STATE OF NEW YORK

6423

2017-2018 Regular Sessions

IN SENATE

May 17, 2017

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:

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

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

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

(c) The empire state development corporation shall administer this grant program, which shall not exceed in the aggregate $20,000,000. Such corporation is hereby empowered to establish grant guidelines and additional eligibility criteria, based on available flood damage data provided by applicable state and/or federal agencies, as it deems necessary to effectuate the administration of this program. In providing assistance pursuant to this subdivision, the empire state development 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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greatest need, based on available flood damage date provided by applicable state and/or federal agencies.

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

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

(c) The empire state development corporation shall administer this grant program, which shall not exceed in the aggregate $20,000,000. Such corporation is hereby empowered to establish grant guidelines and additional eligibility criteria, based on available flood damage data provided by applicable state and/or federal agencies, as it deems necessary to effectuate the administration of this program. In providing assistance pursuant to this subdivision, the empire state development corporation shall give preference to applicants that demonstrate the greatest need, based on available flood damage data provided by applicable state and/or federal agencies.

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

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

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

gate $10,000,000. The director of the budget may direct and authorize any other state agency to assist in administration and distribution of these funds.

§ 2. This act shall take effect immediately.