

# 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:

	APPROPRIATIONS	REAPPROPRIATIONS
11 Capital Projects Funds - Other .....	[ <del>9,415,000</del> ]	36,482,000
12	<u>19,415,000</u>	
13	-----	-----
14 All Funds .....	[ <del>9,415,000</del> ]	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	<u>NEW FACILITIES PURPOSE (CCP) .....</u>	<u>10,000,000</u>
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-

1 palities, grants in amounts not less than  
2 \$100,000 and not more than \$500,000, not  
3 to exceed seventy-five percent of the  
4 total project cost; (b) In municipalities  
5 with a population of more than two  
6 million, for such pounds, shelters or  
7 humane societies that are operated by or  
8 under contract for the provision of pound  
9 or shelter services with one or more muni-  
10 icipalities, grants in amounts not less  
11 than \$100,000 and not more than \$500,000,  
12 not to exceed seventy-five percent of the  
13 total project cost; and (c) to the extent  
14 such funds have not been extinguished, for  
15 projects in underserved municipalities or  
16 regions, for such pounds, shelters or  
17 humane societies that are not operated by  
18 or under contract with one or more munici-  
19 palties for the provision of pound or  
20 shelter services, grants in amounts not  
21 more than \$50,000, not to exceed fifty  
22 percent of the total project cost. Up to  
23 five percent of the total appropriation  
24 amount may be made available for the  
25 services and expenses of the department in  
26 relation to these grants, including  
27 personal service, non-personal service,  
28 fringe benefits, and indirect costs  
29 (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 . . . . .	[ <del>101,200,000</del> 141,200,000	3,944,883,000
	-----	-----
All Funds . . . . .	[ <del>101,200,000</del> 141,200,000	3,944,883,000
	=====	=====
LIBRARY CONSTRUCTION (CCP) . . . . .	[ <del>14,000,000</del>	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

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

14 For additional total approved project costs  
 15 pursuant to section 273-a of the education  
 16 law, for approved projects, excluding  
 17 feasibility studies, plans or similar  
 18 activities, for the acquisition of vacant  
 19 land and the acquisition, construction,  
 20 renovation or rehabilitation, including  
 21 leasehold improvements, of buildings of  
 22 public libraries and library systems char-  
 23 tered by the regents of the state of New  
 24 York or established by an act of the  
 25 legislature, subject to distribution  
 26 provisions in subdivision 5 of section  
 27 273-a of the education law and upon  
 28 approval by the commissioner (11001908)  
 29 (55925)..... 20,000,000

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

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

35 For a competitive grant program to provide  
 36 safety and security projects at nonpublic  
 37 schools and day camps at risk of hate  
 38 crimes or attacks because of their ideol-  
 39 ogy, beliefs or mission. Provided that an  
 40 assessment of facilities at risk may  
 41 include, but not be limited to, consider-  
 42 ations of the vulnerabilities of the  
 43 organization based on its location and  
 44 membership, and the potential consequences  
 45 of a hate crime or attack at the facility.  
 46 Provided further that recipients of such  
 47 grants may be required to commit to under-  
 48 take matching safety and security projects  
 49 in an amount established in the request  
 50 for applications for such grants. The  
 51 amount appropriated herein may be trans-

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

5 DEPARTMENT OF HEALTH

6 CAPITAL PROJECTS - REAPPROPRIATIONS 2019-20

7 HEALTH CARE FACILITY TRANSFORMATION PROGRAM (CCP)

- 8 Capital Projects Funds - Other
- 9 Capital Projects Fund - 30000
- 10 Health Care System Improvement Purpose

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

14 For payments and grants to support health care facility transformation  
 15 statewide. Notwithstanding section 163 of the state finance law or  
 16 any other provision of law to the contrary, this appropriation may  
 17 be used to fund payments and or grants, including up to \$5,000,000  
 18 to regional perinatal care centers or other health providers to  
 19 establish telehealth applications, made by the commissioner of  
 20 health in his or her sole discretion, without a competitive bid or  
 21 request for proposal process, to eligible applicants as determined  
 22 by the commissioner of health for the purposes that strengthen and  
 23 protect continued access to health care services in communities  
 24 including but not limited to children's residential treatment facil-  
 25 ities. Such purposes may include debt retirement and capital  
 26 projects or non-capital projects that facilitate health care trans-  
 27 formation activities including, merger, consolidation, acquisition  
 28 or other activities intended to: create financially sustainable  
 29 systems of care; preserve or expand essential health care services;  
 30 modernize obsolete facility physical plants and infrastructure;  
 31 foster participation in alternative payment arrangements, including  
 32 but not limited to contracts with managed care plans and accountable  
 33 care organizations; increase the quality of resident care or experi-  
 34 ence in residential health care facilities; or improve health infor-  
 35 mation technology infrastructure, including telehealth, to strength-  
 36 en the acute, post-acute care, primary care, and longterm care  
 37 continuum. Grants shall not be available to support general operat-  
 38 ing expenses.

