

STATE OF NEW YORK

2008--B

IN ASSEMBLY

January 18, 2019

A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read once and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT intentionally omitted (Part A); intentionally omitted (Part B); to amend the public authorities law, in relation to the transfer and conveyance of certain real property (Part C); intentionally omitted (Part D); to amend the environmental conservation law, in relation to waste tire management (Part E); intentionally omitted (Part F); intentionally omitted (Part G); intentionally omitted (Part H); intentionally omitted (Part I); intentionally omitted (Part J); intentionally omitted (Part K); intentionally omitted (Part L); to amend part FF of chapter 55 of the laws of 2017 relating to motor vehicles equipped with autonomous vehicle technology, in relation to the submission of reports and in relation to extending the effectiveness thereof (Part M); to amend chapter 713 of the laws of 1988, amending the vehicle and traffic law relating to the ignition interlock device program, in relation to extending the provisions thereof (Part N); to amend chapter 166 of the laws of 1991, amending the tax law and other laws relating to taxes, in relation to extending the expiration of certain provisions of such chapter and to amend the vehicle and traffic law, in relation to extending the expiration of the mandatory surcharge and victim assistance fee (Part O); intentionally omitted (Part P); intentionally omitted (Part Q); to amend chapter 21 of the laws of 2003, amending the executive law relating to permitting the secretary of state to provide special handling for all documents filed or issued by the division of corporations and to permit additional levels of such expedited service, in relation to extending the effectiveness thereof (Part R); intentionally omitted (Part S); to amend the transportation law, in relation to certain fees and charges imposed by the commissioner of transportation (Part T); authorizing utility and cable television assessments to provide funds to the department of health from cable television assessment revenues and to the departments of agriculture and markets, environmental conservation, office of parks, recreation and historic preservation, and state

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

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from utility assessment revenues; and providing for the repeal of such provisions upon expiration thereof (Part U); intentionally omitted (Part V); to authorize the New York state energy research and development authority to finance a portion of its research, development and demonstration, policy and planning, and Fuel NY programs, as well as the department of environmental conservation's climate change program and the department of agriculture and markets' Fuel NY program, from an assessment on gas and electric corporations (Part W); intentionally omitted (Part X); to amend chapter 393 of the laws of 1994, amending the New York state urban development corporation act, relating to the powers of the New York state urban development corporation to make loans, in relation to the effectiveness thereof (Part Y); to amend the New York state urban development corporation act, in relation to extending certain provisions relating to the empire state economic development fund (Part Z); intentionally omitted (Part AA); intentionally omitted (Part BB); intentionally omitted (Part CC); intentionally omitted (Part DD); intentionally omitted (Part EE); to amend the vehicle and traffic law, the public authorities law, the tax law and the state finance law, in relation to providing certain metropolitan transportation commuter district supplemental taxes, surcharges and fees to the metropolitan transportation authority without appropriation (Part FF); intentionally omitted (Part GG); to amend chapter 929 of the laws of 1986 amending the tax law and other laws relating to the metropolitan transportation authority, in relation to extending certain provisions thereof applicable to the resolution of labor disputes (Part HH); intentionally omitted (Part II); intentionally omitted (Part JJ); intentionally omitted (Part KK); intentionally omitted (Part LL); to amend the state finance law, in relation to establishing the parks retail stores fund, and the golf fund, as enterprise funds (Part MM); intentionally omitted (Part NN); to amend the highway law, in relation to making a technical correction to authorization of an airport mass transit project at LaGuardia airport (Part OO); intentionally omitted (Part PP); intentionally omitted (Part QQ); intentionally omitted (Part RR); to amend the New York state urban development corporation act and the economic development law, in relation to the creation of a searchable database (Part SS); to amend the economic development law, in relation to restoring the reporting requirements for the START-UP NY program (Part TT); to amend the New York state urban development corporation act, in relation to obligations of members of economic development entities (Part UU); to amend the New York state urban development corporation act, in relation to the creation of the strategic investment in workforce development program (Part VV); to amend the public service law, in relation to a Westchester county renewable energy resources program (Part WW); and to amend the highway law, in relation to arterial maintenance (Part XX)

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

1 Section 1. This act enacts into law major components of legislation
2 which are necessary to implement the state fiscal plan for the 2019-2020
3 state fiscal year. Each component is wholly contained within a Part
4 identified as Parts A through XX. The effective date for each particular
5 provision contained within such Part is set forth in the last section of

1 such Part. Any provision in any section contained within a Part,
2 including the effective date of the Part, which makes a reference to a
3 section "of this act", when used in connection with that particular
4 component, shall be deemed to mean and refer to the corresponding
5 section of the Part in which it is found. Section three of this act sets
6 forth the general effective date of this act.

7 PART A

8 Intentionally Omitted

9 PART B

10 Intentionally Omitted

11 PART C

12 Section 1. Subdivision 25 of section 1678 of the public authorities
13 law is amended by adding two new paragraphs (e) and (f) to read as
14 follows:

15 (e) Notwithstanding any other provision of law to the contrary,
16 including but not limited to title five-A of article nine of this chap-
17 ter, the Atlantic Avenue Healthcare Property Holding Corporation is
18 hereby authorized and empowered to sell, exchange, lease, transfer and
19 convey certain real property located at 483-503 Herkimer Street,
20 1028-1038 Broadway, 528 Prospect Place and/or 1366 East New York Avenue,
21 all in Brooklyn, New York as directed by the commissioner of New York
22 state division of homes and community renewal, upon such terms and
23 conditions as such commissioner may fix and determine.

24 Such sale, exchange, lease, transfer and conveyance shall be consist-
25 ent with and made pursuant to a plan to increase access and quality of
26 health care services and preventative care and create affordable housing
27 approved by the commissioner of New York state division of homes and
28 community renewal, the commissioner of health and the director of the
29 division of the budget to transform the Central Brooklyn region. Such
30 plan may include, but shall not be limited to, initiatives intended to
31 increase access to open spaces and healthy food, transform health care
32 by increasing access and quality of health care services and preventa-
33 tive care, create affordable housing, create jobs, improve youth devel-
34 opment, and prevent community violence.

35 Notwithstanding the foregoing, no such sale, exchange, transfer, lease
36 or conveyance shall be permitted pursuant to this section, unless in the
37 opinion of bond counsel to the authority, such sale, exchange, transfer,
38 lease or conveyance does not impair the tax-exempt status of any
39 outstanding bonds or other obligations, if any, issued by the authority
40 to finance or refinance the subject property. For the purposes of such
41 opinion, the valuation of such property being sold, exchanged, trans-
42 ferred, leased or conveyed may reflect the terms and conditions set
43 forth in the plan.

44 (f) The description in paragraph (e) of this subdivision of the lands
45 to be transferred and conveyed is not intended to be a legal
46 description, but is intended only to identify the premises to be
47 conveyed. As a condition of transfer and conveyance, the Atlantic Avenue
48 Healthcare Property Holding Corporation shall receive an accurate survey
49 and description of the lands generally described in paragraph (e) of
50 this subdivision, which may be used in the conveyance thereof.

1 § 2. This act shall take effect immediately; provided, however, that
2 the amendments to subdivision 25 of section 1678 of the public authori-
3 ties law made by section one of this act shall survive the expiration
4 and reversion of such subdivision as provided by section 2 of chapter
5 584 of the laws of 2011, as amended.

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PART D

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Intentionally Omitted

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PART E

9 Section 1. Subdivisions 1 and 2 of section 27-1905 of the environ-
10 mental conservation law, as amended by section 1 of part T of chapter 58
11 of the laws of 2016, are amended to read as follows:

12 1. Until December thirty-first, two thousand [nineteen] twenty-two,
13 accept from a customer, waste tires of approximately the same size and
14 in a quantity equal to the number of new tires purchased or installed by
15 the customer; and

16 2. Until December thirty-first, two thousand [nineteen] twenty-two,
17 post written notice in a prominent location, which must be at least
18 eight and one-half inches by fourteen inches in size and contain the
19 following language:

20 "New York State law requires us to accept and manage waste tires from
21 vehicles in exchange for an equal number of new tires that we sell or
22 install. Tire retailers are required to charge a separate and distinct
23 waste tire management and recycling fee of \$2.50 for each new tire sold.

24 The retailers in addition are authorized, at their sole discretion, to
25 pass on waste tire management and recycling costs to tire purchasers.
26 Such costs may be included as part of the advertised price of the new
27 tire, or charged as a separate per-tire charge in an amount not to
28 exceed \$2.50 on each new tire sold."

29 The written notice shall also contain one of the following statements
30 at the end of the aforementioned language and as part of the notice,
31 which shall accurately indicate the manner in which the tire service
32 charges for waste tire management and recycling costs, and the amount of
33 any charges that are separately invoiced for such costs:

34 "Our waste tire management and recycling costs are included in the
35 advertised price of each new tire.", or

36 "We charge a separate per-tire charge of \$_____ on each new tire sold
37 that will be listed on your invoice to cover our waste tire management
38 and recycling costs."

