

# STATE OF NEW YORK

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6423

2017-2018 Regular Sessions

## IN SENATE

May 17, 2017

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Introduced by Sens. HELMING, RITCHIE, ORTT, FUNKE, ROBACH, DeFRANCISCO, YOUNG, JACOBS, GRIFFO, LITTLE -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to establish the Great Lakes flood recovery grant program

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

1 Section 1. There is hereby created the Great Lakes flood recovery  
2 grant program.

3 1. (a) Small businesses, farms, owners of multiple dwellings, owners  
4 of residences, and not-for-profit organizations that sustained direct  
5 physical flood-related damage as a result of flooding caused by the  
6 raised level of Lake Ontario, Lake Erie, Lake Champlain and/or the St.  
7 Lawrence river, that occurred between January 1, 2017 and June 30, 2017,  
8 shall be eligible to apply for a grant under this subdivision.

9 (b) Such grant shall be in an amount of not more than \$15,500 for  
10 owners of residences, not more than \$30,000 for owners of multiple  
11 dwellings, not more than \$50,000 for small businesses and farms, and not  
12 more than \$100,000 for not-for-profit corporations. Such grant shall be  
13 used for storm-related repairs and restoration to structures, equipment,  
14 and for other storm-related costs, all of which were not covered by any  
15 other federal, state or local recovery program or any third-party  
16 payors.

17 (c) The empire state development corporation shall administer this  
18 grant program, which shall not exceed in the aggregate \$20,000,000. Such  
19 corporation is hereby empowered to establish grant guidelines and addi-  
20 tional eligibility criteria, based on available flood damage data  
21 provided by applicable state and/or federal agencies, as it deems neces-  
22 sary to effectuate the administration of this program. In providing  
23 assistance pursuant to this subdivision, the empire state development  
24 corporation shall give preference to applicants that demonstrate the

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

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1 greatest need, based on available flood damage data provided by applica-  
2 ble state and/or federal agencies.

3 2. (a) Municipalities and special districts that sustained direct  
4 physical flood-related damage as a result of flooding caused by the  
5 raised level of Lake Ontario, Lake Erie, Lake Champlain and/or the St.  
6 Lawrence river, that occurred between January 1, 2017 and June 30, 2017,  
7 are eligible to apply for a grant under this subdivision.

8 (b) Such grant shall be in an amount of not more than \$1,000,000. Such  
9 grant shall be used for storm-related repairs and restoration to municip-  
10 al infrastructure and systems, including, but not limited to, roads,  
11 bridges and other transportation systems, drinking water supply systems,  
12 sanitary and/or storm sewer systems, levy and/or flood protection  
13 systems, as well as for municipal equipment, and for other storm-related  
14 costs, all of which were not covered by any other federal, state or  
15 local recovery program or any third-party payors.

16 (c) The empire state development corporation shall administer this  
17 grant program, which shall not exceed in the aggregate \$20,000,000. Such  
18 corporation is hereby empowered to establish grant guidelines and addi-  
19 tional eligibility criteria, based on available flood damage data  
20 provided by applicable state and/or federal agencies, as it deems neces-  
21 sary to effectuate the administration of this program. In providing  
22 assistance pursuant to this subdivision, the empire state development  
23 corporation shall give preference to applicants that demonstrate the  
24 greatest need, based on available flood damage data provided by applica-  
25 ble state and/or federal agencies.

26 3. (a) The empire state development corporation, in consultation with  
27 the department of environmental conservation, shall administer a grant  
28 program for counties for flood mitigation or flood control projects in  
29 creeks, streams, and brooks. Only counties that sustained direct phys-  
30 ical flood related damage as a result of the flooding caused by the  
31 raised level of Lake Ontario, Lake Erie, Lake Champlain and/or the St.  
32 Lawrence river, between January 1, 2017 and June 30, 2017, shall be  
33 eligible to apply for a grant under this subdivision.

34 (b) This grant program shall not exceed in the aggregate \$5,000,000.  
35 Individual grants shall be not less than \$250,000 nor more than  
36 \$500,000; provided however, that counties may jointly apply for such  
37 grants, and the amount of such joint grants may equal the sum of the  
38 amounts that would have been separately available to the individual  
39 counties making such joint application. The empire state development  
40 corporation, in consultation with the department of environmental  
41 conservation, is hereby empowered to establish grant guidelines and  
42 additional eligibility criteria, based on available flood damage data  
43 provided by applicable state and/or federal agencies, as it deems neces-  
44 sary to effectuate the administration of this program. In providing  
45 assistance pursuant to this subdivision, the empire state development  
46 corporation shall give preference to applicants that demonstrate the  
47 greatest need, based on available flood damage data provided by applica-  
48 ble state and/or federal agencies. Priority also may be given to reme-  
49 diation which if not undertaken may result in additional flooding.

50 4. The director of the budget, in consultation with the temporary  
51 president of the senate and the speaker of the assembly, shall develop a  
52 plan and criteria regarding distribution of funding to municipalities  
53 and special districts that sustained flood-related damage as a result of  
54 flooding caused by the raised level of Lake Ontario, Lake Erie, Lake  
55 Champlain and/or the St. Lawrence river, that occurred between January  
56 1, 2017 and June 30, 2017. Such program shall not exceed in the aggre-

1 gate \$10,000,000. The director of the budget may direct and authorize  
2 any other state agency to assist in administration and distribution of  
3 these funds.  
4 § 2. This act shall take effect immediately.