

STATE OF NEW YORK

6616

2019-2020 Regular Sessions

IN SENATE

June 20, 2019

Introduced by Sen. KRUEGER -- (at request of the Budget Article VII) --
read twice and ordered printed, and when printed to be committed to
the Committee on Finance

AN ACT to amend chapter 54 of the laws of 2019, enacting the capital
projects budget, in relation to the support of government

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

1 Section 1. Section 1 of chapter 54 of the laws of 2019, enacting the
2 capital projects budget, is amended by repealing the items hereinbelow
3 set forth in brackets and by adding to such section the other items
4 underscored in this section.

5 DEPARTMENT OF AGRICULTURE AND MARKETS

6 CAPITAL PROJECTS 2019-20

7 For the comprehensive construction programs, purposes and
8 projects as herein specified in accordance with the
9 following:

| 10 | | APPROPRIATIONS | REAPPROPRIATIONS |
|----|--------------------------------------|--------------------------|------------------|
| 11 | Capital Projects Funds - Other | [9,415,000] | 36,482,000 |
| 12 | | <u>19,415,000</u> | |
| 13 | | ----- | ----- |
| 14 | All Funds | [9,415,000] | 36,482,000 |
| 15 | | <u>19,415,000</u> | |
| 16 | | ===== | ===== |

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

LBD12039-01-9

1 NEW FACILITIES PURPOSE (CCP)..... 10,000,000

2 -----

3 Capital Projects Funds - Other

4 Capital Projects Fund

5 New Facilities Purpose

6 For payment to agricultural or horticultural
7 corporations and county extension service
8 associations that are eligible to receive
9 premium reimbursement pursuant to section
10 286 of the agriculture and markets law
11 for: the costs of construction, reno-
12 vation, alteration, rehabilitation,
13 improvements, installation, acquisition,
14 repair or replacement of fairground build-
15 ings, equipment or permanent or temporary
16 facilities used to house or promote agri-
17 culture, excluding parking facilities and
18 signage; or for the costs of construction,
19 renovation, alteration, rehabilitation,
20 improvements, installation, acquisition,
21 repair or replacement of water systems,
22 restrooms, septic systems, and/or storm
23 water management systems on fairgrounds or
24 in fairground buildings to be allocated by
25 the commissioner in amounts not to exceed
26 \$200,000 to such eligible agricultural and
27 horticultural corporations or county
28 extension services on a non-competitive
29 basis until such funds are exhausted
30 (60LF1903)..... 5,000,000

31 For grants to municipal and incorporated
32 not-for-profit pounds, shelters and humane
33 societies. Use of the grant funds is
34 restricted to the costs of capital
35 projects including, but not limited to,
36 construction, renovation, rehabilitation,
37 installation, acquisition, or expansion of
38 buildings, equipment, or facilities neces-
39 sary for the secure containment, health,
40 and adequate care of sheltered dogs and
41 cats. These grants shall be allocated by
42 the commissioner on a competitive basis
43 until such funds are extinguished as
44 follows: (a) In municipalities with a
45 population of less than two million, for
46 such pounds, shelters or humane societies
47 that are operated by or under contract for
48 the provision of pound or shelter services
49 with one or more municipalities: projects
50 serving an individual municipality, grants
51 in amounts not less than \$50,000 and not
52 more than \$200,000, not to exceed fifty
53 percent of the total project cost; and for
54 projects serving two or more munici-

palities, grants in amounts not less than
\$100,000 and not more than \$500,000, not
to exceed seventy-five percent of the
total project cost; (b) In municipalities
with a population of more than two
million, for such pounds, shelters or
humane societies that are operated by or
under contract for the provision of pound
or shelter services with one or more muni-
cipalities, grants in amounts not less
than \$100,000 and not more than \$500,000,
not to exceed seventy-five percent of the
total project cost; and (c) to the extent
such funds have not been extinguished, for
projects in underserved municipalities or
regions, for such pounds, shelters or
humane societies that are not operated by
or under contract with one or more muni-
cipalities for the provision of pound or
shelter services, grants in amounts not
more than \$50,000, not to exceed fifty
percent of the total project cost. Up to
five percent of the total appropriation
amount may be made available for the
services and expenses of the department in
relation to these grants, including
personal service, non-personal service,
fringe benefits, and indirect costs
(60AS1903)..... 5,000,000