39 The commissioner and the president of the dormitory authority of the  
 40 state of New York shall enter into an agreement, subject to the  
 41 approval of the director of the budget, and subject to section  
 42 1680-r of the public authorities law, for the purposes of awarding,  
 43 distributing, and administering the funds made available pursuant to  
 44 this appropriation.

45 In determining awards for eligible applicants under this appropri-  
 46 ation, the commissioner of health shall consider criteria including,  
 47 but not limited to:

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

- 1 (b) The extent to which the proposed project or purpose is aligned  
2 with delivery system reform incentive payment ("DSRIP") program  
3 goals and objectives;  
4 (c) The geographic distribution of funds;  
5 (d) The relationship between the proposed project and identified  
6 community need;  
7 (e) The extent to which the applicant has access to alternative  
8 financing;  
9 (f) The extent to which the proposed project furthers the development  
10 of primary care and other outpatient services;  
11 (g) The extent to which the proposed project benefits medicaid enrol-  
12 lees and uninsured individuals;  
13 (h) The extent to which the applicant has engaged the community  
14 affected by the proposed project and the manner in which community  
15 engagement has shaped such project; and  
16 (i) The extent to which the proposed project addresses potential risk  
17 to patient safety and welfare.

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

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

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

39 Within amounts appropriated herein, a minimum of \$45,000,000 shall be  
40 made available for grant awards to residential health care facili-  
41 ties, up to \$20,000,000 may be made available for grant awards made  
42 pursuant to paragraphs (l) and (m) of subdivision 3 of section 461-1  
43 of the social services law, pursuant to criteria to be determined by  
44 the commissioner and a minimum of \$60,000,000 shall be made avail-  
45 able for grant awards to community-based health care providers which  
46 shall be defined as a diagnostic and treatment center licensed or  
47 granted an operating certificate under article 28 of the public  
48 health law, a mental health clinic licensed or granted an operating  
49 certificate under article 31 of the mental hygiene law, a substance  
50 use disorder treatment clinic licensed or granted an operating  
51 certificate under article 32 of the mental hygiene law, a primary  
52 care provider, a home care provider certified or licensed pursuant  
53 to article 36 of the public health law, a facility granted an oper-  
54 ating certificate under article 16 of the mental hygiene law or  
55 hospices licensed or granted an operating certificate pursuant to  
56 article 40 of the public health law.

1 The dormitory authority may issue bonds for such purposes up to the  
 2 amount appropriated herein. No expenditures may be made from this  
 3 appropriation to a facility until a facility specific plan has been  
 4 submitted to the department of health and has been approved by the  
 5 director of the budget (12SW18HE) (26668) .....  
 6 525,000,000 ..... (re. \$525,000,000)

DIVISION OF HOUSING AND COMMUNITY RENEWAL

CAPITAL PROJECTS 2019-20

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

	APPROPRIATIONS	REAPPROPRIATIONS
13 Capital Projects Funds - Other .....	[ <del>174,200,000</del> ]	2,904,753,000
	<u>294,200,000</u>	
15 Capital Projects Funds - Federal ...	0	10,027,000
	-----	-----
17 All Funds .....	[ <del>174,200,000</del> ]	2,914,780,000
	<u>294,200,000</u>	
	=====	=====

20 NEW YORK CITY HOUSING AUTHORITY PROGRAM (CCP) ..... 100,000,000  
 21 -----

22 Capital Projects Funds - Other  
 23 Housing Program Fund  
 24 New Facilities Purpose

25 For the purposes of capital projects and  
 26 other improvements to address issues  
 27 including, but not limited to lead at  
 28 housing developments owned or operated by  
 29 the New York city housing authority,  
 30 pursuant to a plan approved by the direc-  
 31 tor of the budget, in consultation with  
 32 the New York city housing authority chair  
 33 and the dormitory authority of the state  
 34 of New York. The amounts appropriated  
 35 herein may be suballocated or transferred  
 36 to any state department, agency, or public  
 37 authority for the purposes stated herein ... 100,000,000

