S T A T E O F N E W Y O R K

6008

2015-2016 Regular Sessions

I N A S S E M B L Y

March 9, 2015

Introduced by COMMITTEE ON RULES -- read once and referred to the Committee on Ways and Means

AN ACT to amend part U1 of chapter 62 of the laws of 2003 amending the vehicle and traffic law and other laws relating to increasing certain motor vehicle transaction fees, in relation to the effectiveness thereof; and to amend chapter 84 of the laws of 2002, amending the state finance law relating to the costs of the department of motor vehicles, in relation to extending provisions relating to the payment of department of motor vehicle costs from the dedicated highway and bridge trust fund (Part A); intentionally omitted (Part B); to amend the transportation law, in relation to fees for motor carriers; and to repeal certain provisions of such law relating thereto (Part C); to amend chapter 413 of the laws of 1999, relating to providing for mass transportation payments, in relation to including Ontario county to the Rochester-Genesee Regional Transportation District (Part D); to amend the state finance law, in relation to creating a transit assistance for capital investments fund (Part E); authorizing the department of transportation to defer reductions in service payments for two years (Part F); intentionally omitted (Part G); intentionally omitted (Part H); to amend the vehicle and traffic law, the criminal procedure law and the transportation law, in relation to the issuance of commercial learner's permits and the disqualification of commercial driver's licenses and commercial learner's permits (Part I); to amend public authorities law, in relation to decreasing state responsibility for certain costs incurred by the New York state thruway authority (Part J); intentionally omitted (Part K); intentionally omitted (Part L); 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 M); 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 N); to authorize and direct the New York state energy research and development authority to make a payment to the general fund of up

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

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to $913,000 (Part O); to authorize the New York state energy research and development authority to finance a portion of its research, development and demonstration and policy and planning programs, and to finance the department of environmental conservation's climate change program, from an assessment on gas and electric corporations (Part P); to amend chapter 261 of the laws of 1988 amending the state finance law and other laws relating to the New York infrastructure trust fund, in relation to the effectiveness of article 15-A of the executive law (Part Q); to authorize the department of health to finance certain activities with revenues generated from an assessment on cable television companies (Part R); to amend chapter 58 of the laws of 2012 amending the public authorities law relating to authorizing the dormitory authority to enter into certain design and construction management agreements, in relation to extending certain authority of the dormitory authority of the state of New York (Part S); 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 expiration date thereof (Part T); to amend the real property law, in relation to eliminating certain fees charged for an apartment information vendor license (Part U); to amend the agriculture and markets law, in relation to eliminating certain license fees (Part V); to amend part B of chapter 173 of the laws of 2013 relating to the issuance of securitized restructuring bonds to refinance the outstanding debt of the Long Island power authority, in relation to the issuance of securitized restructuring bonds to refinance outstanding debt of the Long Island power authority (Part W); to amend the navigation law and the state finance law, in relation to license fees and surcharges for the transfer of petroleum between vessels, between facilities and vessels, and between facilities, whether onshore or offshore (Part X); to amend the environmental conservation law, in relation to operating permit program fees, state air quality control fees and state pollutant discharge elimination system program fees (Part Y); intentionally omitted (Part Z); to amend the state finance law and the environmental conservation law, in relation to establishing a habitat conservation and access account; to repeal certain provisions of the state finance law relating thereto; and providing for the repeal of certain provisions upon the expiration thereof (Part AA); to amend the local finance law, in relation to establishing a ten year period of probable usefulness for municipally owned omnibus or surface transit motor vehicles (Part BB); to amend the vehicle and traffic law, in relation to directing the city of Buffalo to adjudicate traffic infractions; and in relation to certain penalties and forfeited security collected by the city of Buffalo and granting a traffic violations agency certain powers; to amend the general municipal law, in relation to establishing the Buffalo traffic violations agency; to amend the state finance law, in relation to the justice court fund; to amend the criminal procedure law, in relation to a trial by judicial hearing officer; and requires the executive director of the Buffalo traffic violations agency to annually issue a report on the progress, development and operations of such agency (Part CC); to amend the transportation law, in relation to establishing the temporary advisory board on upstate transit funding; and providing for the repeal of such provisions upon expiration thereof (Part DD); to amend the public authorities law, in relation to certain reports of the New

York state thruway authority relating to the New York state special infrastructure account (Part EE); to amend the public authorities law, in relation to establishing a multi-family emissions reduction program (Part FF); and in relation to directing the New York state energy research and development authority to develop incentive standards for participation by certain households in energy efficiency services (Part GG)

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. This act enacts into law major components of legislation which are necessary to implement the state fiscal plan for the 2015-2016 state fiscal year. Each component is wholly contained within a Part identified as Parts A through GG. The effective date for each particular provision contained within such Part is set forth in the last section of such Part. Any provision in any section contained within a Part, including the effective date of the Part, which makes a reference to a section "of this act", when used in connection with that particular component, shall be deemed to mean and refer to the corresponding section of the Part in which it is found. Section three of this act sets forth the general effective date of this act.

PART A

Section 1. Section 13 of part U1 of chapter 62 of the laws of 2003 amending the vehicle and traffic law and other laws relating to increasing certain motor vehicle transaction fees, as amended by section 1 of part C of chapter 57 of the laws of 2014, is amended to read as follows:

S 13. This act shall take effect immediately; provided however that sections one through seven of this act, the amendments to subdivision 2 of section 205 of the tax law made by section eight of this act, and section nine of this act shall expire and be deemed repealed on April 1, [2015] 2017; provided further, however, that the amendments to subdivision 3 of section 205 of the tax law made by section eight of this act shall expire and be deemed repealed on March 31, 2018; provided further, however, that the provisions of section eleven of this act shall take effect April 1, 2004 and shall expire and be deemed repealed on April 1, [2015] 2017.

S 2. Section 2 of part B of chapter 84 of the laws of 2002, amending the state finance law relating to the costs of the department of motor vehicles, as amended by section 2 of part C of chapter 57 of the laws of 2014, is amended to read as follows:

S 2. This act shall take effect April 1, 2002; provided, however, if this act shall become a law after such date it shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2002; provided further, however, that this act shall expire and be deemed repealed on April 1, [2015] 2017.

S 3. This act shall take effect immediately.

PART B

Intentionally Omitted

PART C

Section 1. Section 144 of the transportation law is REPEALED and a new section 144 is added to read as follows:

S 144. FEES AND CHARGES. THE COMMISSIONER OR THE COMMISSIONER'S DESIGNEE SHALL CHARGE AND COLLECT THE FOLLOWING FEES:

1. ONE HUNDRED DOLLARS FOR THE INSPECTION OR RE-INSPECTION OF ALL MOTOR VEHICLES TRANSPORTING PASSENGERS SUBJECT TO THE DEPARTMENT'S INSPECTION REQUIREMENTS PURSUANT TO SECTION ONE HUNDRED FORTY OF THIS ARTICLE AND THE COMMISSIONER'S REGULATIONS, EXCEPT SUCH MOTOR VEHICLES OPERATED UNDER CONTRACT WITH A MUNICIPALITY TO PROVIDE STATEWIDE MASS TRANSPORTATION OPERATING ASSISTANCE ELIGIBLE SERVICE OR MOTOR VEHICLES USED PRIMARILY TO TRANSPORT PASSENGERS PURSUANT TO SUBPARAGRAPHS (I), (III) AND (V) OF PARAGRAPH A OF SUBDIVISION TWO OF SECTION ONE HUNDRED FORTY OF THIS ARTICLE.

2. ALL FEES CHARGED AND COLLECTED BY THE COMMISSIONER UNDER SUBDIVISION ONE OF THIS SECTION SHALL BE DEPOSITED BY THE COMPTROLLER INTO THE DEDICATED HIGHWAY AND BRIDGE TRUST FUND ESTABLISHED PURSUANT TO SECTION EIGHTY-NINE-B OF THE STATE FINANCE LAW.

S 2. Subdivision 1 of section 153 of the transportation law is REPEALED and subdivisions 2, 3, 4, 5, 6, 7, 8 and 9 are renumbered subdivisions 1, 2, 3, 4, 5, 6, 7 and 8.

S 2-a. Subdivisions 1, 6 and 7 of section 153 of the transportation law, as added by chapter 635 of the laws of 1983 and as renumbered by section two of this act, are amended to read as follows:

1. A temporary certificate of public convenience and necessity to operate as a common carrier of passengers may be issued by the commissioner after public notice and with or without hearing, except as provided in [paragraphs six and eight] SUBDIVISIONS FIVE AND SEVEN of this section, to an applicant upon a finding that the applicant is fit, willing and able to perform a service for which there is an immediate or urgent need. Such a temporary certificate of public convenience and necessity may also be issued on the commissioner's own motion for the purpose of experiment or demonstration when the commissioner is of the opinion that such action is required by the public interest.

6. Notwithstanding any other provision of law, on any application for temporary authority to operate a bus line originating or terminating in any city, the commissioner shall, in addition to the requirements specified in subdivision [two] ONE of this section, also consider and evaluate the application and any objections to the application in accordance with the following criteria:

(a) The adequacy of the existing mass transit and mass transportation facilities to meet the transportation needs of any particular segment of the general public for the proposed service; and

(b) The impact that the proposed operation may have on any existing mass transit or mass transportation facilities.

7. If any application to operate a van service originating or terminating within a city is protested by the governing body of such city, a bus line operating in said city or a public transportation authority created pursuant to titles nine, eleven, eleven-A, eleven-B, eleven-C and eleven-D of article five of the public authorities law whose territory or district includes said city, and a hearing is requested, such hearing shall be held. Based on the evidence submitted at such hearing the commissioner shall, in addition to the requirements specified in subdivision [two] ONE hereof, consider and evaluate the application and

the objections to the application in accordance with the following criteria:

(a) The adequacy of the existing mass transit and mass transportation facilities to meet the transportation needs of any particular segment of the general public for the proposed service; and

(b) The impact that the proposed operation may have on any existing mass transit or mass transportation facilities.

