SUCH FUND FROM ANY SOURCE INCLUDING, BUT NOT LIMITED TO, MONEYS APPROPRIATED BY AND MADE AVAILABLE PURSUANT TO APPROPRIATION BY THE STATE AND ANY INCOME OR INTEREST EARNED BY OR INCREMENTED TO THE FUND DUE TO INVESTMENT THEREOF.

2. THE MONEYS HELD IN OR CREDITED TO THE NEW YORK STATE MUNICIPAL AND SCHOOL DISTRICT STOP GAP REVOLVING LOAN FUND SHALL BE EXPENDED SOLELY TO IMPLEMENT THE PROVISIONS OF SECTION SIXTEEN HUNDRED SEVENTY-NINE-D OF THIS TITLE.

3. SUCH MONEYS SHALL BE PAYABLE AT THE DIRECTION OF THE CHAIR OF THE AUTHORITY, IN CONSULTATION WITH THE DIRECTOR OF THE BUDGET AND THE COMMISSIONER OF EDUCATION.

4. ALL BONDS AND NOTES ISSUED TO PROVIDE MONEYS TO THE NEW YORK STATE MUNICIPAL AND SCHOOL DISTRICT STOP GAP REVOLVING LOAN FUND SHALL BE SPECIAL LIMITED OBLIGATIONS OF THE AUTHORITY AND SHALL BE PAID FOR AS DESCRIBED IN SUBDIVISION SIX OF SECTION THIRTY-SIX HUNDRED TWO OF THE EDUCATION LAW. ALL ASSETS AND LIABILITIES CREATED THROUGH THE ISSUANCE OF BONDS AND NOTES PURSUANT TO THIS SECTION SHALL BE SEPARATE FROM ALL OTHER ASSETS AND LIABILITIES OF THE AUTHORITY.

S 1679-F. NEW YORK STATE MUNICIPAL AND SCHOOL DISTRICT STOP GAP GRANT PROGRAM. 1. THE AUTHORITY SHALL ESTABLISH, ADMINISTER AND OPERATE A NEW YORK STATE MUNICIPAL AND SCHOOL DISTRICT STOP GAP GRANT PROGRAM. SUCH PROGRAM SHALL PROVIDE FOR THE ISSUANCE OF GRANTS TO CITIES, TOWNS, VILLAGES AND SCHOOL DISTRICTS FOR REHABILITATING MUNICIPAL AND SCHOOL DISTRICT PROPERTY WHICH HAS BEEN DAMAGED OR DESTROYED AS THE RESULT OF A DISASTER DECLARED BY THE GOVERNOR IN THE COUNTY IN WHICH THE CITY, TOWN, VILLAGE OR SCHOOL DISTRICT IS LOCATED. GRANTS SHALL BE PROVIDED TO APPLICANTS AS FOLLOWS:

(A) TIER 1 GRANT. A GRANT IN AN AMOUNT NOT TO EXCEED TWO MILLION DOLLARS FOR THE REPAIR AND REPLACEMENT OF THE MUNICIPAL OR SCHOOL DISTRICT PROPERTY TO THE CONDITION IT WAS IN IMMEDIATELY PRIOR TO THE ONSET OF THE DECLARED DISASTER. MUNICIPAL AND SCHOOL DISTRICT PROPERTY SHALL INCLUDE REAL PROPERTY, INFRASTRUCTURE (INCLUDING WATER AND SEWER FACILITIES, BRIDGES AND ROADS), MACHINERY, EQUIPMENT, FIXTURES AND OTHER EXPENSES APPROVED BY THE AUTHORITY;

(B) TIER 2 GRANT. A GRANT IN AN AMOUNT NOT TO EXCEED FOUR MILLION DOLLARS FOR THE REPAIR AND REPLACEMENT OF THE MUNICIPAL AND SCHOOL DISTRICT PROPERTY TO THE CONDITION IT WAS IN IMMEDIATELY PRIOR TO THE ONSET OF THE DECLARED DISASTER, AND SHALL INCLUDE SUCH DISASTER MITI-

GATION IMPROVEMENTS TO THE MUNICIPALITY'S OR SCHOOL DISTRICT'S PROPERTY AS SHALL BE DETERMINED BY THE AUTHORITY TO BE NECESSARY TO ELIMINATE OR LESSEN THE EFFECTS OF FUTURE SIMILAR DISASTERS. MUNICIPAL AND SCHOOL DISTRICT PROPERTY SHALL INCLUDE REAL PROPERTY, INFRASTRUCTURE (INCLUDING WATER AND SEWER FACILITIES, BRIDGES AND ROADS), MACHINERY, EQUIPMENT, FIXTURES AND OTHER EXPENSES APPROVED BY THE AUTHORITY; OR