38 PUBLIC HOUSING PRESERVATION PROGAM (CCP) ..... 20,000,000  
 39 -----

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

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

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

NEW YORK STATE URBAN DEVELOPMENT CORPORATION

CAPITAL PROJECTS 2019-20

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

	APPROPRIATIONS	REAPPROPRIATIONS
	[ <del>820,331,000</del> ]	
19 Capital Projects Funds - Other .....	<u>1,320,331,000</u>	7,570,214,000
	-----	-----
	[ <del>820,331,000</del> ]	
22 All Funds .....	<u>1,320,331,000</u>	7,570,214,000
	=====	=====

24 ECONOMIC DEVELOPMENT (CCP) ..... [ ~~820,331,000~~ ] 1,320,331,000  
 25 -----

26 Capital Projects Funds - Other  
 27 Capital Projects Fund - 30000  
 28 Economic Development Purpose

29 Notwithstanding any inconsistent provision  
 30 of law, for services and expenses, loans,  
 31 grants, and costs associated with program  
 32 administration, of projects and purposes  
 33 authorized below, including the payment of  
 34 liabilities incurred prior to April 1,  
 35 2019. All or a portion of the funds appro-  
 36 priated hereby may be suballocated or  
 37 transferred to any department, agency, or  
 38 public authority, according to the follow-  
 39 ing:

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



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

DEPARTMENT OF TRANSPORTATION

CAPITAL PROJECTS 2019-20

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

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

20 NEW YORK WORKS (CCP) . . . . . ~~480,889,000~~ 500,889,000  
 21 -----

22 Capital Projects Funds - Other  
 23 Capital Projects Fund - 30000  
 24 Non-MTA Capital Purpose

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

31 OTHER TRANSPORTATION AID (CCP) . . . . . ~~477,797,000~~ 542,797,000  
 32 -----

33 Capital Projects Funds - Other  
 34 Capital Projects Fund - 30000  
 35 Highway Aid Purpose

36 For capital grants to municipalities for  
 37 extreme winter recovery:  
 38 The sum of \$65,000,000 to municipalities for  
 39 reimbursement of eligible costs of local  
 40 highway and bridge projects pursuant to  
 41 section 16-a of chapter 329 of the laws of  
 42 1991, as added by section 9 of chapter 330  
 43 of the laws of 1991, as amended. For the  
 44 purposes of computing allocations to muni-  
 45 cipalities, the amount distributed pursu-

1 ant to section 16-a of chapter 329 of the  
 2 laws of 1991 shall be deemed to be  
 3 \$65,000,000. To the extent that the total  
 4 of payment allocations calculated herein  
 5 varies from \$65,000,000, the payment  
 6 amounts to each locality shall be adjusted  
 7 by a uniform percentage so that the total  
 8 payments equal \$65,000,000.

9 Payments shall be made on the fifteenth day  
 10 of June, September, December and March  
 11 (17EW1921) (53160) ..... 65,000,000

12 MISCELLANEOUS -- ALL STATE DEPARTMENTS AND AGENCIES

13 HIGHER EDUCATION FACILITIES CAPITAL MATCHING GRANTS PROGRAM

14 CAPITAL PROJECTS 2019-20

15 [~~APPROPRIATIONS REAPPROPRIATIONS~~

16 ~~Capital Projects Funds - Other ..... 0 121,661,000~~

17 ~~-----~~  
 18 ~~All Funds ..... 0 121,661,000~~

19 ~~-----]~~

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

23 APPROPRIATIONS REAPPROPRIATIONS

24 Capital Projects Funds - Other ..... 30,000,000 121,661,000

25 -----  
 26 All Funds ..... 30,000,000 121,661,000

27 =====

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

29 -----  
 30 Capital Projects Funds - Other  
 31 Capital Projects Fund - 30000  
 32 Capital Matching Grants Purpose

33 The sum of \$30,000,000 is hereby appropri-  
 34 ated for the higher education facilities  
 35 capital matching grants program. Awards  
 36 and grants shall be administered by the  
 37 New York state higher education capital  
 38 matching grant board created pursuant to  
 39 part U of chapter 63 of the laws of 2005  
 40 as amended (MG0919MG) ..... 30,000,000