S 3. Subdivisions 1 and 6 of section 154 of the transportation law, as added by chapter 635 of the laws of 1983, are amended to read as follows:

1. The commissioner may issue a permanent certificate of public convenience and necessity to operate as a common carrier of passengers to an applicant with or without hearing, except as provided in subdivisions two and seven of this section, but upon notice to all interested parties. If any application for authority to operate a bus line through a county, city, village or town or in or through a territory or district served by a bus line or a public transportation authority created pursuant to titles nine, eleven, eleven-A, eleven-B, eleven-C and eleven-D of article five of the public authorities law is protested by any such municipality, bus line, or public transportation authority, and hearing on such application is requested then no permanent authority shall be granted prior to a hearing held on such application. The commissioner shall consider any reasonable conditions required of the applicant by such municipality regarding routing and franchise requirements and, in cities having a population of over one million persons the commissioner shall adopt the intracity routing requirements to the proposed destination point or points that are established by any such city, provided that such city furnishes the routing requirements to the commissioner within sixty days of the filing of the application with the department. In addition the commissioner shall adopt insurance requirements provided for by any such city. Except for the routing and insurance requirements in cities having a population of over one million persons, the commissioner shall impose requirements on the applicant deemed to be reasonable and in the public interest as a condition to any authority granted. [Applications for a permanent certificate shall be accompanied by a filing fee as prescribed in section one hundred forty-four of this chapter.] The application for a permanent certificate shall be granted if the commissioner finds that:

(a) the applicant is fit, willing and able to provide the transportation to be authorized by the certificate and to comply with this chapter and the regulations of the commissioner; and

(b) the service proposed will be required by the present or future public convenience and necessity.

6. Any person holding a permanent certificate to provide bus line service shall not discontinue service on any route unless an application is made to the commissioner and the commissioner approves such application upon a finding that the public convenience and necessity no longer requires such bus line service. [Applications for discontinuance shall be accompanied by a filing fee as prescribed in section one hundred forty-four of this chapter.]

S 4. Subdivision 1 of section 155 of the transportation law, as added by chapter 635 of the laws of 1983, is amended to read as follows:

1. A permanent permit to operate as a contract carrier of passengers may be issued by the commissioner to an applicant with or without a hearing, but upon notice to all interested parties, authorizing such applicant to provide transportation as a contract carrier of passengers.

[Applications for a permanent permit shall be accompanied by a filing fee as prescribed in section one hundred forty-four of this chapter.] The application for a permanent permit shall be granted if the commissioner finds that:

(a) the applicant is fit, willing and able to provide the transportation to be authorized by the permit and to comply with this chapter and the regulations of the commissioner; and

(b) the proposed service is or will be consistent with the public interest and the policy declared in section one hundred thirty-seven of this chapter.

S 5. Subdivision 3 of section 156 of the transportation law, as added by chapter 635 of the laws of 1983, is amended to read as follows:

3. Certificates or permits shall not be assigned or transferred, in any manner, nor shall the right to operate under any certificate or permit be leased without prior approval of the commissioner upon such notice as the commissioner shall deem appropriate. The assignment, transfer or lease of certificates or permits or the right to operate under any certificate or permit, shall not be approved unless the commissioner shall find that it is in the public interest to do so. All applications for transfer or lease must be in such form as prescribed by the commissioner [and be accompanied by a filing fee as prescribed in section one hundred forty-four of this chapter].

S 6. Subdivision 1 of section 173 of the transportation law, as added by chapter 635 of the laws of 1983, is amended to read as follows:

1. A temporary certificate or permit to operate as a common or contract carrier of property may be issued by the commissioner to a qualified applicant with or without a hearing for the purpose of providing a service for which there is an immediate or urgent need from or to a point or points or within a territory. Applications for temporary authority shall contain such information as the commissioner by regulation may prescribe [and shall be accompanied by a filing fee as prescribed in section one hundred forty-four of this chapter].

S 7. Subdivision 1 of section 174 of the transportation law, as added by chapter 635 of the laws of 1983, is amended to read as follows:

1. A permanent certificate to operate as a common carrier of property may be issued by the commissioner to a qualified applicant with or without hearing, but upon notice to all interested parties, authorizing such applicant to provide transportation as a common carrier of property. Applications for a permanent certificate shall contain such information as the commissioner by regulation may prescribe [and shall be accompanied by a filing fee as prescribed in section one hundred forty-four of this chapter]. The application for a permanent certificate shall be granted if the commissioner finds that:

(a) the applicant is fit, willing and able to provide the transportation to be authorized by the certificate and to comply with this chapter and the regulations of the commissioner; and

(b) that the service proposed will be required by the present or future public convenience and necessity.

S 8. Subdivision 1 of section 175 of the transportation law, as added by chapter 635 of the laws of 1983, is amended to read as follows:

1. A permanent permit to operate as a contract carrier of property may be issued by the commissioner to an applicant with or without hearing, but upon notice to all interested parties authorizing such applicant to provide transportation as a contract carrier of property. [Applications for a permanent permit shall be accompanied by a filing fee as prescribed in section one hundred forty-four of this chapter.] The

application for a permanent permit shall be granted if the commissioner finds that:

(a) the applicant is fit, willing and able to provide the transportation to be authorized and to comply with this chapter and the regulations of the commissioner; and

(b) the proposed service to the extent authorized will be consistent with the public interest and the policy declared in section one hundred thirty-seven of this chapter.

S 9. Subdivision 3 of section 177 of the transportation law, as added by chapter 635 of the laws of 1983, is amended to read as follows:

3. Certificates or permits shall not be assigned, transferred or leased in any manner nor shall the right to operate under any certificate or permit be leased without prior approval of the commissioner, upon such notice as the commissioner shall deem appropriate. The assignment, transfer or lease of a certificate, or the right to operate under any certificate, shall not be approved unless the commissioner shall find that it is in the public interest to do so. All applications for assignment, transfer or lease must be in such form as prescribed by the commissioner [and shall be accompanied by a filing fee as prescribed in section one hundred forty-four of this chapter].

S 10. Subdivision 1 of section 192 of the transportation law, as added by chapter 635 of the laws of 1983, is amended to read as follows:

1. A probationary certificate to operate as a common carrier of household goods by motor vehicle may be issued by the commissioner to a qualified applicant after public notice and with or without hearing. The application shall contain such information as the commissioner by regulation shall prescribe [and the application shall be accompanied by a filing fee as prescribed in section one hundred forty-four of this chapter]. A probationary certificate shall:

(a) create no presumption that a corresponding permanent certificate will be granted;

(b) confer no proprietary or property rights in the use of the highways;

(c) be granted for a period not to exceed one year, which may be renewed for an additional one year period by the commissioner; and

(d) be subject to any conditions deemed appropriate by the commissioner to be in the public interest.

S 11. Subdivision 6 of section 193 of the transportation law, as added by chapter 635 of the laws of 1983, is amended to read as follows:

6. Permanent certificates issued pursuant to subdivision one of this section shall have no application fee. [Applications for permanent certificates issued pursuant to subdivision four of this section shall be accompanied by a filing fee as prescribed in section one hundred forty-four of this chapter.]

S 12. Subdivision 3 of section 195 of the transportation law, as added by chapter 635 of the laws of 1983, is amended to read as follows:

3. Permanent certificates shall not be assigned, transferred or leased in any manner nor shall the right to operate under any such certificate be leased without prior approval of the commissioner upon such notice as the commissioner shall deem appropriate. The assignment, transfer or lease of a permanent certificate, shall not be approved unless the commissioner shall find that it is in the public interest to do so. All applications for transfer or lease must be in such form as prescribed by the commissioner [and shall be accompanied by a filing fee as prescribed in section one hundred forty-four of this chapter].

S 13. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2015.

PART D

Section 1. Section 1 of part I of chapter 413 of the laws of 1999, relating to providing for mass transportation payments, as amended by section 1 of part L of chapter 59 of the laws of 2006, is amended to read as follows:

Section 1. Notwithstanding any other law, rule or regulation to the contrary, payment of mass transportation operating assistance pursuant to section 18-b of the transportation law shall be subject to the provisions contained herein and the amounts made available therefor by appropriation.

In establishing service and usage formulas for distribution of mass transportation operating assistance, the commissioner of transportation may combine and/or take into consideration those formulas used to distribute mass transportation operating assistance payments authorized by separate appropriations in order to facilitate program administration and to ensure an orderly distribution of such funds.

To improve the predictability in the level of funding for those systems receiving operating assistance payments under service and usage formulas, the commissioner of transportation is authorized with the approval of the director of the budget, to provide service payments based on service and usage statistics of the preceding year.

In the case of a service payment made, pursuant to section 18-b of the transportation law, to a regional transportation authority on account of mass transportation services provided to more than one county (considering the city of New York to be one county), the respective shares of the matching payments required to be made by a county to any such authority shall be as follows:

Percentage of matching payment required to be provided:

Local Jurisdiction	Percentage of Matching Payment
In the Metropolitan Commuter Transportation District:	
New York City	6.40
Dutchess	1.30
Nassau	39.60
Orange	0.50
Putnam	1.30
Rockland	0.10
Suffolk	25.70
Westchester	25.10
In the Capital District Transportation District:	
Albany	56.10
Rensselaer	23.30
Saratoga	4.10
Schenectady	16.50
In the Central New York Regional Transportation Dis-	

trict:			
Cayuga	5.11		
Onondaga	75.83		
Oswego	2.85		
Oneida	16.21		
In the Rochester-Genesee Regional Transportation District:			
Genesee	[1.43] 1.36		
Livingston	[0.94] .90		
Monroe	[94.58] 90.14		
Wayne	[1.03] .98		
Wyoming	[0.54] .51		
Seneca	[0.67] .64		
Orleans	[0.81] .77		
ONTARIO	4.69		
In the Niagara Frontier Transportation District: Erie			89.20
Niagara	10.80		

Notwithstanding any other inconsistent provisions of section 18-b of the transportation law or any other law, any moneys provided to a public benefit corporation constituting a transportation authority or to other public transportation systems in payment of state operating assistance or such lesser amount as the authority or public transportation system shall make application for, shall be paid by the commissioner of transportation to such authority or public transportation system in lieu, and in full satisfaction, of any amounts which the authority would otherwise be entitled to receive under section 18-b of the transportation law.

Notwithstanding the reporting date provision of section 17-a of the transportation law, the reports of each regional transportation authority and other major public transportation systems receiving mass transportation operating assistance shall be submitted on or before July 15 of each year in the format prescribed by the commissioner of transportation. Copies of such reports shall also be filed with the chairpersons of the senate finance committee and the assembly ways and means committee and the director of the budget. The commissioner of transportation may withhold future state operating assistance payments to public transportation systems or private operators that do not provide such reports.

Payments may be made in quarterly installments as provided in subdivision 2 of section 18-b of the transportation law or in such other manner and at such other times as the commissioner of transportation, with the approval of the director of the budget, may provide; and where payment is not made in the manner provided by such subdivision 2, the matching payments required of any city, county, Indian tribe or intercity bus company shall be made within 30 days of the payment of state operating assistance pursuant to this section or on such other basis as may be agreed upon by the commissioner of transportation, the director of the budget, and the chief executive officer of such city, county, Indian tribe or intercity bus company.

The commissioner of transportation shall be required to annually evaluate the operating and financial performance of each major public transportation system. Where the commissioner's evaluation process has identified a problem related to system performance, the commissioner may request the system to develop plans to address the performance deficiencies. The commissioner of transportation may withhold future state oper-

ating assistance payments to public transportation systems or private operators that do not provide such operating, financial, or other information as may be required by the commissioner to conduct the evaluation process.