39 § 2. Subdivisions 1, 2 and 3 and paragraph (a) of subdivision 6 of
40 section 27-1913 of the environmental conservation law, as amended by
41 section 2 of part T of chapter 58 of the laws of 2016, are amended to
42 read as follows:

43 1. Until December thirty-first, two thousand [nineteen] twenty-two, a
44 waste tire management and recycling fee of two dollars and fifty cents
45 shall be charged on each new tire sold. The fee shall be paid by the
46 purchaser to the tire service at the time the new tire or new motor
47 vehicle is purchased.

48 The waste tire management and recycling fee does not apply to:

49 (a) recapped or resold tires;

50 (b) mail-order sales; or



1 (c) the sale of new motor vehicle tires to a person solely for the
2 purpose of resale provided the subsequent retail sale in this state is
3 subject to such fee.

4 2. Until December thirty-first, two thousand [nineteen] twenty-two,
5 the tire service shall collect the waste tire management and recycling
6 fee from the purchaser at the time of the sale and shall remit such fee
7 to the department of taxation and finance with the quarterly report
8 filed pursuant to subdivision three of this section.

9 (a) The fee imposed shall be stated as an invoice item separate and
10 distinct from the selling price of the tire.

11 (b) The tire service shall be entitled to retain an allowance of twen-
12 ty-five cents per tire from fees collected.

13 3. Until March thirty-first, two thousand [twenty] twenty-three, each
14 tire service maintaining a place of business in this state shall make a
15 return to the department of taxation and finance on a quarterly basis,
16 with the return for December, January, and February being due on or
17 before the immediately following March thirty-first; the return for
18 March, April, and May being due on or before the immediately following
19 June thirtieth; the return for June, July, and August being due on or
20 before the immediately following September thirtieth; and the return for
21 September, October, and November being due on or before the immediately
22 following December thirty-first.

23 (a) Each return shall include:

24 (i) the name of the tire service;

25 (ii) the address of the tire service's principal place of business and
26 the address of the principal place of business (if that is a different
27 address) from which the tire service engages in the business of making
28 retail sales of tires;

29 (iii) the name and signature of the person preparing the return;

30 (iv) the total number of new tires sold at retail for the preceding
31 quarter and the total number of new tires placed on motor vehicles prior
32 to original retail sale;

33 (v) the amount of waste tire management and recycling fees due; and

34 (vi) such other reasonable information as the department of taxation
35 and finance may require.

36 (b) Copies of each report shall be retained by the tire service for
37 three years.

38 If a tire service ceases business, it shall file a final return and
39 remit all fees due under this title with the department of taxation and
40 finance not more than one month after discontinuing that business.

41 (a) Until December thirty-first, two thousand [nineteen] twenty-two,
42 any additional waste tire management and recycling costs of the tire
43 service in excess of the amount authorized to be retained pursuant to
44 paragraph (b) of subdivision two of this section may be included in the
45 published selling price of the new tire, or charged as a separate per-
46 tire charge on each new tire sold. When such costs are charged as a
47 separate per-tire charge: (i) such charge shall be stated as an invoice
48 item separate and distinct from the selling price of the tire; (ii) the
49 invoice shall state that the charge is imposed at the sole discretion of
50 the tire service; and (iii) the amount of such charge shall reflect the
51 actual cost to the tire service for the management and recycling of
52 waste tires accepted by the tire service pursuant to section 27-1905 of
53 this title, provided however, that in no event shall such charge exceed
54 two dollars and fifty cents on each new tire sold.

55 § 3. This act shall take effect immediately.

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PART F

Intentionally Omitted

PART G

Intentionally Omitted

PART H

Intentionally Omitted

PART I

Intentionally Omitted

PART J

Intentionally Omitted

PART K

Intentionally Omitted

PART L

Intentionally Omitted

PART M

Section 1. Section 2 of part FF of chapter 55 of the laws of 2017, relating to motor vehicles equipped with autonomous vehicle technology, as amended by section 2 of part H of chapter 58 of the laws of 2018, is amended to read as follows:

§ 2. The commissioner of motor vehicles shall, in consultation with the superintendent of state police, submit a report to the governor, the temporary president of the senate, the speaker of the assembly, and the chairs of the senate and assembly transportation committees on the demonstrations and tests authorized by section one of this act. Such report shall include, but not be limited to, a description of the parameters and purpose of such demonstrations and tests, the location or locations where demonstrations and tests were conducted, the demonstrations' and tests' impacts on safety, traffic control, traffic enforcement, emergency services, and such other areas as may be identified by such commissioner. Such commissioner shall submit such report on or before June 1, 2018 [and], June 1, 2019, and June 1, 2020.

§ 2. Section 3 of part FF of chapter 55 of the laws of 2017, relating to motor vehicles equipped with autonomous vehicle technology, as amended by section 3 of part H of chapter 58 of the laws of 2018, is amended to read as follows:

§ 3. This act shall take effect April 1, 2017; provided, however, that section one of this act shall expire and be deemed repealed April 1, [2019] 2020.

§ 3. This act shall take effect immediately.

PART N

1 Section 1. Section 6 of chapter 713 of the laws of 1988, amending the
2 vehicle and traffic law relating to the ignition interlock device
3 program, as amended by section 14 of part A of chapter 55 of the laws of
4 2017, is amended to read as follows:

5 § 6. This act shall take effect on the first day of April next
6 succeeding the date on which it shall have become a law; provided,
7 however, that effective immediately, the addition, amendment or repeal
8 of any rule or regulation necessary for the implementation of the fore-
9 going sections of this act on their effective date is authorized and
10 directed to be made and completed on or before such effective date and
11 shall remain in full force and effect until the first day of September,
12 [2019] 2021 when upon such date the provisions of this act shall be
13 deemed repealed.

14 § 2. This act shall take effect immediately.

15

PART O

16 Section 1. Subdivision (p) of section 406 of chapter 166 of the laws
17 of 1991, amending the tax law and other laws relating to taxes, as
18 amended by section 12 of part A of chapter 55 of the laws of 2017, is
19 amended to read as follows:

20 (p) The amendments to section 1809 of the vehicle and traffic law made
21 by sections three hundred thirty-seven and three hundred thirty-eight of
22 this act shall not apply to any offense committed prior to such effec-
23 tive date; provided, further, that section three hundred forty-one of
24 this act shall take effect immediately and shall expire November 1, 1993
25 at which time it shall be deemed repealed; sections three hundred
26 forty-five and three hundred forty-six of this act shall take effect
27 July 1, 1991; sections three hundred fifty-five, three hundred fifty-
28 six, three hundred fifty-seven and three hundred fifty-nine of this act
29 shall take effect immediately and shall expire June 30, 1995 and shall
30 revert to and be read as if this act had not been enacted; section three
31 hundred fifty-eight of this act shall take effect immediately and shall
32 expire June 30, 1998 and shall revert to and be read as if this act had
33 not been enacted; section three hundred sixty-four through three hundred
34 sixty-seven of this act shall apply to claims filed on or after such
35 effective date; sections three hundred sixty-nine, three hundred seven-
36 ty-two, three hundred seventy-three, three hundred seventy-four, three
37 hundred seventy-five and three hundred seventy-six of this act shall
38 remain in effect until September 1, [2019] 2021, at which time they
39 shall be deemed repealed; provided, however, that the mandatory
40 surcharge provided in section three hundred seventy-four of this act
41 shall apply to parking violations occurring on or after said effective
42 date; and provided further that the amendments made to section 235 of
43 the vehicle and traffic law by section three hundred seventy-two of this
44 act, the amendments made to section 1809 of the vehicle and traffic law
45 by sections three hundred thirty-seven and three hundred thirty-eight of
46 this act and the amendments made to section 215-a of the labor law by
47 section three hundred seventy-five of this act shall expire on September
48 1, [2019] 2021 and upon such date the provisions of such subdivisions
49 and sections shall revert to and be read as if the provisions of this
50 act had not been enacted; the amendments to subdivisions 2 and 3 of
51 section 400.05 of the penal law made by sections three hundred seventy-
52 seven and three hundred seventy-eight of this act shall expire on July
53 1, 1992 and upon such date the provisions of such subdivisions shall
54 revert and shall be read as if the provisions of this act had not been



1 enacted; the state board of law examiners shall take such action as is
2 necessary to assure that all applicants for examination for admission to
3 practice as an attorney and counsellor at law shall pay the increased
4 examination fee provided for by the amendment made to section 465 of the
5 judiciary law by section three hundred eighty of this act for any exam-
6 ination given on or after the effective date of this act notwithstanding
7 that an applicant for such examination may have prepaid a lesser fee for
8 such examination as required by the provisions of such section 465 as of
9 the date prior to the effective date of this act; the provisions of
10 section 306-a of the civil practice law and rules as added by section
11 three hundred eighty-one of this act shall apply to all actions pending
12 on or commenced on or after September 1, 1991, provided, however, that
13 for the purposes of this section service of such summons made prior to
14 such date shall be deemed to have been completed on September 1, 1991;
15 the provisions of section three hundred eighty-three of this act shall
16 apply to all money deposited in connection with a cash bail or a
17 partially secured bail bond on or after such effective date; and the
18 provisions of sections three hundred eighty-four and three hundred
19 eighty-five of this act shall apply only to jury service commenced
20 during a judicial term beginning on or after the effective date of this
21 act; provided, however, that nothing contained herein shall be deemed to
22 affect the application, qualification, expiration or repeal of any
23 provision of law amended by any section of this act and such provisions
24 shall be applied or qualified or shall expire or be deemed repealed in
25 the same manner, to the same extent and on the same date as the case may
26 be as otherwise provided by law;

27 § 2. Subdivision 8 of section 1809 of the vehicle and traffic law, as
28 amended by section 13 of part A of chapter 55 of the laws of 2017, is
29 amended to read as follows:

30 8. The provisions of this section shall only apply to offenses commit-
31 ted on or before September first, two thousand [nineteen] twenty-one.