(C) TIER 3 LOAN. A GRANT IN AN AMOUNT NOT TO EXCEED SIX MILLION DOLLARS FOR THE RELOCATION AND CONSTRUCTION OF THE MUNICIPAL AND SCHOOL DISTRICT PROPERTY OF THE SAME SIZE AND TYPE AS THE MUNICIPAL AND SCHOOL DISTRICT PROPERTY DESTROYED BY THE DECLARED DISASTER AND OUTSIDE ANY AREAS MOST PRONE TO REOCCURRENCE OF DISASTER DAMAGE AS DETERMINED BY THE AUTHORITY, AND SUCH NEWLY CONSTRUCTED MUNICIPAL OR SCHOOL DISTRICT PROPERTY SHALL INCLUDE SUCH DISASTER MITIGATION FEATURES AS SHALL BE DETERMINED BY THE AUTHORITY TO BE NECESSARY TO ELIMINATE OR LESSEN THE EFFECTS OF FUTURE SIMILAR DISASTERS. MONEYS PROVIDED PURSUANT TO THIS PARAGRAPH SHALL BE USED FOR NEW CONSTRUCTION UPON REAL PROPERTY, AND FOR REPAIR AND REPLACEMENT OF INFRASTRUCTURE (INCLUDING WATER AND SEWER FACILITIES, BRIDGES AND ROADS), MACHINERY, EQUIPMENT, FIXTURES AND OTHER EXPENSES APPROVED BY THE AUTHORITY.

2. A CITY, TOWN, VILLAGE OR SCHOOL DISTRICT SEEKING A GRANT PURSUANT TO THIS SECTION SHALL SUBMIT AN APPLICATION TO THE AUTHORITY IN SUCH FORM AND WITH SUCH CONTENT AS THE CHAIR OF THE AUTHORITY SHALL DETERMINE. ANY APPLICATION MAY BE DENIED UPON SUCH GROUNDS AS THE AUTHORITY SHALL DETERMINE TO BE NECESSARY.

3. THE AUTHORITY, IN CONSULTATION WITH THE EDUCATION DEPARTMENT, SHALL PROMULGATE ANY RULES AND REGULATIONS NECESSARY TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

S 2. This act shall take effect immediately, provided, however, the New York State dormitory authority shall not be required to establish the revolving loan fund pursuant to this part unless and until the governor has declared a disaster or state of emergency in a county. Upon such declaration by the governor, the authority shall have no more than 10 days to establish and commence the operation of such program in the county in which the disaster has been declared.

PART E

Section 1. The private housing finance law is amended by adding a new section 47-g to read as follows:

S 47-G. NEW YORK STATE TAX ASSISTANCE REVOLVING LOAN FUND PROGRAM. 1. THE AGENCY SHALL ESTABLISH, ADMINISTER AND OPERATE A NEW YORK STATE TAX ASSISTANCE REVOLVING LOAN FUND PROGRAM. SUCH PROGRAM SHALL PROVIDE FOR THE ISSUANCE OF INTEREST FREE LOANS TO REAL PROPERTY TAXING JURISDICTIONS FOR DELINQUENT REAL PROPERTY TAXES WHICH WERE UNPAID BY REAL PROPERTY OWNERS AS THE RESULT OF A DISASTER DECLARED BY THE GOVERNOR IN THE COUNTY IN WHICH THE REAL PROPERTY TAXING JURISDICTION IS LOCATED. ELIGIBLE REAL PROPERTY TAXING JURISDICTIONS MAY RECEIVE A LOAN PURSUANT TO THIS SECTION EQUAL TO NOT MORE THAN ONE-HALF OF THE TAX DELINQUENCY INCURRED IN THE TWO THOUSAND TWELVE AND TWO THOUSAND THIRTEEN TAX YEARS.

2. THE AGENCY SHALL ESTABLISH A SPECIAL FUND TO BE KNOWN AS THE "NEW YORK STATE TAX ASSISTANCE REVOLVING LOAN FUND", AND SHALL PAY INTO SUCH FUND ANY MONEYS WHICH SHALL BE MADE AVAILABLE TO THE AGENCY FOR THE PURPOSES OF SUCH FUND FROM ANY SOURCE INCLUDING, BUT NOT LIMITED TO, MONEYS APPROPRIATED BY AND MADE AVAILABLE PURSUANT TO APPROPRIATION BY THE STATE AND ANY INCOME OR INTEREST EARNED BY OR INCREMENTED TO THE FUND DUE TO INVESTMENT THEREOF.