Payments shall be made contingent upon compliance with regulations deemed necessary and appropriate, as prescribed by the commissioner of transportation and approved by the director of the budget, which shall promote the economy, efficiency, utility, effectiveness, and coordinated service delivery of public transportation systems. The chief executive officer of each public transportation system receiving a payment shall certify to the commissioner of transportation, in addition to information required by section 18-b of the transportation law, such other information as the commissioner of transportation shall determine is necessary to determine compliance and carry out the purposes herein.

Counties, municipalities or Indian tribes that propose to allocate service payments to operators on a basis other than the amount earned by the service payment formula shall be required to describe the proposed method of distributing governmental operating aid and submit it one month prior to the start of the operator's fiscal year to the commissioner of transportation in writing for review and approval prior to the distribution of state aid. The commissioner of transportation shall only approve alternate distribution methods which are consistent with the transportation needs of the people to be served and ensure that the system of private operators does not exceed established maximum service payment limits. Copies of such approvals shall be submitted to the chairpersons of the senate finance and assembly ways and means committees.

Notwithstanding the provisions of subdivision 4 of section 18-b of the transportation law, the commissioner of transportation is authorized to continue to use prior quarter statistics to determine current quarter payment amounts, as initiated in the April to June quarter of 1981. In the event that actual revenue passengers and actual total number of vehicle, nautical or car miles are not available for the preceding quarter, estimated statistics may be used as the basis of payment upon approval by the commissioner of transportation. In such event, the succeeding payment shall be adjusted to reflect the difference between the actual and estimated total number of revenue passengers and vehicle, nautical or car miles used as the basis of the estimated payment. The chief executive officer may apply for less aid than the system is eligible to receive. Each quarterly payment shall be attributable to operating expenses incurred during the quarter in which it is received, unless otherwise specified by such commissioner. In the event that a public transportation system ceases to participate in the program, operating assistance due for the final quarter that service is provided shall be based upon the actual total number of revenue passengers and the actual total number of vehicle, nautical or car miles carried during that quarter.

Payments shall be contingent on compliance with audit requirements determined by the commissioner of transportation.

In the event that an audit of a public transportation system or private operator receiving funds discloses the existence of an overpayment of state operating assistance, regardless of whether such an overpayment results from an audit of revenue passengers and the actual number of revenue vehicle miles statistics, or an audit of private operators in cases where more than a reasonable return based on equity or operating revenues and expenses has resulted, the commissioner of trans-

portation, in addition to recovering the amount of state operating assistance overpaid, shall also recover interest, as defined by the department of taxation and finance, on the amount of the overpayment.

Notwithstanding any other law, rule or regulation to the contrary, whenever the commissioner of transportation is notified by the comptroller that the amount of revenues available for payment from an account is less than the total amount of money for which the public mass transportation systems are eligible pursuant to the provisions of section 88-a of the state finance law and any appropriations enacted for these purposes, the commissioner of transportation shall establish a maximum payment limit which is proportionally lower than the amounts set forth in appropriations.

Notwithstanding paragraphs (b) of subdivisions 5 and 7 of section 88-a of the state finance law and any other general or special law, payments may be made in quarterly installments or in such other manner and at such other times as the commissioner of transportation, with the approval of the director of the budget may prescribe.

S 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2015.

PART E

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

S 99-W. TRANSIT ASSISTANCE FOR CAPITAL INVESTMENTS FUND. 1. THERE IS HEREBY ESTABLISHED IN THE JOINT CUSTODY OF THE STATE COMPTROLLER AND THE COMMISSIONER OF TAXATION AND FINANCE A SPECIAL CAPITAL FUND TO BE KNOWN AS THE "TRANSIT ASSISTANCE FOR CAPITAL INVESTMENTS FUND."

2. THE COMPTROLLER SHALL ESTABLISH THE FOLLOWING SEPARATE AND DISTINCT ACCOUNT WITHIN THE TRANSIT ASSISTANCE FOR CAPITAL INVESTMENTS FUND:

METROPOLITAN TRANSIT ASSISTANCE FOR CAPITAL INVESTMENTS ACCOUNT

3. THE TRANSIT ASSISTANCE FOR CAPITAL INVESTMENTS FUND SHALL CONSIST OF ALL MONEYS COLLECTED THEREFOR OR CREDITED OR TRANSFERRED THERETO FROM ANY OTHER FUND, ACCOUNT OR SOURCE. ANY INTEREST RECEIVED BY THE COMPTROLLER ON MONEYS ON DEPOSIT IN THE TRANSIT ASSISTANCE FOR CAPITAL INVESTMENTS FUND SHALL BE RETAINED IN AND BECOME A PART OF SUCH FUND.

4. MONEYS IN THE TRANSIT ASSISTANCE FOR CAPITAL INVESTMENTS FUND SHALL, FOLLOWING APPROPRIATION BY THE LEGISLATURE, BE UTILIZED FOR CAPITAL AND OPERATING PURPOSES, INCLUDING, BUT NOT LIMITED TO THE PLANNING AND DESIGN, ACQUISITION, CONSTRUCTION, RECONSTRUCTION, REPLACEMENT, IMPROVEMENT, RECONDITIONING, REHABILITATION AND PRESERVATION OF MASS TRANSIT FACILITIES, VEHICLES, RELATED EQUIPMENT AND ROLLING STOCK WITH AN AVERAGE SERVICE LIFE OF NO LESS THAN FIVE YEARS, AS WELL AS GENERAL OPERATING COSTS.

5. MONEYS DEPOSITED INTO THE METROPOLITAN TRANSIT ASSISTANCE FOR CAPITAL INVESTMENTS ACCOUNT SHALL BE AVAILABLE TO THE METROPOLITAN TRANSPORTATION AUTHORITY (MTA) AND TO ALL OTHER PUBLIC TRANSPORTATION SYSTEMS SERVING PRIMARILY WITHIN THE METROPOLITAN COMMUTER TRANSPORTATION DISTRICT, AS DEFINED IN SECTION TWELVE HUNDRED SIXTY-TWO OF THE PUBLIC AUTHORITIES LAW, ELIGIBLE TO RECEIVE OPERATING ASSISTANCE UNDER THE PROVISIONS OF SECTION EIGHTEEN-B OF THE TRANSPORTATION LAW CONSISTENT WITH THE USES OUTLINED IN SUBDIVISION FOUR OF THIS SECTION.

6. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, CAPITAL ASSISTANCE PAYMENTS AUTHORIZED UNDER THIS SECTION MAY BE APPLIED TO OPERATING EXPENSES.

7. ALL PAYMENTS OF MONEYS FROM THE TRANSIT ASSISTANCE FOR CAPITAL INVESTMENTS FUND SHALL BE MADE ON THE AUDIT AND WARRANT OF THE COMPTROLLER. ALL PAYMENTS SHALL BE MADE IN ACCORDANCE WITH THE DISTRIBUTION APPROPRIATED IN THE ENACTED STATE FISCAL YEAR TWO THOUSAND FIFTEEN--TWO THOUSAND SIXTEEN CAPITAL PROJECTS BUDGET ON OR BEFORE DECEMBER THIRTY-FIRST, TWO THOUSAND FIFTEEN, AT WHICH TIME THIS SECTION SHALL BE DEEMED REPEALED.

8. (A) NONE OF THE FUNDS APPROPRIATED OR OTHERWISE MADE AVAILABLE BY THIS SECTION MAY BE USED FOR A PROJECT FOR THE CONSTRUCTION, ALTERATION, MAINTENANCE, OR REPAIR OF A PUBLIC BUILDING OR PUBLIC WORK UNLESS ALL OF THE IRON, STEEL, AND MANUFACTURED GOODS THAT ARE PERMANENTLY INCORPORATED INTO THE PROJECT ARE PRODUCED IN THE UNITED STATES.

(B) PARAGRAPH (A) OF THIS SUBDIVISION SHALL NOT APPLY IN ANY CASE OR CATEGORY OF CASES IN WHICH THE DEPARTMENT, AGENCY OR AUTHORITY INVOLVED FINDS THAT:

(1) APPLYING PARAGRAPH (A) OF THIS SUBDIVISION WOULD BE INCONSISTENT WITH THE PUBLIC INTEREST;

(2) IRON, STEEL, AND THE RELEVANT MANUFACTURED GOODS ARE NOT PRODUCED IN THE UNITED STATES IN SUFFICIENT AND REASONABLY AVAILABLE QUANTITIES AND OF A SATISFACTORY QUALITY; OR

(3) INCLUSION OF IRON, STEEL, AND MANUFACTURED GOODS PRODUCED IN THE UNITED STATES WILL INCREASE THE COST OF THE OVERALL PROJECT BY MORE THAN TWENTY-FIVE PERCENT.

(C) IF THE DEPARTMENT, AGENCY, OR AUTHORITY DETERMINES THAT IT IS NECESSARY TO WAIVE THE APPLICATION OF PARAGRAPH (A) OF THIS SUBDIVISION BASED ON A FINDING UNDER PARAGRAPH (B) OF THIS SUBDIVISION THE DEPARTMENT, AGENCY, OR AUTHORITY SHALL DOCUMENT IN WRITING, AND POST ON ITS WEBSITE, IF ONE EXISTS, A DETAILED DESCRIPTION OF ALL DECISIONS MADE JUSTIFYING THE PROVISIONS OF PARAGRAPH (A) OF THIS SUBDIVISION BEING WAIVED.

(D) THIS SECTION SHALL BE APPLIED IN A MANNER CONSISTENT WITH UNITED STATES OBLIGATIONS UNDER INTERNATIONAL AGREEMENTS INCLUDING BUT NOT LIMITED TO THOSE SIGNED WITH THE GOVERNMENT OF CANADA.

(E) FOR PURPOSES OF THIS SECTION "PERMANENTLY INCORPORATED" SHALL MEAN AN IRON, STEEL OR MANUFACTURED PRODUCT THAT IS REQUIRED TO REMAIN IN PLACE AT THE END OF THE PROJECT CONTRACT, IN A FIXED LOCATION, AFFIXED TO THE PUBLIC WORK OR PUBLIC BUILDING TO WHICH IT WAS INCORPORATED. ELECTRONIC AND COMMUNICATIONS DEVICES AND MACHINERY THAT ARE NOT AFFIXED TO THE PUBLIC WORK OR PUBLIC BUILDING THAT ARE CAPABLE OF BEING MOVED FROM ONE LOCATION TO ANOTHER ARE NOT PERMANENTLY INCORPORATED INTO A PUBLIC BUILDING OR PUBLIC WORK.

S 2. This act shall take effect immediately.

