STATE OF NEW YORK

5208

2021-2022 Regular Sessions

IN ASSEMBLY

February 12, 2021

Introduced by M. of A. GUNTHER, BUTTENSCHON -- 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:

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

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

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

(b) "revolving capital fund" shall mean the rural emergency responder live training program revolving capital fund authorized to be established by the department and administered pursuant to this section;

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

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

2. Revolving capital fund. (a) The department, within amounts appropriated, shall establish the rural emergency responder live training program revolving capital fund.

(b) Monies in the revolving capital fund shall be utilized for the 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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ipate in the national farmedic training program, or other similar program as determined by the department.

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

(d) Monies in the fund shall be: (i) held by the department pursuant to this section as custodian pursuant to an agreement with the commissioner of taxation and finance until transferred to the grantee pursuant to this section, and (ii) invested by the department in accordance with the investment guidelines of the comptroller during said custodial period. All investment income shall be credited to, and shall be deposited in, the revolving capital fund.

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

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

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

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

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

(b) the department shall maintain books and records pertaining to all monies received and disbursed pursuant to this section and the agreement;

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

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

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

(f) eligible costs under this section shall include, but not be limited to, all material acquisition costs, wages and fees, furniture, fixtures, and equipment;

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

<u>(h) the department shall be required to invest monies on deposit in the fund in accordance with investment guidelines meeting the requirements of the comptroller, and all investment income shall be credited to the revolving capital fund, and spent therefrom only for the purposes set forth in this section;</u>

<u>(i) revolving capital fund monies shall be held in trust and used for the benefit of eligible grantees; and</u>

<u>(j) any other term or condition as determined by the department, in consultation with the commissioner of taxation and finance.</u>

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

§ 2. This act shall take effect on the ninetieth day after it shall have become a law. Effective immediately, the commissioner of health, in consultation with the commissioner of taxation and finance, is authorized to promulgate any rules or regulations necessary for the implementation of this act on or before such effective date.