32 § 3. This act shall take effect immediately.

33 PART P

34 Intentionally Omitted

35 PART Q

36 Intentionally Omitted

37 PART R

38 Section 1. Section 2 of chapter 21 of the laws of 2003, amending the
39 executive law relating to permitting the secretary of state to provide
40 special handling for all documents filed or issued by the division of
41 corporations and to permit additional levels of such expedited service,
42 as amended by section 1 of part S of chapter 58 of the laws of 2018, is
43 amended to read as follows:

44 § 2. This act shall take effect immediately, provided however, that
45 section one of this act shall be deemed to have been in full force and
46 effect on and after April 1, 2003 and shall expire March 31, [2019]
47 2020.

48 § 2. This act shall take effect immediately and shall be deemed to
49 have been in full force and effect on and after March 31, 2019.

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PART S

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Intentionally Omitted

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PART T

4 Section 1. The transportation law is amended by adding a new section
5 144 to read as follows:

6 § 144. Fees and charges. The commissioner or authorized officer or
7 employee of the department shall charge and collect one hundred twenty
8 dollars for the inspection or reinspection of all motor vehicles trans-
9 porting passengers subject to the department's inspection requirements
10 pursuant to section one hundred forty of this article, except such: (a)
11 motor vehicles operated under contract with a municipality to provide
12 statewide mass transportation operating assistance eligible service; (b)
13 motor vehicles operated under contract with a municipality or school
14 district to provide school-related transportation services; (c) motor
15 vehicles authorized by the commissioner of health to provide non-emer-
16 gency medical transportation services; and (d) motor vehicles used
17 primarily to transport passengers pursuant to subparagraphs (i), (iii),
18 (iv), (v) and (vi) of paragraph a of subdivision two of section one
19 hundred forty of this article. The department may deny inspection of any
20 motor vehicle transporting passengers subject to the department's
21 inspection requirements if such fee is not paid within ninety days of
22 the date noted on the department invoice.

23 § 2. This act shall take effect October 1, 2019.

24

PART U

25 Section 1. Expenditures of moneys appropriated in a chapter of the
26 laws of 2019 to the department of agriculture and markets from the
27 special revenue funds-other/state operations, miscellaneous special
28 revenue fund-339, public service account shall be subject to the
29 provisions of this section. Notwithstanding any other provision of law
30 to the contrary, direct and indirect expenses relating to the department
31 of agriculture and markets' participation in general ratemaking
32 proceedings pursuant to section 65 of the public service law or certif-
33 ication proceedings pursuant to article 7 or 10 of the public service
34 law, shall be deemed expenses of the department of public service within
35 the meaning of section 18-a of the public service law. No later than
36 August 15, 2020, the commissioner of the department of agriculture and
37 markets shall submit an accounting of such expenses, including, but not
38 limited to, expenses in the 2019--2020 state fiscal year for personal
39 and non-personal services and fringe benefits, to the chair of the
40 public service commission for the chair's review pursuant to the
41 provisions of section 18-a of the public service law.

42 § 2. Expenditures of moneys appropriated in a chapter of the laws of
43 2019 to the department of state from the special revenue funds-
44 other/state operations, miscellaneous special revenue fund-339, public
45 service account shall be subject to the provisions of this section.
46 Notwithstanding any other provision of law to the contrary, direct and
47 indirect expenses relating to the activities of the department of
48 state's utility intervention unit pursuant to subdivision 4 of section
49 94-a of the executive law, including, but not limited to participation
50 in general ratemaking proceedings pursuant to section 65 of the public
51 service law or certification proceedings pursuant to article 7 or 10 of

1 the public service law, shall be deemed expenses of the department of
2 public service within the meaning of section 18-a of the public service
3 law. No later than August 15, 2020, the secretary of state shall submit
4 an accounting of such expenses, including, but not limited to, expenses
5 in the 2019--2020 state fiscal year for personal and non-personal
6 services and fringe benefits, to the chair of the public service commis-
7 sion for the chair's review pursuant to the provisions of section 18-a
8 of the public service law.

9 § 3. Expenditures of moneys appropriated in a chapter of the laws of
10 2019 to the office of parks, recreation and historic preservation from
11 the special revenue funds-other/state operations, miscellaneous special
12 revenue fund-339, public service account shall be subject to the
13 provisions of this section. Notwithstanding any other provision of law
14 to the contrary, direct and indirect expenses relating to the office of
15 parks, recreation and historic preservation's participation in general
16 ratemaking proceedings pursuant to section 65 of the public service law
17 or certification proceedings pursuant to article 7 or 10 of the public
18 service law, shall be deemed expenses of the department of public
19 service within the meaning of section 18-a of the public service law. No
20 later than August 15, 2020, the commissioner of the office of parks,
21 recreation and historic preservation shall submit an accounting of such
22 expenses, including, but not limited to, expenses in the 2019--2020
23 state fiscal year for personal and non-personal services and fringe
24 benefits, to the chair of the public service commission for the chair's
25 review pursuant to the provisions of section 18-a of the public service
26 law.

27 § 4. Expenditures of moneys appropriated in a chapter of the laws of
28 2019 to the department of environmental conservation from the special
29 revenue funds-other/state operations, environmental conservation special
30 revenue fund-301, utility environmental regulation account shall be
31 subject to the provisions of this section. Notwithstanding any other
32 provision of law to the contrary, direct and indirect expenses relating
33 to the department of environmental conservation's participation in state
34 energy policy proceedings, or certification proceedings pursuant to
35 article 7 or 10 of the public service law, shall be deemed expenses of
36 the department of public service within the meaning of section 18-a of
37 the public service law. No later than August 15, 2020, the commissioner
38 of the department of environmental conservation shall submit an account-
39 ing of such expenses, including, but not limited to, expenses in the
40 2019--2020 state fiscal year for personal and non-personal services and
41 fringe benefits, to the chair of the public service commission for the
42 chair's review pursuant to the provisions of section 18-a of the public
43 service law.

44 § 5. Intentionally omitted.

45 § 6. Notwithstanding any other law, rule or regulation to the contra-
46 ry, expenses of the department of health public service education
47 program incurred pursuant to appropriations from the cable television
48 account of the state miscellaneous special revenue funds shall be deemed
49 expenses of the department of public service. No later than August 15,
50 2020, the commissioner of the department of health shall submit an
51 accounting of expenses in the 2019--2020 state fiscal year to the chair
52 of the public service commission for the chair's review pursuant to the
53 provisions of section 217 of the public service law.

54 § 7. Any expense deemed to be expenses of the department of public
55 service pursuant to sections one through four of this act shall not be

1 recovered through assessments imposed upon telephone corporations as
2 defined in subdivision 17 of section 2 of the public service law.

3 § 8. This act shall take effect immediately and shall be deemed to
4 have been in full force and effect on and after April 1, 2019 and shall
5 be deemed repealed April 1, 2020.

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PART V

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Intentionally Omitted

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PART W

9 Section 1. Expenditures of moneys by the New York state energy
10 research and development authority for services and expenses of the
11 energy research, development and demonstration program, including
12 grants, the energy policy and planning program, the zero emissions vehi-
13 cle and electric vehicle rebate program, and the Fuel NY program shall
14 be subject to the provisions of this section. Notwithstanding the
15 provisions of subdivision 4-a of section 18-a of the public service law,
16 all moneys committed or expended in an amount not to exceed \$19,700,000
17 shall be reimbursed by assessment against gas corporations, as defined
18 in subdivision 11 of section 2 of the public service law and electric
19 corporations as defined in subdivision 13 of section 2 of the public
20 service law, where such gas corporations and electric corporations have
21 gross revenues from intrastate utility operations in excess of \$500,000
22 in the preceding calendar year, and the total amount which may be
23 charged to any gas corporation and any electric corporation shall not
24 exceed one cent per one thousand cubic feet of gas sold and .010 cent
25 per kilowatt-hour of electricity sold by such corporations in their
26 intrastate utility operations in calendar year 2017. Such amounts shall
27 be excluded from the general assessment provisions of subdivision 2 of
28 section 18-a of the public service law. The chair of the public service
29 commission shall bill such gas and/or electric corporations for such
30 amounts on or before August 10, 2019 and such amounts shall be paid to
31 the New York state energy research and development authority on or
32 before September 10, 2019. Upon receipt, the New York state energy
33 research and development authority shall deposit such funds in the ener-
34 gy research and development operating fund established pursuant to
35 section 1859 of the public authorities law. The New York state energy
36 research and development authority is authorized and directed to: (1)
37 transfer \$1 million to the state general fund for services and expenses
38 of the department of environmental conservation, \$150,000 to the state
39 general fund for services and expenses of the department of agriculture
40 and markets, and \$825,000 to the University of Rochester laboratory for
41 laser energetics from the funds received; and (2) commencing in 2016,
42 provide to the chair of the public service commission and the director
43 of the budget and the chairs and secretaries of the legislative fiscal
44 committees, on or before August first of each year, an itemized record,
45 certified by the president and chief executive officer of the authority,
46 or his or her designee, detailing any and all expenditures and commit-
47 ments ascribable to moneys received as a result of this assessment by
48 the chair of the department of public service pursuant to section 18-a
49 of the public service law. This itemized record shall include an item-
50 ized breakdown of the programs being funded by this section and the
51 amount committed to each program. The authority shall not commit for
52 any expenditure, any moneys derived from the assessment provided for in