PART F

Section 1. Notwithstanding any other law, rule or regulation to the contrary, the commissioner of transportation may approve the deferral of any required reductions in service payments to unspecified public transportation systems, pursuant to the hold-harmless provision of the Statewide Mass Transportation Operating Assistance (STOA) program provided in 17 N.Y.C.R.R. 975.18, on an annual basis for a period of no more than two years.

S 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2014.

PART G

Intentionally Omitted

PART H

Intentionally Omitted

PART I

Section 1. Item 1 of clause (A) of subparagraph (ii) of paragraph (i) of subdivision 1 of section 201 of the vehicle and traffic law, as amended by section 1 of part CC of chapter 58 of the laws of 2011, is amended to read as follows:

(1) fifty-five years where the conviction and suspension or revocation order relates to a conviction, suspension or revocation by the holder of any driver's license when operating a commercial motor vehicle, as defined in subdivision four of section five hundred one-a of this chapter, or by the holder of a commercial driver's license OR COMMERCIAL LEARNER'S PERMIT when operating any motor vehicle, who: has refused to submit to a chemical test pursuant to section eleven hundred ninety-four of this chapter or has been convicted of any of the following offenses: any violation of subdivision two, three [or], four OR PARAGRAPH (A) OF SUBDIVISION 2-A of section eleven hundred ninety-two of this chapter, any violation of subdivision one or two of section six hundred of this chapter, any felony involving the use of a motor vehicle, other than the use of a motor vehicle in the commission of a felony involving manufacturing, distributing, dispensing a controlled substance; or the conviction, suspension or revocation involves any of the following offenses while operating a commercial motor vehicle: any violation of subdivision five or six of section eleven hundred ninety-two of this chapter, driving a commercial motor vehicle when as a result of prior violations committed while operating a commercial motor vehicle, the driver's commercial driver's license OR COMMERCIAL LEARNER'S PERMIT is suspended or revoked, or has been convicted of causing a fatality through the negligent operation of a commercial motor vehicle, including but not limited to the crimes of vehicular manslaughter and criminally negligent homicide as set forth in article one hundred twenty-five of the penal law;

S 2. Paragraph (b) of subdivision 1 of section 503 of the vehicle and traffic law, as amended by section 2 of part D of chapter 58 of the laws of 2012, is amended to read as follows:

(b) An application for a license shall be valid for a period of time specified by regulation of the commissioner not to exceed five years. A learner's permit shall be valid from its issuance until the expiration of the application for a driver's license for which it was issued. PROVIDED, HOWEVER, A COMMERCIAL LEARNER'S PERMIT SHALL BE VALID FOR NO MORE THAN ONE HUNDRED EIGHTY DAYS, EXCEPT THAT SUCH PERMIT MAY BE RENEWED, IN THE COMMISSIONER'S DISCRETION, FOR AN ADDITIONAL ONE HUNDRED EIGHTY DAYS. Provided, however, that a COMMERCIAL learner's permit issued by the commissioner in connection with an application for a commercial driver's license shall be cancelled within sixty days of the holder's medical certification status becoming "not-certified" based upon: (i) the expiration of the holder's medical certification or medical variance documentation required by the federal motor carrier safety improvement act of 1999 and Part 383.71(h) of title 49 of the

code of federal regulations; (ii) the holder's failure to submit such medical certification or medical variance documentation at such intervals as required by the federal motor carrier safety improvement act of 1999 and Part 383.71(h) of title 49 of the code of federal regulations and in a manner prescribed by the commissioner; or (iii) the receipt by the commissioner of information from the issuing medical examiner or the federal motor carrier safety administration that a medical certification or medical variance was issued in error or rescinded. The commissioner shall, upon a holder's status becoming "not-certified", notify the holder of such COMMERCIAL learner's permit issued in connection with a commercial driver's license application by first class mail to the address of such person on file with the department or at the current address provided by the United States postal service of his or her "not-certified" medical certification status and that the commercial motor vehicle privileges of such COMMERCIAL learner's permit will be cancelled unless he or she submits a current medical certificate and/or medical variance in accordance with Part 383.71(h) of title 49 of the code of federal regulations or changes his or her self-certification to driving only in excepted or intrastate commerce in accordance with Part 383.71(b)[(ii)(B), (C) or (D)](1) (II), (III) OR (IV) of title 49 of the code of federal regulations.

S 3. Subdivision 6 of section 510 of the vehicle and traffic law is amended by adding a new paragraph o to read as follows:

O. NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH A OF THIS SUBDIVISION, WHERE REVOCATION IS MANDATORY PURSUANT TO SUBPARAGRAPH (III) OF PARAGRAPH A OF SUBDIVISION TWO OF THIS SECTION INVOLVING A VIOLATION OF SECTION THREE HUNDRED NINETY-TWO OF THIS CHAPTER IN RELATION TO AN APPLICATION FOR THE COMMERCIAL DRIVER'S LICENSE OR THE COMMERCIAL LEARNER'S PERMIT BEING REVOKED, NO NEW COMMERCIAL DRIVER'S LICENSE OR COMMERCIAL LEARNER'S PERMIT SHALL BE ISSUED FOR AT LEAST ONE YEAR, NOR THEREAFTER EXCEPT IN THE DISCRETION OF THE COMMISSIONER.

S 4. Paragraph (b) of subdivision 3 of section 510-a of the vehicle and traffic law, as amended by section 7 of part K of chapter 59 of the laws of 2009, is amended, and two new subdivisions 9 and 10 are added to read as follows:

(b) A commercial driver's license shall be suspended by the commissioner for a period of one hundred twenty days where the holder is convicted of three serious traffic violations as defined in subdivision four of this section committed within a three year period, in separate incidents whether such convictions occurred within or outside of this state. [Such suspension shall take effect upon the termination of any other suspension already in effect pursuant to paragraph (a) of this subdivision or this paragraph.]

9. APPLICATION OF DISQUALIFICATIONS TO HOLDERS OF A COMMERCIAL LEARNER'S PERMIT. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ANY PROVISION OF THIS CHAPTER RELATING TO THE REVOCATION, SUSPENSION, DOWNGRADING, DISQUALIFICATION OR CANCELLATION OF A COMMERCIAL DRIVER'S LICENSE SHALL APPLY IN THE SAME MANNER TO A COMMERCIAL LEARNER'S PERMIT.

10. CONSECUTIVE DISQUALIFICATION PERIODS. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, WHENEVER A SUSPENSION, REVOCATION OR DISQUALIFICATION APPLICABLE TO A COMMERCIAL DRIVER'S LICENSE OR COMMERCIAL LEARNER'S PERMIT IS REQUIRED BY PART 383.51 OF TITLE 49 OF THE CODE OF FEDERAL REGULATIONS AND THEREBY IMPOSED PURSUANT TO THIS SECTION OR SECTION ELEVEN HUNDRED NINETY-THREE OR ELEVEN HUNDRED NINETY-FOUR OF THIS CHAPTER, SUCH SUSPENSION, REVOCATION OR DISQUALIFICATION SHALL TAKE EFFECT UPON THE EXPIRATION OF THE MINIMUM PERIOD OF A SUSPENSION, REVOCATION OR

DISQUALIFICATION REQUIRED BY PART 383.51 OF TITLE 49 OF THE CODE OF FEDERAL REGULATIONS AND THEREBY IMPOSED PURSUANT TO THIS SECTION OR SECTION ELEVEN HUNDRED NINETY-THREE OR ELEVEN HUNDRED NINETY-FOUR OF THIS CHAPTER WHICH IS CURRENTLY IN EFFECT FOR SUCH LICENSE OR PERMIT AND AROSE FROM A SEPARATE INCIDENT. PROVIDED, HOWEVER, THAT THE TERM OR TERMS OF ANY OTHER SUSPENSION, REVOCATION OR DISQUALIFICATION APPLICABLE TO A COMMERCIAL DRIVER'S LICENSE OR COMMERCIAL LEARNER'S PERMIT SHALL RUN CONCURRENTLY IF: (A) SUCH SUSPENSION, REVOCATION OR DISQUALIFICATION IS NOT REQUIRED BY PART 383.51 OF TITLE 49 OF THE CODE OF FEDERAL REGULATIONS; OR (B) SUCH SUSPENSION, REVOCATION OR DISQUALIFICATION AROSE FROM THE SAME INCIDENT.

S 5. Paragraph (d) of subdivision 1 of section 514 of the vehicle and traffic law, as added by section 7 of part CC of chapter 58 of the laws of 2011, is amended to read as follows:

(d) Notwithstanding the provisions of paragraphs (a), (b) and (c) of this subdivision, upon a judgment of conviction for a violation of any provisions of this chapter or of any local law, rule, ordinance or regulation relating to traffic (except one related to parking, stopping or standing), the court or the clerk thereof shall, within ninety-six hours of the imposition of the sentence, file the certificate required by paragraph (a) of this subdivision, if the person convicted: (i) is the holder of a COMMERCIAL LEARNER'S PERMIT OR A commercial driver's license issued by another state; or (ii) does not hold a COMMERCIAL LEARNER'S PERMIT OR A commercial driver's license, but has been issued a license by another state and is convicted of a violation that was committed in a commercial motor vehicle, as defined in subdivision four of section five hundred one-a of this title.

S 6. Subdivisions 1 and 2 of section 514-a of the vehicle and traffic law, as added by chapter 173 of the laws of 1990, are amended to read as follows:

1. Each person who operates a commercial motor vehicle for a New York state employer who is convicted of violating within or outside of this state, in any type of motor vehicle, a state or local law relating to motor vehicle traffic control (other than a parking violation), shall notify his/her current employer of such conviction. Any person who holds a commercial driver's license issued by the commissioner who does not operate a commercial motor vehicle for a New York state employer or who operates a commercial motor vehicle while self-employed who is convicted in any other state WHICH HAS BEEN DECERTIFIED IN ACCORDANCE WITH PART 384.405 OF TITLE 49 OF THE CODE OF FEDERAL REGULATIONS AND NOTICE OF SUCH DECERTIFICATION HAS BEEN PUBLISHED IN THE FEDERAL REGISTER PURSUANT TO PART 384.409 OF TITLE 49 OF THE CODE OF FEDERAL REGULATIONS, the District of Columbia or a Canadian province of violating any law relating to motor vehicle traffic control (other than a parking violation) while operating a commercial motor vehicle shall notify the commissioner of such conviction. Such notification must be made within thirty days after the date that the person has been convicted except that if a person is a bus driver as defined in section five hundred nine-a of this chapter, such notification must be made within five days after the date the person has been convicted as required by section five hundred nine-i of this chapter. The above notification must be made in writing and contain the following information: (a) driver's full name; (b) driver's license number; (c) date of conviction; (d) the specific criminal or other offense(s), serious traffic violation(s) of state or local law relating to motor vehicle traffic control, for which the person was convicted and any suspension, revocation, cancellation of any driving

privileges or disqualification from operating a commercial motor vehicle which resulted from such conviction(s); (e) indication whether the violation was in a commercial motor vehicle; (f) location of offense; (g) court or tribunal in which the conviction occurred; and (h) driver's signature.