EDUCATION DEPARTMENT

CAPITAL PROJECTS 2019-20

For the comprehensive construction programs, purposes and projects as herein specified in accordance with the following:

| | APPROPRIATIONS | REAPPROPRIATIONS |
|--------------------------------------|--|------------------|
| Capital Projects Funds - Other | [101,200,000 141,200,000] | 3,944,883,000 |
| | ----- | ----- |
| All Funds | [101,200,000 141,200,000] | 3,944,883,000 |
| | ===== | ===== |

| | | |
|----------------------------------|---------------------------|------------|
| LIBRARY CONSTRUCTION (CCP) | [14,000,000] | 34,000,000 |
| | ----- | |

Capital Projects Funds - Other
 Capital Projects Fund - 30000
 Program Improvement/Change Purpose

For total approved project costs pursuant to section 273-a of the education law, for

approved projects, excluding feasibility studies, plans or similar activities, for the acquisition of vacant land and the acquisition, construction, renovation or rehabilitation, including leasehold improvements, of buildings of public libraries and library systems chartered by the regents of the state of New York or established by an act of the legislature, subject to distribution provisions in subdivision 5 of section 273-a of the education law on and upon approval by the commissioner (11011908) (23486) 14,000,000

For additional total approved project costs pursuant to section 273-a of the education law, for approved projects, excluding feasibility studies, plans or similar activities, for the acquisition of vacant land and the acquisition, construction, renovation or rehabilitation, including leasehold improvements, of buildings of public libraries and library systems chartered by the regents of the state of New York or established by an act of the legislature, subject to distribution provisions in subdivision 5 of section 273-a of the education law and upon approval by the commissioner (11001908) (55925)..... 20,000,000

MATCHING GRANTS FOR SAFETY AND SECURITY PROJECTS FOR AT RISK FACILITIES (CCP)..... 20,000,000

Capital Projects Funds - Other
Capital Projects Fund - 30000
Program Improvement/Change Purpose

For a competitive grant program to provide safety and security projects at nonpublic schools and day camps at risk of hate crimes or attacks because of their ideology, beliefs or mission. Provided that an assessment of facilities at risk may include, but not be limited to, considerations of the vulnerabilities of the organization based on its location and membership, and the potential consequences of a hate crime or attack at the facility. Provided further that recipients of such grants may be required to commit to undertake matching safety and security projects in an amount established in the request for applications for such grants. The amount appropriated herein may be trans-

ferred or suballocated to the division of
homeland security and emergency services
to accomplish the intent of this appropri-
ation 20,000,000

DEPARTMENT OF HEALTH

CAPITAL PROJECTS - REAPPROPRIATIONS 2019-20

HEALTH CARE FACILITY TRANSFORMATION PROGRAM (CCP)

Capital Projects Funds - Other

Capital Projects Fund - 30000

Health Care System Improvement Purpose

The appropriation made by chapter 54, section 1, of the laws of 2018, as amended by chapter 54, section 1, of the laws of 2019, is hereby amended and reappropriated to read:

For payments and grants to support health care facility transformation statewide. Notwithstanding section 163 of the state finance law or any other provision of law to the contrary, this appropriation may be used to fund payments and or grants, including up to \$5,000,000 to regional perinatal care centers or other health providers to establish telehealth applications, made by the commissioner of health in his or her sole discretion, without a competitive bid or request for proposal process, to eligible applicants as determined by the commissioner of health for the purposes that strengthen and protect continued access to health care services in communities including but not limited to children's residential treatment facilities. Such purposes may include debt retirement and capital projects or non-capital projects that facilitate health care transformation activities including, merger, consolidation, acquisition or other activities intended to: create financially sustainable systems of care; preserve or expand essential health care services; modernize obsolete facility physical plants and infrastructure; foster participation in alternative payment arrangements, including but not limited to contracts with managed care plans and accountable care organizations; increase the quality of resident care or experience in residential health care facilities; or improve health information technology infrastructure, including telehealth, to strengthen the acute, post-acute care, primary care, and longterm care continuum. Grants shall not be available to support general operating expenses.

The commissioner and the president of the dormitory authority of the state of New York shall enter into an agreement, subject to the approval of the director of the budget, and subject to section 1680-r of the public authorities law, for the purposes of awarding, distributing, and administering the funds made available pursuant to this appropriation.