1 this section, until the chair of such authority shall have submitted,
2 and the director of the budget shall have approved, a comprehensive
3 financial plan encompassing all moneys available to and all anticipated
4 commitments and expenditures by such authority from any source for the
5 operations of such authority. Copies of the approved comprehensive
6 financial plan shall be immediately submitted by the chair to the chairs
7 and secretaries of the legislative fiscal committees. Any such amount
8 not committed by such authority to contracts or contracts to be awarded
9 or otherwise expended by the authority during the fiscal year shall be
10 refunded by such authority on a pro-rata basis to such gas and/or elec-
11 tric corporations, in a manner to be determined by the department of
12 public service, and any refund amounts must be explicitly lined out in
13 the itemized record described above.

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

16 PART X

17 Intentionally Omitted

18 PART Y

19 Section 1. Section 2 of chapter 393 of the laws of 1994, amending the
20 New York state urban development corporation act, relating to the powers
21 of the New York state urban development corporation to make loans, as
22 amended by section 1 of part P of chapter 58 of the laws of 2018, is
23 amended to read as follows:

24 § 2. This act shall take effect immediately provided, however, that
25 section one of this act shall expire on July 1, [2019] 2020, at which
26 time the provisions of subdivision 26 of section 5 of the New York state
27 urban development corporation act shall be deemed repealed; provided,
28 however, that neither the expiration nor the repeal of such subdivision
29 as provided for herein shall be deemed to affect or impair in any manner
30 any loan made pursuant to the authority of such subdivision prior to
31 such expiration and repeal.

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

34 PART Z

35 Section 1. Subdivision 3 of section 16-m of section 1 of chapter 174
36 of the laws of 1968 constituting the New York state urban development
37 corporation act, as amended by section 1 of part O of chapter 58 of the
38 laws of 2018, is amended to read as follows:

39 3. The provisions of this section shall expire, notwithstanding any
40 inconsistent provision of subdivision 4 of section 469 of chapter 309 of
41 the laws of 1996 or of any other law, on July 1, [2019] 2020.

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

44 PART AA

45 Intentionally Omitted

46 PART BB

1 Intentionally Omitted

2 PART CC

3 Intentionally Omitted

4 PART DD

5 Intentionally Omitted

6 PART EE

7 Intentionally Omitted

8 PART FF

9 Section 1. Paragraphs (b-1) and (c-3) of subdivision 2 of section 503
10 of the vehicle and traffic law, paragraph (b-1) as added by section 1
11 and paragraph (c-3) as added by section 2 of part A of chapter 25 of the
12 laws of 2009, are amended to read as follows:

13 (b-1) Supplemental learner permit/license fee in the metropolitan
14 commuter transportation district. (i) Upon passage of the knowledge test
15 required to obtain a learner's permit, an applicant for a driver's
16 license who resides in the metropolitan commuter transportation district
17 established by section one thousand two hundred sixty-two of the public
18 authorities law shall be required to pay a supplemental fee of one
19 dollar for each six months or portion thereof of the period of validity
20 of a learner's permit or license which is or may be issued pursuant to
21 the provisions of subparagraph (i) or (ii) of paragraph (b) of this
22 subdivision.

23 (ii) The commissioner shall deposit daily all funds collected pursuant
24 to subparagraph (i) of this paragraph with such responsible banks, bank-
25 ing houses or trust companies as may be designated by the state comp-
26 troller, [to the credit of the comptroller] in trust for the credit of
27 the metropolitan transportation authority. An account may be established
28 in one or more of such depositories. Such deposits shall be kept sepa-
29 rate and apart from all other money in the possession of the
30 comptroller. On or before the twelfth day of each month, the commis-
31 sioner shall certify to the comptroller the amount of all revenues received
32 pursuant to subparagraph (i) of this paragraph during the prior month as
33 a result of the supplemental fee imposed, including any interest and
34 penalties thereon. The revenues so certified over the prior three months
35 in total shall be [deposited by the state comptroller in the metropol-
36 itan transportation authority aid trust account of the metropolitan
37 transportation authority financial assistance fund established pursuant
38 to section ninety-two-ff of the state finance law for deposit, subject
39 to] paid over by the fifteenth day of the last month of each calendar
40 quarter from such account, without appropriation, [in] into the corpo-
41 rate transportation account of the metropolitan transportation authority
42 special assistance fund established by section twelve hundred seventy-a
43 of the public authorities law, to be applied as provided in paragraph
44 (e) of subdivision four of such section. Any money collected pursuant to
45 this section that is deposited by the comptroller in the [metropolitan
46 transportation authority aid trust account] corporate transportation
47 account of the metropolitan transportation authority [financial] special
48 assistance fund shall be held in such fund free and clear of any claim

1 by any person or entity paying an additional fee pursuant to this
2 section, including, without limiting the generality of the foregoing,
3 any right or claim against the metropolitan transportation authority,
4 any of its bondholders, or any subsidiary or affiliate of the metropol-
5 itan transportation authority.

6 (c-3) (i) Supplemental renewal fee in the metropolitan commuter trans-
7 portation district. In addition to the fees required to be paid pursuant
8 to paragraph (c) of this subdivision, a supplemental fee of one dollar
9 for each six months or portion thereof of the validity of the license
10 shall be paid for renewal of a license of a person who resides in the
11 metropolitan commuter transportation district established by section one
12 thousand two hundred sixty-two of the public authorities law issued by
13 the commissioner.

14 (ii) The commissioner shall deposit daily all funds collected pursuant
15 to this paragraph with such responsible banks, banking houses or trust
16 companies as may be designated by the state comptroller, [to the credit
17 of the comptroller] in trust for the credit of the metropolitan trans-
18 portation authority. An account may be established in one or more of
19 such depositories. Such deposits shall be kept separate and apart from
20 all other money in the possession of the comptroller. On or before the
21 twelfth day of each month, the commissioner shall certify to the comp-
22 troller the amount of all revenues received pursuant to this paragraph
23 during the prior month as a result of the supplemental fees imposed,
24 including any interest and penalties thereon. The revenues so certified
25 over the prior three months in total shall be [deposited by the state
26 comptroller in the metropolitan transportation authority aid trust
27 account of the metropolitan transportation authority financial assist-
28 ance fund established pursuant to section ninety-two-ff of the state
29 finance law for deposit, subject to] paid over by the fifteenth day of
30 the last month of each calendar quarter from such account, without
31 appropriation, [in] into the corporate transportation account of the
32 metropolitan transportation authority special assistance fund estab-
33 lished by section twelve hundred seventy-a of the public authorities
34 law, to be applied as provided in paragraph (e) of subdivision four of
35 such section. Any money collected pursuant to this section that is
36 deposited by the comptroller in the [metropolitan transportation author-
37 ity aid trust account] corporate transportation account of the metropol-
38 itan transportation authority [financial] special assistance fund shall
39 be held in such fund free and clear of any claim by any person or entity
40 paying an additional fee pursuant to this section, including, without
41 limiting the generality of the foregoing, any right or claim against the
42 metropolitan transportation authority, any of its bondholders, or any
43 subsidiary or affiliate of the metropolitan transportation authority.

44 § 2. Section 499-d of the vehicle and traffic law, as added by
45 section 1 of part B of chapter 25 of the laws of 2009, is amended to
46 read as follows:

47 § 499-d. Deposit and disposition of revenue from supplemental fee. The
48 commissioner shall deposit daily all funds derived from the collection
49 of the supplemental fee established pursuant to this article with such
50 responsible banks, banking houses or trust companies as may be desig-
51 nated by the state comptroller, [to the credit of the comptroller] in
52 trust for the credit of the metropolitan transportation authority. An
53 account may be established in one or more of such depositories. Such
54 deposits shall be kept separate and apart from all other money in the
55 possession of the comptroller. On or before the twelfth day of each
56 month, the commissioner shall certify to the comptroller the amount of

1 all revenues received pursuant to this article during the prior month as
2 a result of the supplemental fee imposed, including any interest and
3 penalties thereon. The revenues so certified over the prior three months
4 in total shall be [deposited by the state comptroller in the metropol-
5 itan transportation authority aid trust account of the metropolitan
6 transportation authority financial assistance fund established pursuant
7 to section ninety-two-ff of the state finance law for deposit, subject
8 to] paid over by the fifteenth day of the last month of each calendar
9 quarter from such account, without appropriation, [in] into the corpo-
10 rate transportation account of the metropolitan transportation authority
11 special assistance fund established by section twelve hundred seventy-a
12 of the public authorities law, to be applied as provided in paragraph
13 (e) of subdivision four of such section. Any money collected pursuant to
14 this section that is deposited by the comptroller in the [metropolitan
15 transportation authority aid trust account] corporate transportation
16 account of the metropolitan transportation authority [financial] special
17 assistance fund shall be held in such fund free and clear of any claim
18 by any person or entity paying an additional fee pursuant to this
19 section, including, without limiting the generality of the foregoing,
20 any right or claim against the metropolitan transportation authority,
21 any of its bondholders, or any subsidiary or affiliate of the metropol-
22 itan transportation authority.