2. Each person who operates a commercial motor vehicle for a New York state employer who has a COMMERCIAL LEARNER'S PERMIT OR A COMMERCIAL driver's license suspended, revoked, or canceled by the commissioner or by the appropriate authorities of any other state, District of Columbia or Canadian province, or who loses the right to operate a commercial motor vehicle in any state or jurisdiction for any period, or who is disqualified from operating a commercial motor vehicle for any period, shall notify his/her current employer of such suspension, revocation, cancellation, lost privilege, or disqualification.

S 7. Section 514-c of the vehicle and traffic law, as added by chapter 251 of the laws of 2007, is amended to read as follows:

S 514-c. Notification of non-resident commercial operator convictions. Within ten days of the conviction of: (a) any holder of a COMMERCIAL LEARNER'S PERMIT OR A commercial driver's license issued by another state for any violation of state or local law regulating traffic, other than a parking, stopping or standing violation, committed while operating a motor vehicle in this state; or

(b) any holder of a driver's license issued by another state for any violation of state or local law regulating traffic, other than a parking, stopping or standing violation, committed while operating a commercial motor vehicle in this state, the commissioner shall provide notice of such conviction to the state which issued such holder's COMMERCIAL LEARNER'S PERMIT, commercial driver's license or driver's license.

S 8. Subdivision 9 of section 170.55 of the criminal procedure law, as added by section 8 of part CC of chapter 58 of the laws of 2011, is amended to read as follows:

9. Notwithstanding any other provision of this section, a court may not issue an order adjourning an action in contemplation of dismissal if the offense is for a violation of the vehicle and traffic law related to the operation of a motor vehicle (except one related to parking, stopping or standing), or a violation of a local law, rule or ordinance related to the operation of a motor vehicle (except one related to parking, stopping or standing), if such offense was committed by the holder of a COMMERCIAL LEARNER'S PERMIT OR A commercial driver's license or was committed in a commercial motor vehicle, as defined in subdivision four of section five hundred one-a of the vehicle and traffic law.

S 9. Paragraph c of subdivision 2 of section 140 of the transportation law is amended by adding a new subparagraph (vii) to read as follows:

(VII) NO PERSON, CORPORATION, LIMITED LIABILITY COMPANY OR BUSINESS ENTITY, JOINT STOCK ASSOCIATION, PARTNERSHIP, OR ANY OFFICER OR AGENT THEREOF, SHALL KNOWINGLY ALLOW, REQUIRE, PERMIT OR AUTHORIZE ANY PERSON TO OPERATE A COMMERCIAL MOTOR VEHICLE, AS DEFINED IN SECTION FIVE HUNDRED ONE-A OF THE VEHICLE AND TRAFFIC LAW, DURING ANY PERIOD IN WHICH THE OPERATOR:

(A) DOES NOT HAVE A VALID COMMERCIAL LEARNER'S PERMIT OR COMMERCIAL DRIVER'S LICENSE; OR

(B) DOES NOT HAVE A COMMERCIAL LEARNER'S PERMIT OR COMMERCIAL DRIVER'S LICENSE WITH THE PROPER CLASS OR ENDORSEMENTS; OR

(C) VIOLATES ANY RESTRICTION ON SUCH OPERATOR'S COMMERCIAL LEARNER'S PERMIT OR COMMERCIAL DRIVER'S LICENSE; OR

(D) HAS A COMMERCIAL LEARNER'S PERMIT OR COMMERCIAL DRIVER'S LICENSE THAT IS SUSPENDED, REVOKED OR CANCELLED, OR SUCH OPERATOR HAS BEEN OTHERWISE DISQUALIFIED BY THE COMMISSIONER OF MOTOR VEHICLES; OR

(E) HAS MORE THAN ONE COMMERCIAL LEARNER'S PERMIT OR COMMERCIAL DRIVER'S LICENSE.

A VIOLATION OF THIS SUBPARAGRAPH SHALL BE PUNISHABLE BY A FINE OF NOT LESS THAN TWO HUNDRED DOLLARS NOR MORE THAN ONE THOUSAND DOLLARS.

S 10. This act shall take effect July 8, 2015 and shall apply to violations committed on or after such date, and shall apply to permits issued on or after such date.

PART J

Section 1. Subdivision 2 of section 357-a of the public authorities law, as added by section 1 of part E of chapter 58 of the laws of 2013, is amended to read as follows:

2. The state shall be responsible for additional goods and services provided by the authority equal to [twenty-four million] TWENTY-ONE MILLION FIVE HUNDRED THOUSAND dollars in each calendar year. Such goods and services shall be deemed to be costs to the state and not operating costs of the authority. The authority and the director of the division of the budget shall enter into an agreement identifying any such state costs and determine reporting and other requirements related thereto.

Such agreement and any amendments thereto shall be transmitted by the authority, within ten business days of the execution of such agreement and amendments thereto, to the chair of the senate finance committee, the chair of the assembly ways and means committee, the chair of the senate transportation committee and the chair of the assembly transportation committee. By February first of each year, a report identifying all state costs paid pursuant to such agreement in the preceding calendar year will be transmitted by the authority to the director of the budget, the chair of the senate finance committee, the chair of the assembly ways and means committee, the chair of the senate transportation committee and the chair of the assembly transportation committee.

S 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after January 1, 2015.

PART K

Intentionally Omitted

PART L

Intentionally Omitted

PART M

Section 1. Subdivision 3 of section 16-m of section 1 of chapter 174 of the laws of 1968 constituting the New York state urban development corporation act, as amended by section 1 of part Z of chapter 57 of the laws of 2014, is amended to read as follows:

3. The provisions of this section shall expire, notwithstanding any inconsistent provision of subdivision 4 of section 469 of chapter 309 of the laws of 1996 or of any other law, on July 1, [2015] 2016.

S 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after July 1, 2015.

PART N

Section 1. Section 2 of 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, as amended by section 1 of part AA of chapter 57 of the laws of 2014, is amended to read as follows:

S 2. This act shall take effect immediately provided, however, that section one of this act shall expire on July 1, [2015] 2016, at which time the provisions of subdivision 26 of section 5 of the New York state urban development corporation act shall be deemed repealed; provided, however, that neither the expiration nor the repeal of such subdivision as provided for herein shall be deemed to affect or impair in any manner any loan made pursuant to the authority of such subdivision prior to such expiration and repeal.

S 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after July 1, 2015.

PART O

Section 1. Notwithstanding any law to the contrary, the comptroller is hereby authorized and directed to receive for deposit to the credit of the general fund the amount of up to $913,000 from the New York state energy research and development authority.

S 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2015.

PART P

Section 1. Expenditures of moneys by the New York state energy research and development authority for services and expenses of the energy research, development and demonstration program, including grants, the energy policy and planning program, and the Fuel NY program shall be subject to the provisions of this section. Notwithstanding the provisions of subdivision 4-a of section 18-a of the public service law, all moneys committed or expended in an amount not to exceed $19,700,000 shall be reimbursed by assessment against gas corporations, as defined in subdivision 11 of section 2 of the public service law and electric corporations as defined in subdivision 13 of section 2 of the public service law, where such gas corporations and electric corporations have gross revenues from intrastate utility operations in excess of $500,000 in the preceding calendar year, and the total amount which may be charged to any gas corporation and any electric corporation shall not exceed one cent per one thousand cubic feet of gas sold and .010 cent per kilowatt-hour of electricity sold by such corporations in their intrastate utility operations in calendar year 2013. Such amounts shall be excluded from the general assessment provisions of subdivision 2 of section 18-a of the public service law. The chair of the public service commission shall bill such gas and/or electric corporations for such amounts on or before August 10, 2015 and such amounts shall be paid to the New York state energy research and development authority on or before September 10, 2015. Upon receipt, the New York state energy research and development authority shall deposit such funds in the ener-

gy research and development operating fund established pursuant to section 1859 of the public authorities law. The New York state energy research and development authority is authorized and directed to: (1) transfer $1 million to the state general fund for services and expenses of the department of environmental conservation and to transfer $691,000 to the University of Rochester laboratory for laser energetics from the funds received; (2) the authority shall not commit for any expenditure, any moneys derived from the assessment provided for in this section, until the chair of such authority shall have submitted, and the director of the budget shall have approved, a comprehensive financial plan encompassing all moneys available to and all anticipated commitments and expenditures by such authority from any source for the operations of such authority. Copies of the approved comprehensive financial plan shall be immediately submitted by the chair to the chairs and secretaries of the legislative fiscal committees; and (3) commencing in 2016, provide to the chair of the public service commission and the director of the budget and the chairs and secretaries of the legislative fiscal committees, on or before August first of each year, an itemized record, certified by the president and chief executive officer of the authority, or his or her designee, detailing any and all expenditures and commitments ascribable to moneys received as a result of this assessment by the chair of the department of public service pursuant to section 18-a of the public service law. Any such amount not committed by such authority to contracts or otherwise expended by the authority during the fiscal year shall be refunded by such authority on a pro-rata basis to such gas and/or electric corporations, in a manner to be determined by the department of public service.

S 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2015.

PART Q

Section 1. The opening paragraph of subdivision (h) of section 121 of chapter 261 of the laws of 1988, amending the state finance law and other laws relating to the New York state infrastructure trust fund, as amended by chapter 175 of the laws of 2010, is amended to read as follows:

The provisions of section sixty-two through sixty-six of this act shall expire on December thirty-first, two thousand [sixteen] SEVENTEEN, except that:

S 2. This act shall take effect immediately.

PART R

Section 1. Notwithstanding any other law, rule or regulation to the contrary, expenses of the department of health public service education program incurred pursuant to appropriations from the cable television account of the state miscellaneous special revenue funds shall be deemed expenses of the department of public service.

S 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2015.

PART S

Section 1. Section 2 of part BB of chapter 58 of the laws of 2012, amending the public authorities law relating to authorizing the dormito-

ry authority to enter into certain design and construction management agreements, as amended by section 1 of part W of chapter 57 of the laws of 2014, is amended to read as follows:

S 2. This act shall take effect immediately and shall expire and be deemed repealed April 1, [2015] 2017.

S 2. Within 90 days of the effective date of this act, the dormitory authority of the state of New York shall provide a report providing information regarding any project undertaken pursuant to a design and construction management agreement, as authorized by part BB of chapter 58 of the laws of 2012, between the dormitory authority of the state of New York and the department of environmental conservation and/or the office of parks, recreation and historic preservation to the governor, the temporary president of the senate and speaker of the assembly. Such report shall include but not be limited to a description of each such project, the project identification number of each such project, if applicable, the projected date of completion, the status of the project, the total cost or projected cost of each such project, and the location, including the names of any county, town, village or city, where each such project is located or proposed. In addition, such a report shall be provided to the aforementioned parties by the first day of March of each year that the authority to enter into such agreements pursuant to part BB of chapter 58 of the laws of 2012 is in effect.