In determining awards for eligible applicants under this appropriation, the commissioner of health shall consider criteria including, but not limited to:

(a) The extent to which the proposed project will contribute to the integration of health care services or the long term sustainability of the applicant or preservation of essential health services in the community or communities served by the applicant;

- (b) The extent to which the proposed project or purpose is aligned with delivery system reform incentive payment ("DSRIP") program goals and objectives;
- (c) The geographic distribution of funds;
- (d) The relationship between the proposed project and identified community need;
- (e) The extent to which the applicant has access to alternative financing;
- (f) The extent to which the proposed project furthers the development of primary care and other outpatient services;
- (g) The extent to which the proposed project benefits medicaid enrollees and uninsured individuals;
- (h) The extent to which the applicant has engaged the community affected by the proposed project and the manner in which community engagement has shaped such project; and
- (i) The extent to which the proposed project addresses potential risk to patient safety and welfare.

Notwithstanding any inconsistent provision of law to the contrary, and upon approval of the director of the budget, the commissioner may award up to \$300,000,000 of the funds made available pursuant to this appropriation for unfunded project applications submitted in response to the request for applications number 17648 issued by the department on January 8, 2018 pursuant to section 2825-e of the public health law.

Authorized amounts to be awarded pursuant to applications submitted in response to the request for application number 17648 shall be awarded no later than ~~May~~ September 1, 2019.

The department shall provide a report on a quarterly basis to the chairs of the senate finance, assembly ways and means, and senate health and assembly health committees, until such time as the department determines that the projects that receive funding pursuant to this appropriation are substantially complete. Such reports shall be submitted no later than sixty days after the close of the quarter, and shall include, for each award, the name of the applicant, a description of the project or purpose, the amount of the award, disbursement date, and status of achievement of process and performance metrics and milestones pursuant to subdivision 6 of section 2825-f of the public health law.

Within amounts appropriated herein, a minimum of \$45,000,000 shall be made available for grant awards to residential health care facilities, up to \$20,000,000 may be made available for grant awards made pursuant to paragraphs (l) and (m) of subdivision 3 of section 461-1 of the social services law, pursuant to criteria to be determined by the commissioner and a minimum of \$60,000,000 shall be made available for grant awards to community-based health care providers which shall be defined as a diagnostic and treatment center licensed or granted an operating certificate under article 28 of the public health law, a mental health clinic licensed or granted an operating certificate under article 31 of the mental hygiene law, a substance use disorder treatment clinic licensed or granted an operating certificate under article 32 of the mental hygiene law, a primary care provider, a home care provider certified or licensed pursuant to article 36 of the public health law, a facility granted an operating certificate under article 16 of the mental hygiene law or hospices licensed or granted an operating certificate pursuant to article 40 of the public health law.

The dormitory authority may issue bonds for such purposes up to the amount appropriated herein. No expenditures may be made from this appropriation to a facility until a facility specific plan has been submitted to the department of health and has been approved by the director of the budget (12SW18HE) (26668)
 525,000,000 (re. \$525,000,000)

DIVISION OF HOUSING AND COMMUNITY RENEWAL

CAPITAL PROJECTS 2019-20

For the comprehensive construction programs, purposes and projects as herein specified in accordance with the following:

| | APPROPRIATIONS | REAPPROPRIATIONS |
|--------------------------------------|--|------------------|
| Capital Projects Funds - Other | [174,200,000 294,200,000] | 2,904,753,000 |
| Capital Projects Funds - Federal ... | 0 | 10,027,000 |
| | ----- | ----- |
| All Funds | [174,200,000 294,200,000] | 2,914,780,000 |
| | ===== | ===== |

NEW YORK CITY HOUSING AUTHORITY PROGRAM (CCP) 100,000,000

Capital Projects Funds - Other
Housing Program Fund
New Facilities Purpose

For the purposes of capital projects and other improvements to address issues including, but not limited to lead at housing developments owned or operated by the New York city housing authority, pursuant to a plan approved by the director of the budget, in consultation with the New York city housing authority chair and the dormitory authority of the state of New York. The amounts appropriated herein may be suballocated or transferred to any state department, agency, or public authority for the purposes stated herein ... 100,000,000