3. THE MONEYS HELD IN OR CREDITED TO THE NEW YORK STATE TAX ASSISTANCE REVOLVING LOAN FUND SHALL BE EXPENDED SOLELY TO IMPLEMENT THE PROVISION OF THIS SECTION. TO EFFECTUATE THE PURPOSES OF THIS SECTION, THE AGENCY MAY EXTEND CREDIT TO OR ON BEHALF OF A REAL PROPERTY TAXING JURISDICTION FOR CONSTRUCTION OR REPAIR OF MUNICIPAL PROPERTY.

4. SUCH MONEYS SHALL BE PAYABLE AT THE DIRECTION OF THE CHAIRMAN OF THE AGENCY, IN CONSULTATION WITH THE DIRECTOR OF THE BUDGET AND THE COMMISSIONER OF TAXATION AND FINANCE.

5. ALL BONDS AND NOTES ISSUED TO PROVIDE MONEYS TO THE TAX DISASTER RELIEF REVOLVING LOAN FUND SHALL BE SPECIAL LIMITED OBLIGATIONS OF THE AGENCY REPAYABLE SOLELY FROM REVENUE DERIVED FROM THE REPAYMENT OF LOANS ISSUED PURSUANT TO THIS SECTION. ALL ASSETS AND LIABILITIES CREATED THROUGH THE ISSUANCE OF BONDS AND NOTES PURSUANT TO THIS SECTION SHALL BE KEPT SEPARATE FROM ALL OTHER ASSETS AND LIABILITIES OF THE AGENCY.

S 2. This act shall take effect immediately, provided, however, the New York State housing finance agency shall not be required to establish the revolving loan fund pursuant to this part unless and until the governor has declared a disaster or state of emergency in a county. Upon such declaration by the governor, the agency shall have no more than 10 days to establish and commence the operation of such program in the county in which the disaster has been declared.

PART F

Section 1. The real property tax law is amended by adding a new section 303 to read as follows:

S 303. REASSESSMENT AFTER NATURAL DISASTERS. 1. WITHIN SIX MONTHS OF A DISASTER DECLARED BY THE GOVERNOR IN A COUNTY, A QUALIFIED PROFESSIONAL SHALL REASSESS EACH PARCEL OF REAL PROPERTY THAT WAS DAMAGED OR DESTROYED BY SUCH DISASTER AND SHALL PROVIDE SUCH REASSESSMENT TO THE COUNTY ASSESSOR.

2. FOR PURPOSES OF THIS SECTION, "QUALIFIED PROFESSIONAL" SHALL MEAN AN ASSESSOR, LOCAL CODE ENFORCEMENT OFFICER, BUILDING INSPECTOR OR CONTRACTOR.

S 2. Section 210 of the tax law is amended by adding a new subdivision 45 to read as follows:

45. NATURAL DISASTER PROPERTY TAX CREDIT. (A) ALLOWANCE OF CREDIT. A TAXPAYER, WHO OWNS REAL PROPERTY WHICH IS AFFECTED BY A DISASTER DECLARED BY THE GOVERNOR AND SUCH REAL PROPERTY HAS BEEN REASSESSED PURSUANT TO SECTION THREE HUNDRED THREE OF THE REAL PROPERTY TAX LAW, SHALL BE ALLOWED A CREDIT TO BE COMPUTED AS PROVIDED IN THIS SUBDIVISION, AGAINST THE TAX IMPOSED BY THIS ARTICLE. THE AMOUNT OF THE CREDIT SHALL EQUAL THE RESULT OF ALL REAL PROPERTY TAXES PAID ON THE TAXPAYER'S REAL PROPERTY LESS THE REDUCED ASSESSMENT, PURSUANT TO SECTION THREE HUNDRED THREE OF THE REAL PROPERTY TAX LAW, MULTIPLIED BY THE SUM OF ALL REAL PROPERTY TAX RATES APPLICABLE TO SUCH REAL PROPERTY.

(B) APPLICATION OF CREDIT. IF THE AMOUNT OF THE CREDIT SHALL EXCEED THE TAXPAYER'S TAX FOR SUCH YEAR THE EXCESS SHALL BE CARRIED OVER TO THE FOLLOWING YEAR OR YEARS, AND MAY BE DEDUCTED FROM THE TAXPAYER'S TAX FOR SUCH YEAR OR YEARS.