23 § 3. Section 1288 of the tax law, as added by section 1 of part E of
24 chapter 25 of the laws of 2009, is amended to read as follows:

25 § 1288. Deposit and disposition of revenue. Notwithstanding any
26 provision of law to the contrary: (a) All taxes, interest and penalties
27 collected or received by the commissioner pursuant to this article shall
28 be deposited daily with such responsible banks, banking houses or trust
29 companies, as may be designated by the comptroller, [to the credit of
30 the comptroller] in trust for the credit of the metropolitan transporta-
31 tion authority. [Such an] An account may be established in one or more
32 of such depositories. Such deposits shall be kept separate and apart
33 from all other money in the possession of the comptroller. The comp-
34 troller shall require adequate security from all such depositories. Of
35 the total revenue collected or received under this section, the comp-
36 troller shall retain in the comptroller's hands such amount as the
37 commissioner may determine to be necessary for refunds under this arti-
38 cle. The commissioner is authorized and directed to deduct from such
39 amounts collected or received under this article, before deposit into
40 the accounts specified by the comptroller, a reasonable amount necessary
41 to effectuate refunds of appropriations of the department to reimburse
42 the department for the costs to administer, collect and distribute the
43 taxes imposed by this article.

44 (b) On or before the twelfth day following the end of each month,
45 after reserving such amount for such refunds and such costs, the commis-
46 sioner shall certify to the comptroller the amount of all revenues so
47 received pursuant to this article during the prior month as a result of
48 the taxes, interest and penalties so imposed.

49 (c) [The] By the fifteenth day of the last month of each calendar
50 quarter the comptroller shall pay over the amount of revenues from the
51 prior three months in total so certified by the commissioner [to the
52 metropolitan transportation authority aid trust account of the metropol-
53 itan transportation authority financial assistance fund established by
54 section ninety-two-ff of the state finance law for deposit, subject to],
55 without appropriation, [in] into the corporate transportation account of
56 the metropolitan transportation authority special assistance fund estab-

1 lished by section twelve hundred seventy-a of the public authorities law
2 to be applied as provided in paragraph (e) of subdivision four of such
3 section twelve hundred seventy-a. Any money collected pursuant to this
4 article that is deposited by the comptroller in the [metropolitan trans-
5 portation authority aid trust account] corporate transportation account
6 of the metropolitan transportation authority [financial] special assist-
7 ance fund shall be held in such fund free and clear of any claim by any
8 person or entity paying the tax pursuant to this article, including,
9 without limiting the generality of the foregoing, any right or claim
10 against the metropolitan transportation authority, any of its bondhold-
11 ers, or any subsidiary or affiliate of the metropolitan transportation
12 authority.

13 § 4. Section 1167 of the tax law, as amended by section 3 of part F of
14 chapter 25 of the laws of 2009, is amended to read as follows:

15 § 1167. Deposit and disposition of revenue. 1. All taxes, interest and
16 penalties collected or received by the commissioner under this article
17 shall be deposited and disposed of pursuant to the provisions of section
18 one hundred seventy-one-a of this chapter, except that after reserving
19 amounts in accordance with such section one hundred seventy-one-a of
20 this chapter, the remainder shall be paid by the comptroller to the
21 credit of the highway and bridge trust fund established by section
22 eighty-nine-b of the state finance law, provided, however, taxes, inter-
23 est and penalties collected or received pursuant to section eleven
24 hundred sixty-six-a of this article shall be [paid to the credit of the
25 metropolitan transportation authority aid trust account of the metropol-
26 itan transportation authority financial assistance fund established by
27 section ninety-two-ff of the state finance law] deposited and disposed
28 of pursuant to subdivision two of this section.

29 2. All taxes, interest, and penalties collected or received by the
30 commissioner pursuant to section eleven hundred sixty-six-a of this
31 article shall be deposited daily with such responsible banks, banking
32 houses or trust companies, as may be designated by the comptroller, in
33 trust for the credit of the metropolitan transportation authority. An
34 account may be established in one or more of such depositories. Such
35 deposits will be kept separate and apart from all other money in the
36 possession of the comptroller. Of the total revenue collected or
37 received under this article, the comptroller shall retain such amount as
38 the commissioner may determine to be necessary for refunds under this
39 article. On or before the twelfth day of each month, after reserving
40 such amount for such refunds and deducting such amounts for such costs,
41 the commissioner shall certify to the comptroller the amount of all
42 revenues received pursuant to this article during the prior month as a
43 result of the tax imposed, including any interest and penalties thereon.
44 The amount of revenues so certified over the prior three months in total
45 shall be paid over by the fifteenth day of the last month of each calen-
46 dar quarter from such account, without appropriation, into the corporate
47 transportation account of the metropolitan transportation authority
48 special assistance fund established by section twelve hundred seventy-a
49 of the public authorities law, to be applied as provided in paragraph
50 (e) of subdivision four of such section.

51 § 5. Subdivision 3 and paragraph (a) of subdivision 6 of section
52 92-ff of the state finance law, subdivision 3 as amended by section 14
53 of part UU of chapter 59 of the laws of 2018 and paragraph (a) of subdi-
54 vision 6 as added by section 1 of part G of chapter 25 of the laws of
55 2009, are amended to read as follows:

1 3. Such fund shall consist of all moneys collected therefor or credit-
2 ed or transferred thereto from any other fund, account or source[,
3 including, without limitation, the revenues derived from the special
4 supplemental tax on passenger car rentals imposed by section eleven
5 hundred sixty-six-a of the tax law; revenues derived from the transpor-
6 tation surcharge imposed by article twenty-nine-A of the tax law; the
7 supplemental registration fees imposed by article seventeen-C of the
8 vehicle and traffic law; and the supplemental metropolitan commuter
9 transportation district license fees imposed by section five hundred
10 three of the vehicle and traffic law]. Any interest received by the
11 comptroller on moneys on deposit in the metropolitan transportation
12 authority financial assistance fund shall be retained in and become a
13 part of such fund.

14 (a) The "metropolitan transportation authority aid trust account"
15 shall consist of [revenues required to be deposited therein pursuant to
16 the provisions of section eleven hundred sixty-six-a of the tax law;
17 article twenty-nine-A of the tax law; article seventeen-C of the vehicle
18 and traffic law; and section five hundred three of the vehicle and traf-
19 fic law, and all other] moneys credited or transferred thereto from any
20 other [fund or] source pursuant to law.

21 § 6. Section 4 of the state finance law is amended by adding a new
22 subdivision 13 to read as follows:

23 13. Notwithstanding subdivision one of this section and any other law
24 to the contrary, the revenue (including fees, taxes, interest and penal-
25 ties) from the metropolitan commuter transportation district supple-
26 mental fees and taxes imposed pursuant to paragraph (b-1) of subdivision
27 two of section five hundred three of the vehicle and traffic law, para-
28 graph (c-3) of subdivision two of section five hundred three of the
29 vehicle and traffic law, article seventeen-C of the vehicle and traffic
30 law, article twenty-nine-A of the tax law and section eleven hundred
31 sixty-six-a of the tax law which are paid in accordance with subpara-
32 graph (ii) of paragraph (b-1) of subdivision two of section five hundred
33 three of the vehicle and traffic law, subparagraph (ii) of paragraph
34 (c-3) of subdivision two of section five hundred three of the vehicle
35 and traffic law, section twelve hundred eighty-eight of the tax law and
36 section eleven hundred sixty-seven of the tax law into the corporate
37 transportation account of the metropolitan transportation authority
38 special assistance fund established by section twelve hundred seventy-a
39 of the public authorities law shall be made pursuant to statute but
40 without an appropriation.

41 § 7. Subdivision 1 and paragraph (e) of subdivision 4 of section
42 1270-a of the public authorities law, subdivision 1 as amended by
43 section 14 and paragraph (e) of subdivision 4 as added by section 15 of
44 part H of chapter 25 of the laws of 2009, are amended to read as
45 follows:

46 1. The authority shall create and establish a fund to be known as the
47 "metropolitan transportation authority special assistance fund" which
48 shall be kept separate from and shall not be commingled with any other
49 moneys of the authority. The special assistance fund shall consist of
50 three separate accounts: (i) the "transit account", (ii) the "commuter
51 railroad account" and (iii) the "corporate transportation account".