PUBLIC HOUSING PRESERVATION PROGRAM (CCP) 20,000,000

Capital Projects Funds - Other
Housing Program Fund
Housing Trust Fund Corporation Account - 31851
Preservation of Facilities Purpose

For the purpose of substantial or moderate rehabilitation and/or the demolition and

replacement through new construction of
site-specific multi-family rental housing
currently owned by public housing authori-
ties outside of New York city, or any
affordable, low-income or senior housing
related purpose, including disaster recov-
ery, outside of New York city. The amounts
appropriated herein may be suballocated or
transferred to any state department, agen-
cy, or public authority for the purposes
stated herein 20,000,000

NEW YORK STATE URBAN DEVELOPMENT CORPORATION

CAPITAL PROJECTS 2019-20

For the comprehensive construction programs, purposes and
 projects as herein specified in accordance with the
 following:

| | APPROPRIATIONS | REAPPROPRIATIONS |
|--------------------------------------|----------------------------|----------------------|
| | [820,331,000] | |
| Capital Projects Funds - Other | <u>1,320,331,000</u> | 7,570,214,000 |
| | ----- | ----- |
| | [820,331,000] | |
| All Funds | <u>1,320,331,000</u> | 7,570,214,000 |
| | ===== | ===== |
| ECONOMIC DEVELOPMENT (CCP) | [820,331,000] | <u>1,320,331,000</u> |
| | ----- | |

Capital Projects Funds - Other
 Capital Projects Fund - 30000
 Economic Development Purpose

Notwithstanding any inconsistent provision
 of law, for services and expenses, loans,
 grants, and costs associated with program
 administration, of projects and purposes
 authorized below, including the payment of
 liabilities incurred prior to April 1,
 2019. All or a portion of the funds appro-
 priated hereby may be suballocated or
 transferred to any department, agency, or
 public authority, according to the follow-
 ing:

The sum of \$500,000,000 is hereby appropri-
ated for the New York Works Economic
Development Fund. Funds appropriated here-
in shall be for services and expenses,
loans, and grants, related to the New York
Works Economic Development Fund, provided
that up to \$425,000,000 shall be available
from this appropriation for the
construction of an entrance to Pennsylva-

nia Station at the southwest corner of the
intersection of West 33rd Street and 7th
Avenue and other related improvements and
expenses (91161909) (47006) 500,000,000

DEPARTMENT OF TRANSPORTATION

CAPITAL PROJECTS 2019-20

For the comprehensive construction programs, purposes and
 projects as herein specified in accordance with the
 following:

| | APPROPRIATIONS | REAPPROPRIATIONS |
|--|--|------------------|
| Capital Projects Funds - Other | [2,807,632,000 <u>2,892,632,000</u>] | 8,732,092,000 |
| Capital Projects Funds - Federal . . . | 2,526,000,000 | 8,923,848,000 |
| Special Revenue Funds - Federal . . . | 19,241,000 | 93,621,000 |
| Fiduciary Funds | 50,000,000 | 545,326,000 |
| | ----- | ----- |
| All Funds | [5,402,873,000 <u>5,487,873,000</u>] | 18,294,887,000 |
| | ===== | ===== |

NEW YORK WORKS (CCP) [~~480,889,000~~ 500,889,000]

Capital Projects Funds - Other
 Capital Projects Fund - 30000
 Non-MTA Capital Purpose

For the payment of the costs, which shall be
reimbursed from bond proceeds, of the
reconstruction, improvement, rehablilita-
tion and maintenance of the existing
passenger rail system of the Niagara Fron-
tier transportation authority (17NF1931) 20,000,000

OTHER TRANSPORTATION AID (CCP) [~~477,797,000~~ 542,797,000]

Capital Projects Funds - Other
 Capital Projects Fund - 30000
 Highway Aid Purpose

For capital grants to municipalities for
extreme winter recovery:
The sum of \$65,000,000 to municipalities for
reimbursement of eligible costs of local
highway and bridge projects pursuant to
section 16-a of chapter 329 of the laws of
1991, as added by section 9 of chapter 330
of the laws of 1991, as amended. For the
purposes of computing allocations to muni-
cipalities, the amount distributed pursu-

ant to section 16-a of chapter 329 of the laws of 1991 shall be deemed to be \$65,000,000. To the extent that the total of payment allocations calculated herein varies from \$65,000,000, the payment amounts to each locality shall be adjusted by a uniform percentage so that the total payments equal \$65,000,000.