S 3. Subparagraph (B) of paragraph 1 of subsection (i) of section 606 of the tax law is amended by adding a new clause (xxxiv) to read as follows:

(XXXIV) NATURAL DISASTER PROPERTY TAX CREDIT	AMOUNT OF CREDIT UNDER SUBDIVISION FORTY-FIVE OF

UNDER SUBSECTION (UU) SECTION TWO HUNDRED TEN

S 4. Section 606 of the tax law is amended by adding a new subsection (uu) to read as follows:

(UU) NATURAL DISASTER PROPERTY TAX CREDIT. (1) ALLOWANCE OF CREDIT. A TAXPAYER, WHO OWNS REAL PROPERTY WHICH IS AFFECTED BY A DISASTER DECLARED BY THE GOVERNOR AND SUCH REAL PROPERTY HAS BEEN REASSESSED PURSUANT TO SECTION THREE HUNDRED THREE OF THE REAL PROPERTY TAX LAW, SHALL BE ALLOWED A CREDIT TO BE COMPUTED AS PROVIDED IN THIS SUBSECTION, AGAINST THE TAX IMPOSED BY THIS ARTICLE. THE AMOUNT OF THE CREDIT SHALL EQUAL THE RESULT OF ALL REAL PROPERTY TAXES PAID ON THE TAXPAYER'S REAL PROPERTY LESS THE REDUCED ASSESSMENT, PURSUANT TO SECTION THREE HUNDRED THREE OF THE REAL PROPERTY TAX LAW, MULTIPLIED BY THE SUM OF ALL REAL PROPERTY TAX RATES APPLICABLE TO SUCH REAL PROPERTY.

2. APPLICATION OF CREDIT. IF THE AMOUNT OF THE CREDIT SHALL EXCEED THE TAXPAYER'S TAX FOR SUCH YEAR THE EXCESS SHALL BE CARRIED OVER TO THE FOLLOWING YEAR OR YEARS, AND MAY BE DEDUCTED FROM THE TAXPAYER'S TAX FOR SUCH YEAR OR YEARS.

S 5. This act shall take effect immediately.

PART G

Section 1. The workers' compensation law is amended by adding a new section 88-d to read as follows:

S 88-D. COVERAGE OF MEMBERS OF COMMUNITY EMERGENCY RESPONSE TEAMS. 1. ANY MUNICIPALITY THAT EMPLOYS MEMBERS OF A COMMUNITY EMERGENCY RESPONSE TEAM MAY ELECT TO MAKE COMPENSATIONS PAYABLE UNDER THIS CHAPTER AVAILABLE TO SUCH MEMBERS. SUCH COMPENSATIONS SHALL BE PAID FROM THE STATE INSURANCE FUND, AND ALL PAYMENTS TO THE STATE INSURANCE FUND FOR INSURANCE PREMIUMS ON ACCOUNT OF SUCH MEMBERS INCLUDING A PROPORTIONATE SHARE OF THE ADMINISTRATIVE EXPENSE OF THE STATE INSURANCE FUND ON ACCOUNT THEREOF SHALL BE A LIABILITY OF THE MUNICIPALITY.

2. COMPUTATION OF PREMIUMS FOR COVERAGE OF MEMBERS OF COMMUNITY EMERGENCY RESPONSE TEAMS SHALL BE MADE IN THE SAME MANNER AS THOSE ASSESSED FOR COVERAGE OF VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE WORKERS PURSUANT TO THIS ARTICLE, THE VOLUNTEER FIREFIGHTERS' BENEFIT LAW AND THE VOLUNTEER AMBULANCE WORKERS' BENEFIT LAW.

S 2. Subdivisions 3 and 4 of section 209-bb of the general municipal law, as amended by chapter 482 of the laws of 1997, are amended to read as follows:

3. Municipalities and organizations that insure volunteer firefighters, volunteer ambulance workers, MEMBERS OF COMMUNITY EMERGENCY RESPONSE TEAMS or municipal employees, as the term "employee" is defined under section eighteen of the public officers law, may extend such insurance coverage to members of a specialized team by resolution.