S 3. This act shall take effect immediately and shall be deemed to have been in effect on and after April 1, 2015.

PART T

Section 1. Section 2 of 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, as amended by section 1 of part N of chapter 57 of the laws of 2014, is amended to read as follows:

S 2. This act shall take effect immediately, provided however, that section one of this act shall be deemed to have been in full force and effect on and after April 1, 2003 and shall expire March 31, [2015] 2016.

S 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after March 31, 2015.

PART U

Section 1. Subdivision 2 of section 446-b of the real property law, as amended by chapter 61 of the laws of 1989, is amended to read as follows:

2. The application for such license shall be filed in the office of the secretary of state on such forms as the secretary may prescribe [and shall be accompanied by a fee of four hundred dollars].

S 2. Subdivision 3 of section 446-b of the real property law, as amended by chapter 805 of the laws of 1980, is amended to read as follows:

3. When the apartment information vendor maintains more than one place of business, he shall apply for [and the secretary shall issue] a supplemental license for each branch office so maintained [upon payment of a fee of two hundred fifty dollars for each supplemental license so issued]. Supplemental licenses shall be conspicuously displayed in each

branch office. The display of an expired license by any person, firm, partnership or corporation is a violation of the provisions of this article.

S 3. Subdivision 5 of section 446-b of the real property law, as amended by chapter 805 of the laws of 1980, is amended to read as follows:

5. Any license granted under the provisions hereof may be renewed for one year by the secretary upon application therefor by the holder, in such form as the secretary may prescribe[, and payment of a two hundred fifty dollar fee for such license]. The secretary may dispense with the requirement for the filing of such statements as was contained in the original application for license.

S 4. Subdivision 2 of section 446-d of the real property law, as amended by chapter 805 of the laws of 1980, is amended to read as follows:

2. The secretary shall be notified in writing at his OR HER office in Albany of any change of a licensee's business address or name, and the secretary shall issue a license for the unexpired term, upon return of the original license [and the payment of a fee of twenty dollars]. A licensee who fails to notify the secretary of any change in business address or name within ten days shall forfeit his OR HER license.

S 5. This act shall take effect immediately.

PART V

Section 1. Section 219 of the agriculture and markets law, as amended by chapter 122 of the laws of 1988, is amended to read as follows:

S 219. Application [and fee]. Application for license as a food salvager[,] SHALL BE MADE upon a form prescribed by the commissioner[, shall be made on or before June first in every other year for the license period beginning July first following]. The applicant shall satisfy the commissioner of his OR HER character and that he OR SHE has adequate physical facilities for salvaging food and food products. If so satisfied, the commissioner shall [upon receipt of the license fee] issue to the applicant a [license which shall be] non-transferable LICENSE, WHICH WILL EXPIRE ON THE THIRTIETH OF JUNE OF THE NEXT EVEN NUMBERED YEAR FOLLOWING ITS ISSUANCE. [The biennial license fee shall be one hundred dollars.] APPLICATION FOR RENEWAL OF SUCH LICENSE FOR A PERIOD OF TWO YEARS SHALL BE MADE BIENNIALLY, UPON A FORM PRESCRIBED BY THE COMMISSIONER AND SUBMITTED NO LATER THAN THIRTY DAYS PRIOR TO THE EXPIRATION OF THE EXISTING LICENSE. Where a person operates more than one salvage warehouse a separate license is required for each location.

S 2. Section 231 of the agriculture and markets law, as amended by section 7 of part I1 of chapter 62 of the laws of 2003, is amended to read as follows:

S 231. Licenses, issuance of. No person or corporation shall maintain or operate any refrigerated warehouse and/or locker plant unless licensed by the commissioner. Application[,] SHALL BE MADE upon a form prescribed by the commissioner[, shall be made on or before September first of every other year for the license period beginning October first following]. The applicant shall satisfy the commissioner of his or [its] HER character, financial responsibility, and competency to operate a refrigerated warehouse or locker plant. The commissioner, if so satisfied, shall[, upon receipt of the license fee or fees,] issue to the applicant a license or licenses [to operate the refrigerated warehouse or warehouses or locker plant or locker plants described in the applica-

tion until the first day of October] WHICH WILL EXPIRE ON THE THIRTIETH OF SEPTEMBER of the NEXT ODD NUMBERED year following [the year in which such license was issued] ITS ISSUANCE. [The biennial license fee shall be two hundred dollars for each refrigerated warehouse. If a locker plant is operated as part of a refrigerated warehouse and upon the same premises, no additional license fee shall be required.] APPLICATION FOR RENEWAL OF SUCH LICENSE OR LICENSES FOR A PERIOD OF TWO YEARS SHALL BE MADE BIENNIALLY, UPON A FORM PRESCRIBED BY THE COMMISSIONER AND SUBMITTED NO LATER THAN THIRTY DAYS PRIOR TO THE EXPIRATION OF THE EXISTING LICENSE OR LICENSES.

S 3. Section 96-z-2 of the agriculture and markets law, as added by chapter 391 of the laws of 1968, is amended to read as follows:

S 96-z-2. Application [and fees]. Application for a license to operate a disposal plant or transportation service[,] SHALL BE MADE upon a form prescribed by the commissioner[, shall be made on or before September first in each year for the license year beginning October first following]. The applicant shall satisfy the commissioner of his OR HER character and that he OR SHE has adequate physical facilities for the operation of a disposal plant or transportation service. If so satisfied, the commissioner shall [upon payment of the license fee] issue to the applicant a NON-TRANSFERABLE license which [shall be non-transferable] WILL EXPIRE ON THE THIRTIETH DAY OF SEPTEMBER OF THE NEXT EVEN NUMBERED YEAR FOLLOWING ITS ISSUANCE. APPLICATION FOR RENEWAL OF SUCH LICENSE FOR A PERIOD OF TWO YEARS SHALL BE MADE BIENNIALLY UPON A FORM PRESCRIBED BY THE COMMISSIONER AND SUBMITTED NO LATER THAN THIRTY DAYS PRIOR TO THE EXPIRATION OF THE EXISTING LICENSE. [The annual license fee for a disposal plant shall be one hundred dollars, plus an inspection fee of ten dollars for each vehicle. The annual license fee for a transportation service shall be twenty-five dollars, plus an inspection fee of ten dollars for each vehicle.]

S 4. Section 128-a of the agriculture and markets law, as amended by chapter 451 of the laws of 2008, subdivisions 4, 5, 6, 7, 8 and 9 as renumbered by section 2 of part N of chapter 58 of the laws of 2012, is amended to read as follows:

S 128-a. Licenses. 1. No person shall manufacture any commercial feed in this state unless such person holds a license issued therefor by the commissioner. [Notwithstanding the foregoing, a person, in operation on or before the effective date of this section, who has filed an application for an initial license under this section shall be authorized to operate without such license until the commissioner grants or, after notice and opportunity to be heard, declines to grant such license.] Each application for a license shall be made on a form supplied by the department and shall contain such information as may be required by the department. A LICENSE ISSUED ON OR BEFORE THE THIRTIETH OF JUNE WILL EXPIRE ON THE THIRTY-FIRST OF DECEMBER OF THE YEAR OF ITS ISSUANCE, AND IF ISSUED BETWEEN JULY FIRST AND DECEMBER THIRTY-FIRST, WILL EXPIRE ON THE THIRTY-FIRST DAY OF DECEMBER IN THE YEAR FOLLOWING ITS ISSUANCE. Renewal applications shall be [submitted to] MADE ANNUALLY ON A FORM PRESCRIBED BY the commissioner [at least] AND SUBMITTED NO LATER THAN thirty days prior to the [commencement of the next license year] EXPIRATION OF THE EXISTING LICENSE.

2. The commissioner may deny any application for a license or revoke any license when granted, after written notice to the applicant and an opportunity to be heard, when:

(a) any statement in the application or upon which it was issued is or was false or misleading;

(b) facilities of the applicant are not maintained in a manner as required by rules and regulations duly promulgated by the commissioner;

(c) the maintenance and operation of the establishment of the applicant is such that the commercial feed produced therein is or may be adulterated, misbranded, or not maintained in any manner as required by this article;

(d) the applicant or licensee, or an officer, director, partner or holder of ten per centum or more of the voting stock of the applicant or licensee, has failed to comply with any of the provisions of this article or rules and regulations promulgated pursuant thereto; or

(e) the applicant or licensee is a partnership or corporation and any individual holding any position or interest or power of control therein has previously been responsible in whole or in part for any act on account of which an application for licensure may be denied or a license revoked pursuant to the provisions of this article.

3. [Each application for an initial license shall be accompanied by a non-refundable fee of one hundred dollars. The commissioner shall prorate the license fee for any person applying for an initial license after the commencement of the licensing period. Licenses shall be renewable annually thereafter, together with the payment of a non-refundable fee of fifty dollars.

4.] Inspection in accordance with section one hundred thirty-five-a of this article, the results of which establish compliance with the provisions of this article, shall precede issuance of a license or renewal thereof under this section.

[5.] 4. Upon validation by the commissioner, the application shall become the license of the person.

[6.] 5. The commissioner shall provide a copy of the license to the [person] LICENSEE. The commissioner shall also retain a copy of the license.

[7.] 6. No licensee shall publish or advertise the sale of any commercial feed unless the publication or advertisement is accompanied by such licensee's license number. [Notwithstanding the foregoing, a person, in operation on or before the effective date of this section, who has filed an application for an initial license under this section may publish or advertise the sale or availability of any commercial feed without the publication or advertisement being accompanied by the person's license number until the commissioner grants or, after notice and opportunity to be heard, declines to grant such license.

8.] 7. Commercial feed licenses shall be conspicuously displayed on the premises so that they may be readily seen by officers and employees of the department.

[9.] 8. Notwithstanding the definition of commercial feed under subdivision seven of section one hundred twenty-eight of this article, the provisions of this section shall not apply to a person who conducts a business of selling pet food and specialty pet food.