Payments shall be made on the fifteenth day of June, September, December and March (17EW1921) (53160) 65,000,000

MISCELLANEOUS -- ALL STATE DEPARTMENTS AND AGENCIES

HIGHER EDUCATION FACILITIES CAPITAL MATCHING GRANTS PROGRAM

CAPITAL PROJECTS 2019-20

[~~APPROPRIATIONS~~ ~~REAPPROPRIATIONS~~

| | | |
|---|------------------|------------------------|
| Capital Projects Funds - Other | 0 | 121,661,000 |
| All Funds | 0 | 121,661,000 |
| | ===== | ===== |

For the comprehensive construction programs, purposes and projects as herein specified in accordance with the following:

| | <u>APPROPRIATIONS</u> | <u>REAPPROPRIATIONS</u> |
|---|-----------------------|-------------------------|
| <u>Capital Projects Funds - Other</u> | <u>30,000,000</u> | <u>121,661,000</u> |
| | <u>-----</u> | <u>-----</u> |
| <u>All Funds</u> | <u>30,000,000</u> | <u>121,661,000</u> |
| | <u>=====</u> | <u>=====</u> |

HIGHER EDUCATION CAPITAL MATCHING GRANTS (CCP) 30,000,000

Capital Projects Funds - Other
Capital Projects Fund - 30000
Capital Matching Grants Purpose

The sum of \$30,000,000 is hereby appropriated for the higher education facilities capital matching grants program. Awards and grants shall be administered by the New York state higher education capital matching grant board created pursuant to part U of chapter 63 of the laws of 2005 as amended (MG0919MG) 30,000,000

MISCELLANEOUS -- ALL STATE DEPARTMENTS AND AGENCIES

LAKE ONTARIO RESILIENCY AND ECONOMIC DEVELOPMENT

CAPITAL PROJECTS 2019-20

For the comprehensive construction programs, purposes, and projects as herein specified in accordance with the following:

| | <u>APPROPRIATIONS</u> | <u>REAPPROPRIATIONS</u> |
|--|-----------------------|-------------------------|
| <u>Capital Projects Funds - Other.....</u> | <u>100,000,000</u> | <u>0</u> |
| | <u>-----</u> | <u>-----</u> |
| <u>All Funds.....</u> | <u>100,000,000</u> | <u>0</u> |
| | <u>=====</u> | <u>=====</u> |

LAKE ONTARIO RESILIENCY AND ECONOMIC DEVELOPMENT (CCP) 100,000,000

Capital Projects Funds - Other

Capital Projects Fund - 30000

Lake Ontario Resiliency and Economic Development Purpose

The sum of \$100,000,000 is hereby appropriated for Lake Ontario resiliency and economic development projects and purposes. Funds appropriated herein shall be for services and expenses, loans, grants, and costs of program administration related to hardening infrastructure along the Lake Ontario waterfront and strengthening local economies within the region, including but not limited to projects or priorities recommended by the Lake Ontario Resiliency and Economic Development Initiative Commission. All or a portion of this appropriation may be suballocated or transferred to any department, agency, or public authority..... 100,000,000

MISCELLANEOUS -- ALL STATE DEPARTMENTS AND AGENCIESSTATE AND MUNICIPAL FACILITIES PROGRAMCAPITAL PROJECTS 2019-20

For the comprehensive construction programs, purposes, and projects as herein specified in accordance with the following:

| | <u>APPROPRIATIONS</u> | <u>REAPPROPRIATIONS</u> |
|--|-----------------------|-------------------------|
| <u>Capital Projects Funds - Other.....</u> | <u>385,000,000</u> | <u>1,931,987,000</u> |
| | <u>-----</u> | <u>-----</u> |
| <u>All Funds.....</u> | <u>385,000,000</u> | <u>1,931,987,000</u> |
| | <u>=====</u> | <u>=====</u> |

STATE AND MUNICIPAL FACILITIES PROGRAM (CCP) 385,000,000

Capital Projects Funds - Other
Capital Projects Fund - 30000
State and Municipal Facilities Purpose

