

STATE OF NEW YORK

258

2019-2020 Regular Sessions

IN SENATE

(Prefiled)

January 9, 2019

Introduced by Sen. KENNEDY -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT relating to making veterans organizations eligible for funding under the state and municipal facilities program; and to amend chapter 54 of the laws of 2017, enacting the Capital Projects budget, in relation to including veterans organizations

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

Section 1. For the state fiscal year 2017-18 and thereafter, veterans organizations shall be eligible for any monies appropriated to the state and municipal facilities program for the payment of capital costs.

§ 2. That part, entitled "MISCELLANEOUS -- ALL STATE DEPARTMENTS AND AGENCIES", of section 1 of chapter 54 of the laws of 2017, enacting the "Capital Projects Budget", as amended by section 1 of part K of chapter 61 of the laws of 2017, is amended by adding thereto the items hereinbelow set forth in *italics* and is amended by deleting therefrom the items hereinbelow set forth in brackets as follows:

| STATE AND MUNICIPAL FACILITIES PROGRAM | | | |
|--|-------------|----------------|------------------|
| CAPITAL PROJECTS 2017-18 | | | |
| | | APPROPRIATIONS | REAPPROPRIATIONS |
| Capital Projects Funds - Other | 398,500,000 | | 1,253,250,000 |
| | ----- | | ----- |
| All Funds | 398,500,000 | | 1,253,250,000 |
| | ===== | | ===== |
| STATE AND MUNICIPAL FACILITIES PROGRAM (CCP) | 398,500,000 | | ----- |

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

LBD05720-01-9

1 Capital Projects Funds - Other
2 Capital Projects Fund
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; water and sewer
38 districts; the Metropolitan Transportation
39 Authority; a college or university estab-
40 lished pursuant to section 352 of the
41 education law, section 6203 of the educa-
42 tion law or section 6302 of the education
43 law; an independent not-for-profit insti-
44 tution of higher education as defined in
45 subdivision 2 of section 6401 of the
46 education law; public school districts;
47 public housing authorities; public
48 libraries and library systems chartered by
49 the regents of the state of New York or
50 established by an act of the legislature;
51 public park conservancies or not for
52 profit corporations organized for the
53 purpose of investing in parks owned by the
54 state or municipal corporations, as
55 defined in section 2 of the general munic-

1 ipal law; not for profit fire districts,
2 fire commissions, fire companies, fire
3 departments, volunteer rescue and ambu-
4 lance squads; veterans organizations; and
5 special act school districts, schools for
6 the blind and deaf and other students with
7 disabilities subject to article 85 of the
8 education law, and private schools for
9 students with disabilities authorized
10 pursuant to chapter 853 of the laws of
11 1976.

12 Costs may include, but shall not be limited
13 to engineering services, construction,
14 project management, right-of-way acquisi-
15 tion, and work appurtenant and ancillary
16 thereto. No funds from this appropriation
17 may be used as a required match or be
18 considered a local share to other state
19 programs or to leverage state aid or
20 grants including but not limited to the
21 apportionment of aid under the education
22 law. Notwithstanding any provision of law
23 to the contrary, funds appropriated herein
24 may, subject to the approval of the direc-
25 tor of the budget, be (i) interchanged,
26 (ii) transferred from this appropriation
27 to any other appropriation of any state
28 department, agency or public benefit
29 corporation, or (iii) suballocated to any
30 other state department, agency or public
31 benefit corporation, to achieve this
32 purpose.

33 Notwithstanding the foregoing, any limita-
34 tions contained therein or any other
35 inconsistent provision of law, funds from
36 this appropriation shall also be avail-
37 able, including for payment of liabilities
38 incurred or payments made prior to April
39 1, 2017, (i) for any purpose, individual,
40 or entity authorized under the Lake Ontar-
41 io-St. Lawrence Seaway flood relief and
42 recovery grant program established pursu-
43 ant to a chapter of the laws of 2017,
44 subject to the approval of the director of
45 the budget, and (ii) for payment of the
46 costs of other storm recovery and miti-
47 gation projects, not to exceed 10,000,000
48 dollars in the aggregate to municipalities
49 and special districts in (a) the counties
50 of Chautauqua, Cattaraugus and Allegany
51 for damages sustained as a result of a
52 severe storm and flooding which occurred
53 July 14 and 15, 2015, in an amount not
54 less than 6,800,000 dollars or (b) the
55 county of Monroe for damages resulting

1 from a severe storm which occurred March 8
2 and 9, 2017, in an amount not to exceed
3 2,000,000 dollars subject to the approval
4 of the director of the budget (SM0117SM) ... 398,500,000
5 -----

6 § 3. This act shall take effect immediately; and shall be deemed to
7 have been in full force and effect on and after April 1, 2017.