S 5. Section 142-ee of the agriculture and markets law, as amended by chapter 251 of the laws of 1999, is amended to read as follows:

S 142-ee. License [and fee]. Each certificate filed pursuant to section one hundred forty-two-dd OF THIS ARTICLE shall be accompanied by an application, upon forms supplied by the commissioner, for a license to supply such material under the brand name specified therein, and there shall be transmitted therewith a copy of the label and of the statement proposed to accompany such material in compliance with section one hundred forty-two-cc[, together with a license fee of forty dollars for each such brand] OF THIS ARTICLE. Such application shall incorpo-

rate by reference the data contained in the accompanying certificate for the brand for which the license is sought. Upon compliance with the provisions of this article, the applicant shall be issued a license for the supplying of such qualifying brand of agricultural liming material, which license shall expire on the thirty-first day of December of the NEXT EVEN NUMBERED year following the year in which it is issued, but no such license shall be issued for the supplying of any such material which does not meet the minimum standards herein provided for, nor for the supplying thereof under a brand descriptive designation or with a label or accompanying statement which is or tends to be misleading or deceptive as to quality, analysis or composition. APPLICATION FOR A RENEWAL OF THE LICENSE FOR A PERIOD OF TWO YEARS SHALL BE MADE BIENNIALLY, UPON A FORM PRESCRIBED BY THE COMMISSIONER AND SUBMITTED NO LATER THAN THIRTY DAYS PRIOR TO THE EXPIRATION OF THE EXISTING LICENSE. Any such license so issued may be revoked by the commissioner, after notice to the licensee by mail or otherwise and opportunity to be heard, when it appears that any statement or representation upon which it is issued is false or misleading. The action of the commissioner in refusing to grant a license, or in revoking a license, shall be subject to review by a proceeding under article seventy-eight of the civil practice law and rules, but the decision of the commissioner shall be final unless within thirty days from the date of the order embodying such action such proceeding to review has been instituted.

Whenever a manufacturer, producer or distributor shall have been licensed to supply a particular brand of material hereunder, no agent, seller or retailer of such brand shall be required to file a certificate or obtain a license for such brand during a period for which such license is in effect, nor upon such goods which were acquired during a period for which a license was in effect and remaining undistributed in subsequent years.

S 6. Subdivision (a) of section 146 of the agriculture and markets law, as amended by chapter 251 of the laws of 1999, is amended to read as follows:

(a) No person shall distribute in this state any type of fertilizer until a [biennial] license to distribute the same has been obtained from the commissioner by the person whose labelling is applied to such fertilizer upon payment of a one hundred fifty dollar fee. [All licenses shall expire on a date to be set by the commissioner in regulations.] THE INITIAL LICENSE ISSUED HEREUNDER SHALL EXPIRE ON DECEMBER THIRTY-FIRST OF THE NEXT EVEN NUMBERED YEAR FOLLOWING THE YEAR IN WHICH IT WAS ISSUED AND EACH RENEWAL OF THAT LICENSE SHALL BE FOR A TWO YEAR PERIOD, ENDING ON DECEMBER THIRTY-FIRST. APPLICATION FOR A RENEWAL OF SUCH LICENSE SHALL BE MADE BIENNIALLY, UPON A FORM PRESCRIBED BY THE COMMISSIONER AND BE SUBMITTED NO LATER THAN THIRTY DAYS PRIOR TO THE EXPIRATION OF THE EXISTING LICENSE.

S 7. Section 147-b of the agriculture and markets law, as amended by chapter 122 of the laws of 1988, is amended to read as follows:

S 147-b. License. No person shall sell, offer or expose for sale in this state any soil or plant inoculant unless licensed as provided in this section. Application for a license SHALL BE MADE upon a form prescribed by the commissioner [shall be made biennially. The application] AND shall include a statement as to whether the inoculant is represented as effective for inoculating legumes or for some other purpose, and, if represented as effective for the inoculation of legumes, for which legume or legumes it is so represented. With the application, the applicant shall present a representative sample of the

soil or plant inoculant described in the application. The commissioner, if satisfied that the inoculant may be depended upon to produce an effective inoculation for the purpose represented, shall issue to such applicant a license for the sale of such inoculant, expiring on December thirty-first of the NEXT EVEN NUMBERED year following [the year in which it is issued] ITS ISSUANCE. [The applicant shall pay biennially, at the time of presenting the application, to the commissioner for remittance to the state treasury, a license fee of twenty dollars for each brand of inoculants as defined in the rules and regulations adopted by the commissioner as provided in this article.] APPLICATION FOR RENEWAL OF SUCH LICENSE FOR A PERIOD OF TWO YEARS SHALL BE MADE BIENNIALLY UPON A FORM PRESCRIBED BY THE COMMISSIONER AND SUBMITTED NO LATER THAN THIRTY DAYS PRIOR TO THE EXPIRATION OF THE EXISTING LICENSE.

S 8. Paragraph (a) of subdivision 1 of section 248 of the agriculture and markets law, as amended by chapter 490 of the laws of 2005, is amended to read as follows:

(a) No person shall act as a dealer unless licensed as provided in this article. Application shall be made upon such forms and at such times as prescribed by the commissioner. Renewal applications shall be submitted to the commissioner at least thirty days prior to the [commencement of the next] EXPIRATION OF THE EXISTING license [year]. No action will be taken on applications deemed incomplete by the commissioner. The applicant shall furnish evidence of his or her good character, financial statements, prepared and certified by a certified public accountant when required by the commissioner, and evidence that he or she has adequate physical facilities for receiving and handling farm products or processing farm products if he or she is to act as a dealer. The commissioner, if so satisfied, shall issue to such applicant, [upon payment of twenty dollars, and] upon the filing of a bond or letter of credit and upon payment of a fee to be deposited into the agricultural producers security fund as hereinafter provided, a license entitling the applicant to conduct the business of a dealer in farm products for a period of one year. Notwithstanding any other provision of this section, an applicant who intends to pay and a licensee who pays upon delivery for purchases of farm products from producers, in cash, or cash equivalent, including only certified or bank check, money order, electronic funds transfer, or by debit card, shall be exempt from filing a bond or letter of credit. In the event that a licensee who has been so exempted from filing a bond or letter of credit fails to pay cash or a cash equivalent upon delivery for any purchase of farm products from a producer, such licensee shall file a bond or letter of credit as otherwise required by this section with the commissioner no later than ten business days from the date the commissioner notifies the licensee that such bond or letter of credit is required.

S 9. Subdivision 5 of section 500 of the agriculture and markets law, as amended by section 3 of part II of chapter 59 of the laws of 2009, is amended to read as follows:

5. Licensure. No person shall maintain or operate a retail food store, food service establishment or food warehouse unless such establishment is licensed pursuant to the provisions of this article, provided, however, that establishments registered, permitted or licensed by the department pursuant to other provisions of this chapter, under permit and inspection by the state department of health or by a local health agency which maintains a program certified and approved by the state commissioner of health, or subject to inspection by the United States department of agriculture pursuant to the federal meat, poultry or egg

inspection programs, shall be exempt from licensure under this article. Application for licensure of a retail food store, food service establishment or food warehouse shall be made, upon a form prescribed by the commissioner, on or before December first of every other year for the registration period beginning January first following. Upon submission of a completed application, together with the applicable licensing fee, the commissioner shall ISSUE A license TO the retail food store, food service establishment or food warehouse described in the application for two years from the [applicable registration commencement period set forth in this section] DATE OF ISSUANCE. The [licensing] LICENSE fee shall be two hundred fifty dollars provided, however, that food warehouses shall pay a [licensing] LICENSE fee of four hundred dollars. NOTWITHSTANDING THE PRECEDING SENTENCE, THE COMMISSIONER SHALL, UPON SUBMISSION OF A COMPLETED APPLICATION FOR A NEW LICENSE BY AN APPLICANT THAT IS A CHAIN STORE, AS DEFINED BY SUBDIVISION FIVE OF SECTION TWO HUNDRED FIFTY-ONE-Z-TWO OF THIS CHAPTER, ISSUE SUCH LICENSE FOR A PERIOD ENDING ON THE SAME DATE AS THE LICENSES OF THE OTHER CHAIN STORES THAT ARE A PART OF THE SAME NETWORK.

S 10. Subdivision 1 of section 133-a of the agriculture and markets law is amended by adding a new paragraph (c) to read as follows:

(C) NO FEE SHALL BE PAID BY ANY PERSON FOR ANY YEAR IN WHICH SUCH PERSON DISTRIBUTED LESS THAN ONE HUNDRED TONS OF FEED INGREDIENTS AND COMMERCIAL FEEDS IN THIS STATE.

S 11. This act shall take effect immediately.

PART W

Section 1. Legislative findings. The legislature hereby finds and determines that the establishment of the utility debt securitization authority under part B of chapter 173 of the laws of 2013 permitted the issuance of securitized restructuring bonds on favorable terms which resulted in lower aggregate distribution, transmission and transition charges to Long Island ratepayers, compared to other available alternatives, and the purposes of such act will be further advanced by amending such act to permit the issuance of additional such bonds subject to a limit on the outstanding principal amount thereof, including the potential issuance of such bonds by a newly created restructuring bond issuer.

S 2. Subdivision 10 of section 2 of part B of chapter 173 of the laws of 2013 relating to the issuance of securitized restructuring bonds to refinance the outstanding debt of the Long Island power authority is amended to read as follows:

10. "Restructuring bond issuer" means the corporate municipal instrumentality of the state created under PARAGRAPH A OR B OF SUBDIVISION ONE OF section four of this act.

S 2-a. Subdivision 11 of section 2 of part B of chapter 173 of the laws of 2013 relating to the issuance of securitized restructuring bonds to refinance the outstanding debt of the Long Island power authority is amended to read as follows:

11. "Restructuring bonds" means bonds or other evidences of indebtedness that are issued pursuant to an indenture or other agreement of the restructuring bond issuer under a restructuring cost financing order (a) the proceeds of which are used, directly or indirectly, to recover, finance, or refinance approved restructuring costs, (b) that are directly or indirectly secured by, or payable from, restructuring property, and (c) that have a term no longer than THE LIPA BONDS OR OTHER

EVIDENCES OF INDEBTEDNESS THAT ARE BEING RESTRUCTURED AND NO LONGER THAN thirty years.

S 3. Subdivision 6 of section 3 of part B of chapter 173 of the laws of 2013 relating to the issuance of securitized restructuring bonds to refinance the outstanding debt of the Long Island power authority is amended to read as follows:

6. Issuance of restructuring bonds. Within ninety days after receiving notice of confirmation from the authority, the restructuring bond issuer shall issue the restructuring bonds, in one or more series or tranches and at one or more times, pursuant to the agreement to sell the restructuring bonds. The restructuring bond issuer shall purchase the restructuring property from the authority for a purchase price equal to the net proceeds from the sale of the restructuring bonds less any amounts of such proceeds required to fund or pay upfront financing costs. THE AGGREGATE PRINCIPAL AMOUNT OF RESTRUCTURING BONDS AUTHORIZED TO BE ISSUED PURSUANT TO THIS SECTION SHALL NOT EXCEED FOUR BILLION FIVE HUNDRED MILLION DOLLARS.

S 4. The section heading and subdivision 1 of section 4 of part B of chapter 173 of the laws of 2013 relating to the issuance of securitized restructuring bonds to refinance the outstanding debt of the Long Island power authority is amended to read as follows:

Creation of restructuring bond [issuer] ISSUERS.