For payment of the capital costs of construction, improvement, rehabilitation or reconstruction of facilities owned by eligible entities; the acquisition of capital facilities and assets by eligible entities, including fixed capital assets; the acquisition by eligible entities of equipment and other capital assets, including vehicles, in support of health, safety, technology, or innovation; the acquisition by an eligible entity of capital assets with a useful life of not less than ten years purchased for the sole purpose of preserving and protecting infrastructure that is owned, controlled or appurtenant to an eligible entity, including but not limited to heavy duty road maintenance and construction vehicles, pavers, snow plows, street sweepers and heavy duty fire, emergency response and law enforcement vehicles; economic development projects sponsored by the state or municipal corporations, as defined in section 2 of the general municipal law, that will create or retain jobs in New York state as certified by the commissioner of the department of economic development; or environmental projects sponsored by the state or municipal corporations as defined in section 2 of the general municipal law. Eligible entities shall consist of the state; municipal corporations as defined in section 2 of the general municipal law; sanitation districts; special districts as defined in subdivision 16 of section 102 of the real property tax law; water and sewer districts; the Metropolitan Transportation Authority or any other public benefit corporation established pursuant to titles 11, 11-A, 11-B, 11-C, or 11-D of the public authorities law; a public benefit corporation as defined in section 2 of chapter 1016 of the laws of 1969; a college or university established pursuant to section 352 of the education law, section 6203 of the education law or section 6302 of the education law; an independent not-for-profit institution of higher education as defined in subdivision 2 of section 6401 of the education law; public school districts; public housing

1 authorities; entities providing affordable
2 housing, public libraries and library
3 systems chartered by the regents of the
4 state of New York or established by an act
5 of the legislature; public park conservan-
6 cies or not-for-profit corporations organ-
7 ized for the purpose of investing in parks
8 owned by the state or municipal corpo-
9 rations, as defined in section 2 of the
10 general municipal law; and not-for-profit
11 fire districts, fire commissions, fire
12 companies, fire departments, volunteer
13 rescue and ambulance squads; and special
14 act school districts, schools for the
15 blind and deaf and other students with
16 disabilities subject to article 85 of the
17 education law, and private schools for
18 students with disabilities authorized
19 pursuant to chapter 853 of the laws of
20 1976.

21 Costs may include, but shall not be limited
22 to engineering services, construction,
23 project management, right-of-way acquisi-
24 tion, and work appurtenant and ancillary
25 thereto. Notwithstanding any inconsistent
26 provision of this appropriation or any
27 other provision of law, funds from this
28 appropriation may be made available for
29 Lake Ontario resiliency and economic
30 development projects and purposes, includ-
31 ing services and expenses, loans, grants,
32 and costs of program administration
33 related to hardening infrastructure along
34 the Lake Ontario waterfront and strength-
35 ening local economies within the region,
36 including but not limited to projects or
37 priorities recommended by the Lake Ontario
38 Resiliency and Economic Development Initi-
39 ative Commission. No funds from this
40 appropriation may be used as a required
41 match or be considered a local share to
42 other state programs or to leverage state
43 aid or grants including but not limited to
44 the apportionment of aid under the educa-
45 tion law. Notwithstanding any provision of
46 law to the contrary, funds appropriated
47 herein may, subject to the approval of the
48 director of the budget, be (i) inter-
49 changed, (ii) transferred from this appro-
50 priation to any other appropriation of any
51 state department, agency or public benefit
52 corporation, or (iii) suballocated to any
53 other state department, agency or public
54 benefit corporation, to achieve this
55 purpose (SM0120SM) (80001) 385,000,000

MISCELLANEOUS -- ALL STATE DEPARTMENTS AND AGENCIES

STATE AND MUNICIPAL FACILITIES PROGRAM

CAPITAL PROJECTS - REAPPROPRIATIONS 2019-20

[~~APPROPRIATIONS~~ ~~REAPPROPRIATIONS~~

~~Capital Projects Funds - Other 0 1,931,987,000~~

~~All Funds 0 1,931,987,000~~

STATE AND MUNICIPAL FACILITIES PROGRAM (CCP)

Capital Projects Funds - Other

Capital Projects Fund - 30000

State and Municipal Facilities Purpose

The appropriation made by chapter 54, section 1, of the laws of 2017, as amended by chapter 54, section 1, of the laws of 2019, is hereby amended and reappropriated to read:

