

STATE OF NEW YORK

2392

2019-2020 Regular Sessions

IN ASSEMBLY

January 22, 2019

Introduced by M. of A. GUNTHER -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to creating the rural emergency responder live training program revolving capital fund

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

1 Section 1. The public health law is amended by adding a new section
2 3003-b to read as follows:

3 § 3003-b. Rural emergency responder live training program revolving
4 capital fund. 1. Definitions. As used in this section, the following
5 words and phrases shall have the following meanings:

6 (a) "participating grantee" or "grantee" shall mean a first responder
7 and shall be defined as local police, fire, emergency services, hospital
8 or clinical staff, or organizations or corporations comprised of the
9 same;

10 (b) "revolving capital fund" shall mean the rural emergency responder
11 live training program revolving capital fund authorized to be estab-
12 lished by the department and administered pursuant to this section;

13 (c) "live training program" shall mean any training program or session
14 at least half of which is scenario based and takes place outside of a
15 classroom setting; and

16 (d) "farmedic program" shall mean the program utilized for training
17 first responders and medical staff in agricultural and rural incident
18 response with a safety first approach through a combination of classroom
19 instruction, field exercises and exposure to the kinds of machinery,
20 chemicals, and structures common to rural or agricultural areas.

21 2. Revolving capital fund. (a) The department, within amounts appro-
22 priated, shall establish the rural emergency responder live training
23 program revolving capital fund.

24 (b) Monies in the revolving capital fund shall be utilized for the
25 purpose of making grants to qualifying participating grantees to partic-

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

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1 ipate in the national farmedic training program, or other similar
2 program as determined by the department.

3 (c) Funds shall be transferred by the commissioner of taxation and
4 finance to the department for deposit in the revolving capital fund in
5 an amount as authorized by appropriation.

6 (d) Monies in the fund shall be: (i) held by the department pursuant
7 to this section as custodian pursuant to an agreement with the commis-
8 sioner of taxation and finance until transferred to the grantee pursuant
9 to this section, and (ii) invested by the department in accordance with
10 the investment guidelines of the comptroller during said custodial peri-
11 od. All investment income shall be credited to, and shall be deposited
12 in, the revolving capital fund.

13 3. Administration agreement. (a) The commissioner of taxation and
14 finance and the department shall enter into an agreement, subject to the
15 approval of the director of the budget, for the purpose of administering
16 the funds in the revolving capital fund.

17 (b) A copy of such agreement, and any amendments thereto, shall be
18 provided to the chair of the senate finance committee, the director of
19 the division of the budget, and the chair of the assembly ways and means
20 committee.

21 (c) The agreement shall specify that the department shall administer
22 the revolving capital fund in a manner that will benefit the public
23 health by encouraging enrollment in the farmedic program, or similar
24 program, in compliance with all applicable laws, rules, regulations and
25 other requirements.

26 4. Specific provisions required. Upon the effective date of the agree-
27 ment, custody of, and responsibility for, the revolving capital fund
28 shall be taken up by the department, subject to the requirements of its
29 agreement with the commissioner of taxation and finance. Such agreement
30 shall include, but not be limited to, the following provisions:

31 (a) the department shall be responsible for the receipt, management
32 and expenditure of monies held in the revolving capital fund;

33 (b) the department shall maintain books and records pertaining to all
34 monies received and disbursed pursuant to this section and the agree-
35 ment;

36 (c) monies in such revolving capital fund shall be utilized for the
37 purpose of making grants to qualifying participating grantees, to
38 provide participating grantees with improved access to affordable capi-
39 tal to increase enrollment in farmedic or a similar training program;

40 (d) participating grantees shall be chosen by the department through
41 an application process approved by the department and the comptroller;

42 (e) eligible uses of funds so granted to participating grantees shall
43 include but not be limited to: (i) eligible costs as described in para-
44 graph (f) of this subdivision, attributable to the proposed program, and
45 (ii) reserves for credit enhancement including loan guarantees if
46 required to allow grantee to participate in relevant training programs;

47 (f) eligible costs under this section shall include, but not be limit-
48 ed to, all material acquisition costs, wages and fees, furniture,
49 fixtures, and equipment;

50 (g) the department administering the revolving capital fund shall
51 report quarterly on the transactions in the revolving capital fund in a
52 form and manner specified by the comptroller in consultation with the
53 commissioner of taxation and finance, including but not limited to:
54 receipts or deposits to the fund; disbursements; loans or credit
55 enhancement made from the fund; investment income; and the balance on
56 hand as of the end of the month for each such quarter;

1 (h) the department shall be required to invest monies on deposit in
2 the fund in accordance with investment guidelines meeting the require-
3 ments of the comptroller, and all investment income shall be credited to
4 the revolving capital fund, and spent therefrom only for the purposes
5 set forth in this section;

6 (i) revolving capital fund monies shall be held in trust and used for
7 the benefit of eligible grantees; and

8 (j) any other term or condition as determined by the department, in
9 consultation with the commissioner of taxation and finance.

10 5. Grant documentation. Grants from the revolving capital fund shall
11 be made pursuant to a written agreement between the department and the
12 participating grantee, specifying the terms of the grant. The grant
13 agreement shall be in such form and content as shall be acceptable to
14 the comptroller and the department, and may include such other written
15 documentation and/or agreements as shall be required in the judgment of
16 the comptroller and the department. Terms may include rescission of
17 grants if a grantee does not use grant funds in accordance with this
18 section or the terms of the grantee's agreement with the department.

19 § 2. This act shall take effect on the ninetieth day after it shall
20 have become a law; provided, however, that effective immediately, the
21 commissioner of health, in consultation with the commissioner of taxa-
22 tion and finance, is authorized and directed to promulgate any rules or
23 regulations necessary for the implementation of this act on its effec-
24 tive date.