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

10232

I N A S S E M B L Y

May 17, 2016

Introduced by M. of A. GOODELL -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to establishing the municipal severe storm relief fund for southwestern New York to be administered by the division of homeland security and emergency services

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

Section 1. The executive law is amended by adding a new section 719 to read as follows:

S 719. MUNICIPAL SEVERE STORM RELIEF FUND FOR SOUTHWESTERN NEW YORK. 1. THERE IS HEREBY ESTABLISHED A MUNICIPAL SEVERE STORM MUNICIPAL ASSISTANCE RELIEF PROGRAM FOR THE COUNTIES OF CHAUTAUQUA, CATTARAUGUS AND ALLEGANY FOR DAMAGE RESULTING FROM A SEVERE STORM AND FLOODING WHICH OCCURRED ON JULY FIFTEENTH, TWO THOUSAND FIFTEEN TO BE ADMINISTERED BY THE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES.

2. PROJECTS ELIGIBLE FOR PROGRAM GRANTS PURSUANT TO THIS SECTION SHALL BE LIMITED TO PROJECTS TO REPAIR DAMAGE TO PUBLIC INFRASTRUCTURE, INCLUDING PUBLICLY OWNED ROADS, BRIDGES, DRAINAGE AND FLOOD MITIGATION SYSTEMS, AND ANY ANCILLARY INFRASTRUCTURE NECESSARY FOR THE SAFE OPERATION OF THE COMPONENTS THEREOF, WITHIN THE COUNTIES OF CHAUTAUQUA, CATTARAUGUS AND ALLEGANY WHEN SUCH DAMAGE OCCURRED AS A RESULT OF A SEVERE STORM EVENT ON JULY FOURTEENTH, TWO THOUSAND FIFTEEN THROUGH JULY FIFTEENTH, TWO THOUSAND FIFTEEN. IN NO EVENT SHALL FUNDING BE USED FOR INFRASTRUCTURE REPAIRS THAT ARE REQUIRED DUE TO NORMAL WEAR AND TEAR.

3. THE COMMISSIONER OF THE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES SHALL ESTABLISH PROCEDURES FOR RECEIPT OF APPLICATION FROM MUNICIPALITIES AND FOR THE ISSUANCE OF GRANTS AUTHORIZED BY THIS SECTION WITHIN AVAILABLE APPROPRIATIONS. APPLICATIONS FOR SUCH GRANTS SHALL BE SUBMITTED NO MORE THAN THREE YEARS AFTER JULY FIFTEEN, TWO THOUSAND FIFTEEN. A MUNICIPALITY SHALL RECEIVE FIFTY PERCENT OF THE COST OF OTHERWISE UNREIMBURSED REPAIRS FROM DAMAGES INCURRED DUE TO SUCH FLOODING, PROVIDED THE APPROPRIATE MUNICIPAL AUTHORITY HAS SUBMITTED APPROPRIATE DOCUMENTATION OF SUCH DAMAGE AND HAS FILED AN ATTESTATION WITH

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

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THE DIVISION INDICATING THAT THE DAMAGE FOR WHICH REPAIRS WERE MADE IS DIRECTLY ATTRIBUTABLE TO FLOODING RESULTING FROM THE JULY FOURTEENTH, TWO THOUSAND FIFTEEN THROUGH JULY FIFTEEN, TWO THOUSAND FIFTEEN STORM.

4. FUNDING FOR SUCH PROGRAM SHALL CONSIST OF ALL REVENUE RECEIVED PURSUANT TO AN APPROPRIATION THEREFORE, AND ANY OTHER MONIES APPROPRIATED, CREDITED OR TRANSFERRED FROM ANY OTHER SOURCE PURSUANT TO LAW. NOTHING IN THIS SECTION SHALL BE DEEMED TO PREVENT THE STATE FROM RECEIVING GRANTS, GIFTS OR BEQUESTS FOR THE PURPOSE OF THE PROGRAM. GRANTS SHALL ONLY BE AWARDED BASED UPON THE AVAILABILITY OF FUNDS.

S 2. This act shall take effect immediately.