4. For the purposes of this section, "specialized teams" shall mean any emergency team or squad composed of volunteer firefighters, volunteer ambulance workers or municipal employees, who shall have attained the minimum level of training or experience to meet qualifying standards established by the office of fire prevention and control, and which is administered by the state, a county, city or town for the purposes of training for or responding to a man made or natural disaster by carrying out any activities which are within the relevant training and expertise of such municipal employees or are authorized pursuant to the volunteer firefighters' benefit law or the volunteer ambulance workers' benefit law but which are not normally provided by such entities. SUCH TERM SHALL ALSO MEAN ANY COMMUNITY EMERGENCY RESPONSE TEAM REGISTERED WITH

THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY, AND COMPOSED OF VOLUNTEERS FOR THE PURPOSE OF TRAINING FOR OR RESPONDING TO MAN MADE OR NATURAL DISASTERS, OR OTHER EMERGENCY SITUATIONS FOR WHICH SUCH TEAM HAS TRAINING.

S 3. This act shall take effect immediately.

PART H

Section 1. The executive law is amended by adding a new section 13 to read as follows:

S 13. SUSPENSION OF EXECUTIVE ORDERS, RULES AND REGULATIONS; NATURAL DISASTER. UPON THE DECLARATION OF A DISASTER IN ANY COUNTY BY THE GOVERNOR, HE OR SHE SHALL SUSPEND THE APPLICATION IN SUCH COUNTY OF SUCH EXECUTIVE ORDERS, RULES AND REGULATIONS AS THE GOVERNOR SHALL DETERMINE FOR A PERIOD OF NOT LESS THAN TWELVE MONTHS.

S 2. The labor law is amended by adding a new section 222-b to read as follows:

S 222-B. SUSPENSION OF APPLICATION OF THIS ARTICLE; NATURAL DISASTER. UPON THE DECLARATION BY THE GOVERNOR OF A DISASTER IN ANY COUNTY, THE APPLICATION OF THE PROVISIONS OF THIS ARTICLE SHALL BE SUSPENDED FOR A PERIOD OF NOT LESS THAN THIRTY-SIX MONTHS.

S 3. Section 135 of the state finance law is amended by adding a new closing paragraph to read as follows:

UPON THE DECLARATION BY THE GOVERNOR OF A DISASTER IN ANY COUNTY, THE APPLICATION OF THE PROVISIONS OF THIS SECTION SHALL BE SUSPENDED FOR A PERIOD OF NOT LESS THAN THIRTY-SIX MONTHS.

S 4. Section 101 of the general municipal law is amended by adding a new subdivision 6 to read as follows:

6. UPON THE DECLARATION BY THE GOVERNOR OF A DISASTER IN ANY COUNTY, THE APPLICATION OF THE PROVISIONS OF THIS SECTION SHALL BE SUSPENDED FOR A PERIOD OF NOT LESS THAN THIRTY-SIX MONTHS.

S 5. This act shall take effect immediately.

PART I

Section 1. The real property tax law is amended by adding a new section 561 to read as follows:

S 561. DISASTER PROPERTY TAX RECOVERY GRANT PROGRAM. 1. FOR THE TAX YEAR FOLLOWING THE DECLARATION BY THE GOVERNOR OF A DISASTER IN A COUNTY, ONE-HALF OF REDUCTION IN REAL PROPERTY TAX REVENUE TO EACH REAL PROPERTY TAX JURISDICTION IN SUCH COUNTY, WHEN SUCH REDUCTION IS THE RESULT OF REDUCED REAL PROPERTY ASSESSMENTS CAUSED BY SUCH DISASTER, SHALL BE A STATE CHARGE, WHICH SHALL BE PAYABLE PURSUANT TO THIS SECTION.

2. A REAL PROPERTY TAX JURISDICTION SEEKING A GRANT PURSUANT TO THIS SECTION SHALL SUBMIT AN APPLICATION THEREFOR TO THE COMMISSIONER. THE APPLICATION SHALL INCLUDE SUCH INFORMATION AS THE COMMISSIONER SHALL REQUIRE.

3. UPON APPROVING AN APPLICATION FOR A GRANT PURSUANT TO THIS SECTION, THE COMMISSIONER SHALL COMPUTE AND CERTIFY TO THE REAL PROPERTY TAX JURISDICTION THE AMOUNT PAYABLE TO SUCH JURISDICTION UPON THE AUDIT AND WARRANT OF THE STATE COMPTROLLER FROM VOUCHERS CERTIFIED AND APPROVED BY THE COMMISSIONER.

S 2. This act shall take effect immediately.

S 4. Severability clause. If any clause, sentence, paragraph, subdivision, section or part of this act shall be adjudged by any court of

competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

S 5. This act shall take effect immediately; provided, however, that the applicable effective date of Parts A through I of this act shall be as specifically set forth in the last section of such Parts.