41 MISCELLANEOUS -- ALL STATE DEPARTMENTS AND AGENCIES

42 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>All Funds.....</u>	<u>100,000,000</u>	<u>0</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 AGENCIES

STATE AND MUNICIPAL FACILITIES PROGRAM

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>385,000,000</u>	<u>1,931,987,000</u>
	-----	-----
<u>All Funds.....</u>	<u>385,000,000</u>	<u>1,931,987,000</u>
	=====	=====

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

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

4 For payment of the capital costs of  
5 construction, improvement, rehabilitation  
6 or reconstruction of facilities owned by  
7 eligible entities; the acquisition of  
8 capital facilities and assets by eligible  
9 entities, including fixed capital assets;  
10 the acquisition by eligible entities of  
11 equipment and other capital assets,  
12 including vehicles, in support of health,  
13 safety, technology, or innovation; the  
14 acquisition by an eligible entity of capi-  
15 tal assets with a useful life of not less  
16 than ten years purchased for the sole  
17 purpose of preserving and protecting  
18 infrastructure that is owned, controlled  
19 or appurtenant to an eligible entity,  
20 including but not limited to heavy duty  
21 road maintenance and construction vehi-  
22 cles, pavers, snow plows, street sweepers  
23 and heavy duty fire, emergency response  
24 and law enforcement vehicles; economic  
25 development projects sponsored by the  
26 state or municipal corporations, as  
27 defined in section 2 of the general munic-  
28 ipal law, that will create or retain jobs  
29 in New York state as certified by the  
30 commissioner of the department of economic  
31 development; or environmental projects  
32 sponsored by the state or municipal corpo-  
33 rations as defined in section 2 of the  
34 general municipal law. Eligible entities  
35 shall consist of the state; municipal  
36 corporations as defined in section 2 of  
37 the general municipal law; sanitation  
38 districts; special districts as defined in  
39 subdivision 16 of section 102 of the real  
40 property tax law; water and sewer  
41 districts; the Metropolitan Transportation  
42 Authority or any other public benefit  
43 corporation established pursuant to titles  
44 11, 11-A, 11-B, 11-C, or 11-D of the  
45 public authorities law; a public benefit  
46 corporation as defined in section 2 of  
47 chapter 1016 of the laws of 1969; a  
48 college or university established pursuant  
49 to section 352 of the education law,  
50 section 6203 of the education law or  
51 section 6302 of the education law; an  
52 independent not-for-profit institution of  
53 higher education as defined in subdivision  
54 2 of section 6401 of the education law;  
55 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

1 MISCELLANEOUS -- ALL STATE DEPARTMENTS AND AGENCIES

2 STATE AND MUNICIPAL FACILITIES PROGRAM

3 CAPITAL PROJECTS - REAPPROPRIATIONS 2019-20

4 [ ~~APPROPRIATIONS REAPPROPRIATIONS~~

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

6 ~~-----~~

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

8 ~~-----~~ ]

9 STATE AND MUNICIPAL FACILITIES PROGRAM (CCP)

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

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

16 For payment of the capital costs of construction, improvement, reha-  
 17 bilitation or reconstruction of facilities owned by eligible enti-  
 18 ties; the acquisition of capital facilities and assets by eligible  
 19 entities, including fixed capital assets; the acquisition by eligi-  
 20 ble entities of equipment and other capital assets, including vehi-  
 21 cles, in support of health, safety, technology, or innovation; the  
 22 acquisition by an eligible entity of capital assets with a useful  
 23 life of not less than ten years purchased for the sole purpose of  
 24 preserving and protecting infrastructure that is owned, controlled  
 25 or appurtenant to an eligible entity, including but not limited to  
 26 heavy duty road maintenance and construction vehicles, pavers, snow  
 27 plows, street sweepers and heavy duty fire, emergency response and  
 28 law enforcement vehicles; economic development projects sponsored by  
 29 the state or municipal corporations, as defined in section 2 of the  
 30 general municipal law, that will create or retain jobs in New York  
 31 state as certified by the commissioner of the department of economic  
 32 development; or environmental projects sponsored by the state or  
 33 municipal corporations as defined in section 2 of the general munic-  
 34 ipal law. Eligible entities shall consist of the state; municipal  
 35 corporations as defined in section 2 of the general municipal law;  
 36 sanitation districts; special districts as defined in subdivision 16  
 37 of section 102 of the real property tax law; water and sewer  
 38 districts; the Metropolitan Transportation Authority or any other  
 39 public benefit corporation established pursuant to titles 11, 11-A,  
 40 11-B, 11-C, or 11-D of the public authorities law; a public benefit  
 41 corporation as defined in section 4 of chapter 1016 of the laws of  
 42 1969; a college or university established pursuant to section 352 of  
 43 the education law, section 6203 of the education law or section 6302  
 44 of the education law; an independent not-for-profit institution of  
 45 higher education as defined in subdivision 2 of section 6401 of the  
 46 education law; public school districts; public housing authorities;  
 47 public libraries and library systems chartered by the regents of the  
 48 state of New York or established by an act of the legislature;