For payment of the capital costs of construction, improvement, rehabilitation or reconstruction of facilities owned by eligible entities; the acquisition of capital facilities and assets by eligible entities, including fixed capital assets; the acquisition by eligible entities of equipment and other capital assets, including vehicles, in support of health, safety, technology, or innovation; the acquisition by an eligible entity of capital assets with a useful life of not less than ten years purchased for the sole purpose of preserving and protecting infrastructure that is owned, controlled or appurtenant to an eligible entity, including but not limited to heavy duty road maintenance and construction vehicles, pavers, snow plows, street sweepers and heavy duty fire, emergency response and law enforcement vehicles; economic development projects sponsored by the state or municipal corporations, as defined in section 2 of the general municipal law, that will create or retain jobs in New York state as certified by the commissioner of the department of economic development; or environmental projects sponsored by the state or municipal corporations as defined in section 2 of the general municipal law. Eligible entities shall consist of the state; municipal corporations as defined in section 2 of the general municipal law; sanitation districts; special districts as defined in subdivision 16 of section 102 of the real property tax law; water and sewer districts; the Metropolitan Transportation Authority or any other public benefit corporation established pursuant to titles 11, 11-A, 11-B, 11-C, or 11-D of the public authorities law; a public benefit corporation as defined in section 4 of chapter 1016 of the laws of 1969; a college or university established pursuant to section 352 of the education law, section 6203 of the education law or section 6302 of the education law; an independent not-for-profit institution of higher education as defined in subdivision 2 of section 6401 of the education law; public school districts; public housing authorities; public libraries and library systems chartered by the regents of the state of New York or established by an act of the legislature;

public park conservancies or not for profit corporations organized for the purpose of investing in parks owned by the state or municipal corporations, as defined in section 2 of the general municipal law; not for profit fire districts, fire commissions, fire companies, fire departments, volunteer rescue and ambulance squads; and special act school districts, schools for the blind and deaf and other students with disabilities subject to article 85 of the education law, and private schools for students with disabilities authorized pursuant to chapter 853 of the laws of 1976.

Costs may include, but shall not be limited to engineering services, construction, project management, right-of-way acquisition, and work appurtenant and ancillary thereto. No funds from this appropriation may be used as a required match or be considered a local share to other state programs or to leverage state aid or grants including but not limited to the apportionment of aid under the education law. Notwithstanding any provision of law to the contrary, funds appropriated herein may, subject to the approval of the director of the budget, be (i) interchanged, (ii) transferred from this appropriation to any other appropriation of any state department, agency or public benefit corporation, or (iii) suballocated to any other state department, agency or public benefit corporation, to achieve this purpose. Notwithstanding the foregoing, any limitations contained therein or any other inconsistent provision of law, funds from this appropriation shall also be available, including for payment of liabilities incurred or payments made prior to April 1, 2017, (i) for any purpose, individual, or entity authorized under the Lake Ontario-St. Lawrence Seaway flood relief and recovery grant program established pursuant to a chapter of the laws of 2017, subject to the approval of the director of the budget, (ii) for payment of the costs of other storm recovery and mitigation projects, not to exceed 10,000,000 dollars in the aggregate to municipalities and special districts in (a) the counties of Chautauqua, Cattaraugus and Allegany for damages sustained as a result of a severe storm and flooding which occurred July 14 and 15, 2015, in an amount not less than 6,800,000 dollars or (b) the county of Monroe for damages resulting from a severe storm which occurred March 8 and 9, 2017, in an amount not to exceed 2,000,000 dollars subject to the approval of the director of the budget, ~~and~~ (iii) for any purpose, individual, or entity authorized under the Southern Tier-Finger Lakes recovery program, as administered by the Housing Trust Fund Corporation, for damages sustained as a result of a severe storm and flooding which occurred August 13 thru 15, 2018, in an amount not to exceed \$13,000,000, and (iv) for any purpose, individual, or entity authorized under the Lake Ontario-St. Lawrence Seaway flood relief and recovery grant program established pursuant to chapter 85 of the laws of 2017, as amended by chapter 61 of the laws of 2017, as amended by chapter 59 of the laws of 2018, for damages sustained as a result of severe storms and flooding which occurred between January 1, 2019 and December 31, 2019. Notwithstanding any other law to the contrary, the amounts appropriated herein may be suballocated or transferred to any state department, agency, or public authority for the purposes stated herein (SM0117SM) (80001) 398,500,000 (re. \$386,500,000)

§ 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2019.