52 The authority shall make deposits in the transit account and the
53 commuter railroad account of the moneys received by it pursuant to the
54 provisions of subdivision one of section two hundred sixty-one of the
55 tax law in accordance with the provisions thereof, and shall make depos-
56 its in the corporate transportation account of the moneys received by it

1 pursuant to the provisions of subdivision two of section two hundred
2 sixty-one of the tax law and section ninety-two-ff of the state finance
3 law. The comptroller shall deposit, without appropriation, into the
4 corporate transportation account the revenue fees, taxes, interest and
5 penalties collected in accordance with paragraph (b-1) of subdivision
6 two of section five hundred three of the vehicle and traffic law, para-
7 graph (c-3) of subdivision two of section five hundred three of the
8 vehicle and traffic law, article seventeen-C of the vehicle and traffic
9 law, article twenty-nine-A of the tax law and section eleven hundred
10 sixty-six-a of the tax law.

11 (e) Notwithstanding the foregoing provisions of this subdivision, any
12 moneys in the corporate transportation account that are received by the
13 authority: (i) without appropriation pursuant to subdivision one of this
14 section, or (ii) pursuant to the provisions of section ninety-two-ff of
15 the state finance law may be pledged by the authority, or pledged to the
16 Triborough bridge and tunnel authority, to secure bonds, notes or other
17 obligations of the authority or the Triborough bridge and tunnel author-
18 ity, as the case may be, and, if so pledged to the Triborough bridge and
19 tunnel authority, shall be paid to the Triborough bridge and tunnel
20 authority in such amounts and at such times as necessary to pay or to
21 reimburse that authority for its payment of debt service and reserve
22 requirements, if any, on that portion of special Triborough bridge and
23 tunnel authority bonds and notes issued by that authority pursuant to
24 section five hundred fifty-three-d of this chapter. Subject to the
25 provisions of any such pledge, or in the event there is no such pledge,
26 any moneys in the corporate transportation account received by the
27 authority: (i) without appropriation pursuant to subdivision one of this
28 section, or (ii) pursuant to the provisions of section ninety-two-ff of
29 the state finance law may be used by the authority for payment of oper-
30 ating costs of, and capital costs, including debt service and reserve
31 requirements, if any, of or for the authority, the New York city transit
32 authority and their subsidiaries as the authority shall determine. No
33 moneys in the corporate transportation account that are reserved by the
34 authority: (i) without appropriation pursuant to subdivision one of this
35 section; or (ii) pursuant to the provisions of section ninety-two-ff of
36 the state finance law may be used for making any payment to the Dutch-
37 ess, Orange and Rockland fund created by section twelve hundred seven-
38 ty-b of this title or considered in calculating the amounts required to
39 be paid into such fund.

40 § 8. This act shall take effect immediately.

41 PART GG

42 Intentionally Omitted

43 PART HH

44 Section 1. Section 45 of chapter 929 of the laws of 1986 amending the
45 tax law and other laws relating to the metropolitan transportation
46 authority, as amended by chapter 63 of the laws of 2017, is amended to
47 read as follows:

48 § 45. This act shall take effect immediately; except that: (a) para-
49 graph (d) of subdivision 3 of section 1263 of the public authorities
50 law, as added by section twenty-six of this act, shall be deemed to have
51 been in full force and effect on and after August 5, 1986; (b) sections
52 thirty-three and thirty-four of this act shall not apply to a certified

1 or recognized public employee organization which represents any public
 2 employees described in subdivision 16 of section 1204 of the public
 3 authorities law and such sections shall expire on July 1, [2019] 2021
 4 and nothing contained within these sections shall be construed to divest
 5 the public employment relations board or any court of competent juris-
 6 diction of the full power or authority to enforce any order made by the
 7 board or such court prior to the effective date of this act; (c) the
 8 provisions of section thirty-five of this act shall expire on March 31,
 9 1987; and (d) provided, however, the commissioner of taxation and
 10 finance shall have the power to enforce the provisions of sections two
 11 through nine of this act beyond December 31, 1990 to enable such commis-
 12 sioner to collect any liabilities incurred prior to January 1, 1991.

13 § 2. This act shall take effect immediately.

14 PART II

15 Intentionally Omitted

16 PART JJ

17 Intentionally Omitted

18 PART KK

19 Intentionally Omitted

20 PART LL

21 Intentionally Omitted

22 PART MM

23 Section 1. The state finance law is amended by adding a new section
 24 99-ff to read as follows:

25 § 99-ff. Parks retail stores fund. 1. Notwithstanding sections eight,
 26 eight-a and seventy of this chapter and any other provision of law,
 27 rule, regulation or practice to the contrary, there is hereby estab-
 28 lished in the joint custody of the state comptroller and the commission-
 29 er of tax and finance a parks retail stores fund, which shall be classi-
 30 fied by the state comptroller as an enterprise fund, and which shall
 31 consist of all moneys received from private entities and individuals
 32 from retail operations at state parks, recreational facilities and
 33 historic sites operated by the office of parks, recreation and historic
 34 preservation.

35 2. Moneys within the parks retail stores fund shall be made available
 36 to the commissioner of parks, recreation and historic preservation for
 37 services and expenses relating to the operation of retail stores and in
 38 support of the sale of retail goods at state parks, recreational facili-
 39 ties and historic sites.

40 § 2. The state finance law is amended by adding a new section 99-gg to
 41 read as follows:

42 § 99-gg. Golf fund. 1. Notwithstanding sections eight, eight-a and
 43 seventy of this chapter and any other provision of law, rule, regulation
 44 or practice to the contrary, there is hereby established in the joint
 45 custody of the state comptroller and the commissioner of tax and finance
 46 a golf fund, which shall be classified by the state comptroller as an

1 enterprise fund, and which shall consist of all moneys collected from
2 private entities and individuals for the use of state-owned golf cours-
3 es, any other miscellaneous fees associated with the use of such golf
4 courses, and sale of retail goods and services at state owned golf
5 courses.

6 2. Moneys within the golf fund shall be made available to the commis-
7 sioner of parks, recreation and historic preservation for services and
8 expenses of the office of parks, recreation and historic preservation
9 relating to the direct maintenance and operation of state owned golf
10 courses, and in support of the sale of retail goods and services at
11 state owned golf courses.

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

14 PART NN

15 Intentionally Omitted

16 PART OO

17 Section 1. Clauses 6 and 7 of subparagraph (B) of paragraph (i) of
18 subdivision (b) of section 349-g of the highway law, as added by chapter
19 78 of the laws of 2018, are amended to read as follows:

20 6. Within the waters of Flushing Bay South 45°-38'-00" East, a
21 distance of 1092.05' to a point in the waters of Flushing Bay, said
22 point also being the westerly line of Tax Map Lot 65 Block [789] 1789,
23 thence;

24 7. Along the westerly line of same South 05°-02'-52" East, a distance
25 of 456.35' to a point in the westerly line of Tax Map Lot 65 Block [789]
26 1789, thence;

27 § 2. This act shall take effect immediately and shall be deemed to
28 have been in full force and effect on and after chapter 78 of the laws
29 of 2018 took effect, and shall be deemed repealed therewith.

30 PART PP

31 Intentionally Omitted

32 PART QQ

33 Intentionally Omitted

34 PART RR

35 Intentionally Omitted

36 PART SS

37 Section 1. Section 1 of chapter 174 of the laws of 1968, constituting
38 the New York state urban development corporation act, is amended by
39 adding a new section 53 to read as follows:

40 § 53. Reporting. (1) Definitions. For the purposes of this section,
41 the following terms shall have the following meanings:

42 (a) "Economic development benefits" shall mean and include the follow-
43 ing:

1 (i) available state resources and/or funds including, but not limited
2 to, state grants, loans, loan guarantees, loan interest subsidies,
3 and/or subsidies; and/or

4 (ii) tax credits, tax exemptions or reduced tax rates and/or benefits
5 which are applied for and preapproved or certified by a state agency;
6 and

7 (a-1) "Empire state economic development benefits" shall mean those
8 economic development benefits made available to the urban development
9 corporation and/or the department of economic development to award such
10 benefits to qualified recipients, or those economic development benefits
11 which are allocated to the corporation and/or such department but are
12 subsequently allocated to another state agency or other independent
13 entities for them to make such awards to qualified recipients;

14 (a-2) "Aggregate economic development benefits" shall mean those bene-
15 fits provided for in paragraphs (a) and (a-1) of this subdivision and
16 displayed separately in the database created pursuant to subdivision two
17 of this section;

18 (b) "Qualified participant" shall mean an individual, business, limit-
19 ed liability corporation or any other entity that has applied for and
20 received approval for and/or is the beneficiary of, any aggregate
21 economic development benefits of ten thousand dollars or more per
22 project;

23 (c) "New York state agency" shall mean any state department, board,
24 bureau, division, commission, committee, public authority, public corpo-
25 ration, council, office or other state governmental entity performing a
26 governmental or proprietary function for the state, as well as entities
27 created by any of the preceding or that are governed by a board of
28 directors or similar body a majority of which is designated by one or
29 more state officials;

30 (d) "Full-time job" shall mean a job in which an individual is
31 employed by a qualified participant for at least thirty-five hours a
32 week;

33 (e) "Full-time equivalent" shall mean a unit of measure which is equal
34 to one filled, full-time, annual-salaried position;

35 (f) "Part-time job" shall mean a job in which an individual is
36 employed by a qualified participant for less than thirty-five hours a
37 week; and

38 (g) "Contract job" shall mean a job in which an individual is hired
39 for a season or for a limited period of time.

