STATE OF NEW YORK

5249

2021-2022 Regular Sessions

IN SENATE

February 26, 2021

Introduced by Sen. SANDERS -- read twice and ordered printed, and when printed to be committed to the Committee on Budget and Revenue

AN ACT to amend chapter 54 of the laws of 2020, enacting the capital projects budget, in relation to making technical corrections thereto

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

Section 1. Section 1 of chapter 54 of the laws of 2020, enacting the capital projects budget, is amended by repealing the items hereinbelow set forth in brackets and by adding to such section the other items underscored in this section:

MISCELLANEOUS -- ALL STATE DEPARTMENTS AND AGENCIES

STATE AND MUNICIPAL FACILITIES PROGRAM

CAPITAL PROJECTS - REAPPROPRIATIONS 2020-21

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 2019, as added by chapter 314, 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 vehi-

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

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cles, 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 authorities; entities providing affordable housing, 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; and 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**; and private non-profit hospitals; and private Mitchell-Lama non-profit housing, including cooperatives**.

Costs may include, but shall not be limited to engineering services, construction, project management, right-of-way acquisition, and work appurtenant and ancillary thereto. Notwithstanding any inconsistent provision of this appropriation or any other provision of law, funds from this appropriation may be made available for Lake Ontario resiliency and economic development projects and purposes, including 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. 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 (SM0119SM) (80001) .....
385,000,000 ..... (re. $385,000,000)

§ 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.