1 public park conservancies or not for profit corporations organized  
 2 for the purpose of investing in parks owned by the state or municipal  
 3 corporations, as defined in section 2 of the general municipal  
 4 law; not for profit fire districts, fire commissions, fire compa-  
 5 nies, fire departments, volunteer rescue and ambulance squads; and  
 6 special act school districts, schools for the blind and deaf and  
 7 other students with disabilities subject to article 85 of the educa-  
 8 tion law, and private schools for students with disabilities author-  
 9 ized pursuant to chapter 853 of the laws of 1976.

10 Costs may include, but shall not be limited to engineering services,  
 11 construction, project management, right-of-way acquisition, and work  
 12 appurtenant and ancillary thereto. No funds from this appropriation  
 13 may be used as a required match or be considered a local share to  
 14 other state programs or to leverage state aid or grants including  
 15 but not limited to the apportionment of aid under the education law.  
 16 Notwithstanding any provision of law to the contrary, funds appro-  
 17 priated herein may, subject to the approval of the director of the  
 18 budget, be (i) interchanged, (ii) transferred from this appropri-  
 19 ation to any other appropriation of any state department, agency or  
 20 public benefit corporation, or (iii) suballocated to any other state  
 21 department, agency or public benefit corporation, to achieve this  
 22 purpose. Notwithstanding the foregoing, any limitations contained  
 23 therein or any other inconsistent provision of law, funds from this  
 24 appropriation shall also be available, including for payment of  
 25 liabilities incurred or payments made prior to April 1, 2017, (i)  
 26 for any purpose, individual, or entity authorized under the Lake  
 27 Ontario-St. Lawrence Seaway flood relief and recovery grant program  
 28 established pursuant to a chapter of the laws of 2017, subject to  
 29 the approval of the director of the budget, (ii) for payment of the  
 30 costs of other storm recovery and mitigation projects, not to exceed  
 31 10,000,000 dollars in the aggregate to municipalities and special  
 32 districts in (a) the counties of Chautauqua, Cattaraugus and Allega-  
 33 ny for damages sustained as a result of a severe storm and flooding  
 34 which occurred July 14 and 15, 2015, in an amount not less than  
 35 6,800,000 dollars or (b) the county of Monroe for damages resulting  
 36 from a severe storm which occurred March 8 and 9, 2017, in an amount  
 37 not to exceed 2,000,000 dollars subject to the approval of the  
 38 director of the budget, ~~and~~ (iii) for any purpose, individual, or  
 39 entity authorized under the Southern Tier-Finger Lakes recovery  
 40 program, as administered by the Housing Trust Fund Corporation, for  
 41 damages sustained as a result of a severe storm and flooding which  
 42 occurred August 13 thru 15, 2018, in an amount not to exceed  
 43 \$13,000,000, and (iv) for any purpose, individual, or entity author-  
 44 ized under the Lake Ontario-St. Lawrence Seaway flood relief and  
 45 recovery grant program established pursuant to chapter 85 of the  
 46 laws of 2017, as amended by chapter 61 of the laws of 2017, as  
 47 amended by chapter 59 of the laws of 2018, for damages sustained as  
 48 a result of severe storms and flooding which occurred between Janu-  
 49 ary 1, 2019 and December 31, 2019. Notwithstanding any other law to  
 50 the contrary, the amounts appropriated herein may be suballocated or  
 51 transferred to any state department, agency, or public authority for  
 52 the purposes stated herein (SM0117SM) (80001) .....  
 53 398,500,000 ..... (re. \$386,500,000)

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