40 (2) Searchable state subsidy and aggregate economic development bene-
41 fits database. Notwithstanding any laws to the contrary, the corpo-
42 ration, in cooperation with the department of economic development,
43 shall create a searchable database, or modify an existing one, display-
44 ing Empire state economic development benefits that a qualified partic-
45 ipant has been awarded. Such database shall also display other Empire
46 state economic development benefits such qualified participant has
47 received from another state agency provided that it is for the same
48 particular project which received the Empire state economic development
49 benefits. Such searchable database shall include, at a minimum, the
50 following features and functionality:

51 (a) the ability to search the database by each of the reported infor-
52 mation to the corporation and for the public viewer to show a qualified
53 participant which is a recipient of an aggregate economic development
54 benefit and view a list of all types and amounts of benefits received by
55 a qualified participant;

56 (b) for the prior state fiscal year, the following information:

1 (i) a qualified participant's name and project, project location,
2 project's complete address, including the postal or zip code in a sepa-
3 rate searchable field, and the economic region of the state;

4 (ii) the time span over which a qualified participant is to receive or
5 has received aggregate economic development benefits;

6 (iii) the type of such aggregate economic development benefits
7 provided to a qualified participant, including the name of the program
8 or programs through which aggregate economic development benefits are
9 provided;

10 (iv) the total number of employees at all sites utilizing such aggre-
11 gate economic development benefits at the time of the agreement includ-
12 ing the number of permanent full-time jobs, the number of permanent
13 part-time jobs, the number of full-time equivalents, and the number of
14 contract employees;

15 (v) for any aggregate economic development benefit that provides for
16 job retention and creation that a qualified participant receiving aggre-
17 gate economic development benefits is contractually obligated to retain
18 and create over the life of the project utilizing such aggregate econom-
19 ic development benefits, except that such information shall be reported
20 on an annual basis for agreements containing annual job retention or
21 creation requirements, and for each reporting year, the base employment
22 level the entity receiving aggregate economic development benefits
23 agrees to retain over the life of the project utilizing such aggregate
24 economic development benefits, any job creation scheduled to take place
25 as a result of the project utilizing such aggregate economic development
26 benefits and where applicable, any job creation targets for the current
27 reporting year;

28 (vi) the amount of aggregate economic development benefits received by
29 a qualified participant during the year covered by the report, the
30 amount of aggregate economic development benefits received by a quali-
31 fied participant since the beginning of the project period, and the
32 present value of the further aggregate economic development benefits
33 committed to by the state, but not yet received by a qualified partic-
34 ipant for the duration of the project;

35 (vii) for the current reporting year, the total actual number of
36 employees at all sites covered by the project utilizing such aggregate
37 economic development benefits, including the number of permanent full-
38 time jobs, the number of permanent part-time jobs, the number of
39 contract jobs, the number of jobs filled by minorities or women.

40 (viii) a statement of compliance indicating whether, during the
41 current reporting year, the corporation and/or any other state agency
42 has reduced, cancelled or recaptured aggregate economic development
43 benefits from a qualified participant, and, if so, the total amount of
44 the reduction, cancellation or recapture, and any penalty assessed and
45 the reasons therefor.

46 (c) the ability to digitally select defined individual fields corre-
47 sponding to any of the reported information from qualified participants
48 to create unique database views;

49 (d) the ability to download the database in its entirety, or in part,
50 in a common machine readable format;

51 (e) the ability to view and download contracts or award agreements for
52 each aggregate economic development benefit received by the qualified
53 participant to the extent such contracts or award agreements are avail-
54 able to the public pursuant to article six of the public officers law;

55 (f) a definition or description of terms for fields in the database;
56 and

1 (g) a summary of each aggregate economic development benefit available
2 to qualified participants.

3 (3) Certification regarding reporting. The corporation shall certify
4 to the New York state authorities budget office, the corporation's board
5 of directors and post to its website that it has fulfilled all of its
6 reporting requirements as required by law, rules, regulations, or execu-
7 tive orders. The corporation shall provide a list of all reports, the
8 due dates of such reports, and certify to the New York state authorities
9 budget office and the corporation's board of directors, that each report
10 has been submitted to the individual, office, or entity as prescribed by
11 applicable laws, rules, and regulations.

12 (4) Database reporting. The corporation may request any data from
13 qualified participants, which is necessary and required in developing,
14 updating and maintaining the searchable database. Such qualified
15 participants shall provide any such information requested by the corpo-
16 ration. Beginning on June first, two thousand twenty, the corporation
17 shall make all reported data on such database available to the public on
18 its website. Such database shall be updated on a quarterly basis with
19 qualified participants added to any programs and any new data provided
20 by existing qualified participants required reporting.

21 (5) Reporting. The corporation's senior staff shall report on a quar-
22 terly basis, to the corporation's board of directors with a status
23 update on the development and maintenance of the searchable database.

24 § 2. Section 100 of the economic development law is amended by adding
25 a new subdivision 18-j to read as follows:

26 18-j. to assist the urban development corporation to establish a
27 searchable database pursuant to section fifty-three of the urban devel-
28 opment corporation act.

29 § 3. This act shall take effect on the ninetieth day after it shall
30 have become a law; provided, however, that effective immediately, the
31 addition, amendment and/or repeal of any rule or regulation necessary
32 for the implementation of this act on its effective date are authorized
33 to be made and completed on or before such effective date.

34

PART TT

35 Section 1. The economic development law is amended by adding a new
36 section 438 to read as follows:

37 § 438. Disclosure authorization and reporting requirements. 1. The
38 commissioner and the department shall disclose publicly the names and
39 addresses of the businesses located within a tax-free NY area. In addi-
40 tion, the commissioner and the department shall disclose publicly and
41 include in the annual report required under subdivision two of this
42 section such other information contained in such businesses' applica-
43 tions and annual reports, including the projected number of net new jobs
44 to be created, as they determine is relevant and necessary to evaluate
45 the success of this program.

46 2. (a) The commissioner shall prepare an annual report to the governor
47 and the legislature. Such report shall include the number of business
48 applicants, number of businesses approved, the names and addresses of
49 the businesses located within a tax-free NY area, total amount of bene-
50 fits distributed, benefits received per business, number of net new jobs
51 created, net new jobs created per business, new investment per business,
52 the types of industries represented and such other information as the
53 commissioner determines is necessary to evaluate the progress of the
54 START-UP NY program.



1 (b) Any business located in a tax-free NY area must submit an annual
2 report to the commissioner in a form and at such time and with such
3 information as prescribed by the commissioner in consultation with the
4 commissioner of taxation and finance. Such information shall be suffi-
5 cient for the commissioner and the commissioner of taxation and finance
6 to: (i) monitor the continued eligibility of the business and its
7 employees to participate in the START-UP NY program and receive the tax
8 benefits described in section thirty-nine of the tax law; (ii) evaluate
9 the progress of the START-UP NY program; and (iii) prepare the annual
10 report required by paragraph (a) of this subdivision. Such annual report
11 shall also include information regarding the wages paid during the year
12 to its employees employed in the net new jobs created and maintained in
13 the tax-free NY area.

14 § 2. This act shall take effect immediately and shall be deemed to
15 have been in full force and effect on and after April 10, 2017.

16 PART UU

17 Section 1. Section 1 of chapter 174 of the laws of 1968, constituting
18 the New York state urban development corporation act, is amended by
19 adding a new section 32-a to read as follows:

20 § 32-a. Special provisions relating to economic development entities.
21 (1) For the purposes of this section, an "economic development entity"
22 shall mean any entity created by the executive branch, including the
23 executive chamber of the governor and lieutenant governor, and any state
24 agency whose function includes providing advice, recommendations or
25 determinations to or on behalf of the executive branch or any state
26 agency, as defined in paragraph (b) of subdivision one of section seven-
27 ty-three-a of the public officers law, on the allocation or disbursement
28 of state or federal monies or tax credits and/or benefits.

29 (2) (a) The provisions of article seven of the public officers law
30 applicable to public bodies shall apply to an economic development enti-
31 ty.

32 (b) The provisions of article six of the public officers law applica-
33 ble to agencies shall apply to an economic development entity. In addi-
34 tion to the requirements of subdivision three of section eighty-seven of
35 the public officers law, an economic development entity shall maintain
36 and make available for public inspection and copying any and all
37 proposals submitted to it through a centralized application process,
38 including the consolidated funding applications process, except that an
39 economic development entity may redact or withhold portions of a
40 proposal if such portion would be exempt from disclosure pursuant to
41 article six of the public officers law.

42 (c) For the purpose of section seventy-three-a of the public officers
43 law, any member of an economic development entity shall be deemed a
44 state officer or employee and shall be deemed a policy maker and shall
45 file an annual statement of financial disclosure set forth in subdivi-
46 sion three of section seventy-three-a of the public officers law.

47 (d) The provisions of section seventy-four of the public officers law
48 applicable to an officer or employee of a state agency shall apply to
49 any member of an economic development entity.

50 § 2. This act shall take effect immediately; provided, however, that
51 those incumbents who have not filed a disclosure form for the calendar
52 year 2018 shall have thirty days from the effective date of this act to
53 file such form with the joint commission on public ethics.

1

PART VV

2 Section 1. Section 1 of chapter 174 of the laws of 1968, constituting
3 the New York state urban development corporation act, is amended by
4 adding a new section 53 to read as follows:

5 § 53. Strategic investment in workforce development. 1. Pursuant to
6 this section there is hereby established within the corporation, the
7 strategic investment in workforce development program to identify and
8 address workforce needs throughout the state. The corporation shall
9 collaborate with the department of labor, the department of economic
10 development, the state university of New York, the city university of
11 New York, and the state education department to provide support to
12 eligible applicants within amounts available for the strategic invest-
13 ments in workforce development program and shall identify the training
14 needs of employers, employees and prospective employees; identify areas
15 of the state or specific industries where a shortage of a skilled work-
16 force is impacting the ability of those areas of the state or industries
17 to remain competitive and innovative; identify methods and models to
18 train and employ youth workers; and identify ways to serve prospective
19 employees that are currently unemployed or underemployed. The strategic
20 investment in workforce development program shall utilize the informa-
21 tion gathered to target workforce training activities, employment
22 credentials or certificate opportunities, and skill development programs
23 to meet the identified needs and to provide necessary training and skill
24 development programs to youth and individuals who are unemployed or
25 underemployed.

26 2. Eligible applicants shall include an employer or consortium of
27 employers in conjunction with a labor organization, a not-for-profit, an
28 educational entity or a program or network that provides training and
29 skill development for youth or individuals who are unemployed or under-
30 employed. An entity that works directly with employers to provide
31 training or retraining, particularly in high-skill occupations or indus-
32 tries, or an entity that seeks to promote and foster economic develop-
33 ment and job growth shall also be considered an eligible applicant.
34 Eligible applicants shall demonstrate a relationship with educational
35 programs and entities that address the needs of employers, employees or
36 prospective employees, particularly youth, unskilled workers, unemployed
37 individuals or underemployed workers.

38 3. (a) Assistance provided by the corporation to eligible applicants,
39 may be used for the costs associated with strategic workforce develop-
40 ment training and skills development. Such costs may include, but is not
41 limited to, classroom training, on the job training, curriculum develop-
42 ment, and training materials associated with on the job training, skills
43 upgrading, skills retraining, and basic skills training that leads to
44 obtaining appropriate certifications or degrees from accredited insti-
45 tutions; and

46 (b) The corporation shall ensure that not less than twenty percent of
47 the program funds are used in support of projects that assist small
48 businesses as defined in section one hundred thirty-one of the economic
49 development law and minority- and women-owned business enterprises.

50 4. (a) The corporation shall report to the legislature by June thirti-
51 eth, two thousand twenty and annually thereafter, identifying the enti-
52 ties receiving assistance, the type of assistance provided, the number
53 of individuals trained and newly hired including those who were previ-
54 ously unemployed, underemployed or economically disadvantaged, and the



1 number of certifications or degrees conferred from accredited insti-
2 tutions.

3 (b) The corporation shall also provide for an independent evaluation
4 of the program on or before June thirtieth, two thousand twenty-one, and
5 every three years thereafter.

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

8

PART WW

9 Section 1. The public service law is amended by adding a new section
10 74-a to read as follows:

11 § 74-a. Westchester county renewable energy resources program. 1.
12 Within ninety days of the effective date of this section, the commission
13 shall, in consultation with the New York state energy research and
14 development authority, after a hearing held on notice, establish by
15 order, rules, and regulations, a program to encourage the installation
16 of renewable energy resources in the county of Westchester.

17 2. For the purposes of this section, renewable energy resources shall
18 have the same meaning as defined by the commission and consistent with
19 the most recent state energy plan pursuant to article six of the energy
20 law.

21 § 2. This act shall take effect immediately.

22

PART XX

23 Section 1. The opening paragraph of subdivision 5-a of section 340-b
24 of the highway law, as amended by chapter 30 of the laws of 1987, is
25 amended to read as follows:

26 The commissioner of transportation and the city of New York, acting
27 through the mayor or other administrative head thereof, pursuant to a
28 resolution of the governing body of such city, are authorized to enter
29 into a written agreement for the maintenance and repair, under the
30 supervision and subject to the approval of the commissioner of transpor-
31 tation, of any state interstate highway or portion thereof, exclusive of
32 service roads and pavement on intersecting street bridges, which is
33 within the boundaries of such city and which is now or which shall here-
34 after be designated in section three hundred forty-a of this [chapter]
35 article and which has been constructed or which shall have been
36 constructed as authorized by section three hundred forty-a of this
37 [chapter] article. Such agreement may provide that the state shall pay
38 annually to such city a sum to be computed: (a) at the rate of [(a)] (i)
39 not more than eighty-five cents per square yard of the pavement area
40 that is included in the state highway system according to the provisions
41 of this section, and [(b)] (ii) an additional ten cents per square yard
42 of such pavement area where such pavement area is located on any
43 elevated bridge; (b) beginning April first, two thousand nineteen at the
44 rate of (i) not more than one dollar and nineteen cents per square yard
45 of the pavement area that is included in the state highway system
46 according to the provisions of this section, and (ii) an additional
47 thirteen cents per square yard of such pavement area where such pavement
48 area is located on any elevated bridge; (c) beginning April first, two
49 thousand twenty at the rate of (i) not more than one dollar and fifty-
50 three cents per square yard of the pavement area that is included in the
51 state highway system according to the provisions of this section, and
52 (ii) an additional sixteen cents per square yard of such pavement area



1 where such pavement area is located on any elevated bridge; and (d)
2 beginning on and after April first, two thousand twenty-one at the rate
3 of (i) not more than one dollar and eighty-seven cents per square yard
4 of the pavement area that is included in the state highway system
5 according to the provisions of this section, and (ii) an additional
6 twenty cents per square yard of such pavement area where such pavement
7 area is located on any elevated bridge.

8 § 2. The opening paragraph of subdivision 7 of section 349-c of the
9 highway law, as amended by chapter 30 of the laws of 1987, is amended to
10 read as follows:

11 The commissioner of transportation and any city named in this article,
12 acting through the mayor or other administrative head thereof, pursuant
13 to a resolution of the governing body of such city except the city of
14 New York, are authorized to enter into a written agreement for the main-
15 tenance and repair, under the supervision and subject to the approval of
16 the commissioner, of any public street, main route or thoroughfare or
17 portion thereof, exclusive of service roads and pavement on intersecting
18 street bridges, which is within the boundaries of such city and which is
19 now or which shall hereafter be designated in this article and which has
20 been constructed or which shall have been constructed as authorized by
21 [articles] this article and article four [and twelve-B] of this chapter
22 and with grants made available by the federal government pursuant to the
23 federal aid highway act of nineteen hundred forty-four, being public law
24 five hundred twenty-one of the seventy-eighth congress, chapter six
25 hundred twenty-six, second session, as approved on the twentieth day of
26 December, nineteen hundred forty-four. Such agreement may provide that
27 the state shall pay annually to such city a sum to be computed: (a) at
28 the rate of [(a)] (i) not more than eighty-five cents per square yard of
29 the pavement area that is included in the state highway system according
30 to the provisions of this section, and [(b)] (ii) an additional ten
31 cents per square yard of such pavement area where such pavement area is
32 located on any elevated bridge; (b) beginning April first, two thousand
33 nineteen at the rate of (i) not more than one dollar and nineteen cents
34 per square yard of the pavement area that is included in the state high-
35 way system according to the provisions of this section, and (ii) an
36 additional thirteen cents per square yard of such pavement area where
37 such pavement area is located on any elevated bridge; (c) beginning
38 April first, two thousand twenty at the rate of (i) not more than one
39 dollar and fifty-three cents per square yard of the pavement area that
40 is included in the state highway system according to the provisions of
41 this section, and (ii) an additional sixteen cents per square yard of
42 such pavement area where such pavement area is located on any elevated
43 bridge; and (d) beginning on and after April first, two thousand twen-
44 ty-one at the rate of (i) not more than one dollar and eighty-seven
45 cents per square yard of the pavement area that is included in the state
46 highway system according to the provisions of this section, and (ii) an
47 additional twenty cents per square yard of such pavement area where such
48 pavement area is located on any elevated bridge.

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

51 § 2. Severability clause. If any clause, sentence, paragraph, subdivi-
52 sion, section or part of this act shall be adjudged by any court of
53 competent jurisdiction to be invalid, such judgment shall not affect,
54 impair, or invalidate the remainder thereof, but shall be confined in
55 its operation to the clause, sentence, paragraph, subdivision, section
56 or part thereof directly involved in the controversy in which such judg-

1 ment shall have been rendered. It is hereby declared to be the intent of
2 the legislature that this act would have been enacted even if such
3 invalid provisions had not been included herein.
4 § 3. This act shall take effect immediately provided, however, that
5 the applicable effective date of Parts A through XX of this act shall be
6 as specifically set forth in the last section of such Parts.