1. Creation of restructuring bond [issuer] ISSUERS. (A) For the purpose of effectuating the purposes declared in section one of this act, there is hereby created a special purpose corporate municipal instrumentality of the state to be known as "utility debt securitization authority", which shall be a body corporate and politic, a political subdivision of the state, and a public benefit corporation, exercising essential governmental and public powers for the good of the public. [The] SUCH restructuring bond issuer shall not be created or organized, and its operations shall not be conducted, for the purpose of making a profit. No part of the revenues or assets of [the] SUCH restructuring bond issuer shall inure to the benefit of or be distributable to its trustees or officers or any other private persons, except as herein provided for actual services rendered.

(B) FOR THE PURPOSE OF EFFECTUATING THE PURPOSES DECLARED IN SECTION ONE OF THIS ACT, AND IN CONTEMPLATION OF SATISFACTION OF THE CONDITIONS SET FORTH IN THE LAST SENTENCE OF THIS PARAGRAPH, THERE IS HEREBY CREATED A SPECIAL PURPOSE CORPORATE MUNICIPAL INSTRUMENTALITY OF THE STATE TO BE KNOWN AS "UTILITY DEBT SECURITIZATION AUTHORITY NO. 2", WHICH SHALL BE A BODY CORPORATE AND POLITIC, A POLITICAL SUBDIVISION OF THE STATE, AND A PUBLIC BENEFIT CORPORATION, EXERCISING ESSENTIAL GOVERNMENTAL AND PUBLIC POWERS FOR THE GOOD OF THE PUBLIC. SUCH RESTRUCTURING BOND ISSUER SHALL NOT BE CREATED OR ORGANIZED, AND ITS OPERATIONS SHALL NOT BE CONDUCTED, FOR THE PURPOSE OF MAKING A PROFIT. NO PART OF THE REVENUES OR ASSETS OF SUCH RESTRUCTURING BOND ISSUER SHALL INURE TO THE BENEFIT OF OR BE DISTRIBUTABLE TO ITS TRUSTEES OR OFFICERS OR ANY OTHER PRIVATE PERSONS, EXCEPT AS HEREIN PROVIDED FOR ACTUAL SERVICES RENDERED. SUCH RESTRUCTURING BOND ISSUER SHALL ISSUE NO RESTRUCTURING BONDS UNLESS AND UNTIL THE AUTHORITY BY RESOLUTION SHALL HAVE FOUND AND DETERMINED THAT ON THE BASIS OF THE DOCUMENTS AND OPINIONS PRESENTED TO IT, THE TERMS OF SALE OF SUCH BONDS ARE, AT SUCH TIME, REASONABLY EXPECTED TO BE MORE FAVORABLE THAN SUCH TERMS WOULD BE IF SUCH RESTRUCTURING BONDS WERE TO BE ISSUED BY THE RESTRUCTURING BOND ISSUER CREATED BY PARAGRAPH (A) OF THIS SUBDIVISION.

(C) NOTWITHSTANDING SUBDIVISION FOUR OF THIS SECTION, IF THE AUTHORITY BY SUCH RESOLUTION PASSED IN THE LAST SENTENCE OF PARAGRAPH (B) OF THIS SUBDIVISION, CREATES THE RESTRUCTURING BOND ISSUER CREATED BY PARAGRAPH (B) OF THIS SUBDIVISION, THE LEGISLATURE SHALL HAVE TWO ADDITIONAL APPOINTEES ON SUCH RESTRUCTURING BOND ISSUER'S BOARD, ONE OF WHOM SHALL E APPOINTED BY THE TEMPORARY PRESIDENT OF THE SENATE, AND ONE OF WHOM SHALL BE APPOINTED BY THE SPEAKER OF THE ASSEMBLY, THESE TWO APPOINTEES ARE IN ADDITION TO THE THREE TRUSTEES APPOINTED BY THE GOVERNOR IN SUBDIVISION FOUR OF THIS SECTION. THE APPOINTEE OF THE TEMPORARY PRESIDENT OF THE SENATE SHALL SERVE AN INITIAL TERM OF THREE YEARS; THE APPOINTEE OF THE SPEAKER OF THE ASSEMBLY SHALL SERVE AN INITIAL TERM OF SIX YEARS. THEIR SUCCESSORS SHALL SERVE FOR TERMS OF SIX YEARS EACH. THE APPOINTING OFFICER MAY REMOVE ANY TRUSTEE FOR INEFFICIENCY, NEGLECT OF DUTY OR MISCONDUCT IN OFFICE AFTER GIVING HIM OR HER A COPY OF THE CHARGES AGAINST HIM OR HER AND AN OPPORTUNITY TO BE HEARD, IN PERSON OR BY COUNSEL, IN HIS OR HER DEFENSE, UPON NOT LESS THAN TEN DAYS NOTICE. IF ANY TRUSTEE SHALL BE SO REMOVED, THE APPOINTING OFFICER SHALL FILE IN THE OFFICE OF THE DEPARTMENT OF STATE A COMPLETE STATEMENT OF THE CHARGES MADE AGAINST SUCH TRUSTEE AND HIS OR HER FINDINGS THEREON, TOGETHER WITH A COMPLETE RECORD OF THE PROCEEDINGS. TRUSTEES APPOINTED PURSUANT TO THIS PARAGRAPH SHALL BE SUBJECT TO PARAGRAPHS (B), (C), (D), (E), (G) AND (H) OF SUBDIVISION FOUR OF THIS SECTION.

S 5. Subparagraph (i) of paragraph (a) of subdivision 2 of section 4 of part B of chapter 173 of the laws of 2013 relating to the issuance of securitized restructuring bonds to refinance the outstanding debt of the Long Island power authority is amended to read as follows:

(i) issue the restructuring bonds contemplated by a restructuring cost financing order, and use the proceeds thereof to purchase or acquire, and to own, hold and use restructuring property or to pay or fund upfront financing costs provided, however, that the restructuring bond issuer shall only issue and sell restructuring bonds [once] THE TERM OF WHICH DO NOT MATURE AT A DATE LATER THAN THE DEBT OR OTHER EVIDENCES OF INDEBTEDNESS THAT ARE BEING RESTRUCTURED;

S 6. This act shall take effect immediately.

PART X

Section 1. Intentionally omitted.

S 2. Intentionally omitted.

S 3. Paragraphs (a), (b) and (d) of subdivision 4 of section 174 of the navigation law, paragraph (a) as amended by section 1 of part E of chapter 413 of the laws of 1999, paragraph (b) as amended by chapter 512 of the laws of 1986 and paragraph (d) as added by section 21 of part A of chapter 58 of the laws of 1998, are amended to read as follows:

(a) The license fee shall be [one cent] NINE AND ONE-HALF CENTS per barrel transferred [until the balance in such account established by paragraph (a) of subdivision two of section one hundred seventy-nine of this article equals or exceeds twenty-five million dollars], provided, however, that the fee on any barrel, including any products derived therefrom, subject to multiple transfer, shall be imposed only once at the point of first transfer. In each fiscal year following any year in which the balance of [such] THE account ESTABLISHED BY PARAGRAPH (A) OF SUBDIVISION TWO OF SECTION ONE HUNDRED SEVENTY-NINE OF THIS ARTICLE equals or exceeds [twenty-five] FORTY million dollars, no license fee shall be imposed unless (a) the current balance in such account is less than [twenty] THIRTY-FIVE million dollars or (b) pending claims against

such account exceed fifty percent of the existing balance of such account. [The provisions of the foregoing notwithstanding, should claims paid from such account not exceed five million dollars within three years after the license fee is first imposed, the license fee shall be one cent per barrel transferred until the balance in such account equals or exceeds eighteen million dollars, and thereafter shall not be imposed unless: (1) the current balance in such account is less than fifteen million dollars or (2) pending claims against such account exceed fifty percent of the existing balance of such account.] In the event of either such occurrence and upon certification thereof by the state comptroller, the administrator shall within ten days of the date of such certification reimpose the license fee, which shall take effect on the first day of the month following such relevy. [In the event of a major discharge or series of discharges resulting in claims against such account exceeding the existing balance of such account, the license fee shall be imposed at the rate of eight cents per barrel transferred until the balance in such account equals pending claims against such account; provided, however, that the] THE rate may be set at less than [eight] NINE AND ONE-HALF cents per barrel transferred if the administrator determines that the revenue produced by such lower rate shall be sufficient to pay outstanding claims against such account within one year of such imposition of the license fee. Should such account exceed eighteen million dollars or twenty-five million dollars, as herein provided, as a result of interest, the administrator and the commissioner of environmental conservation shall report to the legislature and the governor concerning the options for the use of such interest. The fee established by this paragraph shall not be imposed upon any barrel which is transferred to a land based facility but thereafter exported from this state for use outside the state and is shipped to facilities outside the state regardless of whether the delivery or sale of such petroleum occurs in this state.

(b) The surcharge on the license fee shall be [two and one-half cents per barrel for each barrel transferred on or after June first, nineteen hundred eighty-five but before February first, nineteen hundred eighty-eight. Such surcharge shall be three and one-half cents per barrel for each barrel transferred on or after February first, nineteen hundred eighty-eight, but before February first, nineteen hundred ninety. Such surcharge shall be] four and one-quarter cents per barrel for each barrel transferred on or after February first, nineteen hundred ninety.

(d) The surcharge established by paragraph (b) of this subdivision shall be [one and one-half] THIRTEEN AND THREE QUARTERS cents per barrel for any barrel that is transferred but thereafter exported from this state for use outside the state as described by paragraph (a) of this subdivision. TWELVE AND ONE-QUARTER CENTS OF SUCH SURCHARGE SHALL BE CREDITED TO THE ACCOUNT ESTABLISHED BY PARAGRAPH (A) OF SUBDIVISION TWO OF SECTION ONE HUNDRED SEVENTY-NINE OF THIS ARTICLE.

S 4. The opening paragraph and paragraph (a) of subdivision 2 of section 179 of the navigation law, the opening paragraph as amended by chapter 38 of the laws of 1985 and paragraph (a) as amended by section 2 of part I of chapter 577 of the laws of 2004, are amended and a new paragraph (c) is added to read as follows:

[Two] THREE separate accounts are hereby established within the fund established by subdivision one of this section:

(a) An account which shall be credited with all license fees and penalties collected pursuant to paragraph (b) of subdivision one and paragraph (a) of subdivision four of section one hundred seventy-four of

this article, THE PORTION OF THE SURCHARGE COLLECTED PURSUANT TO PARAGRAPH (D) OF SUBDIVISION FOUR OF SECTION ONE HUNDRED SEVENTY-FOUR OF THIS ARTICLE NOT CREDITED TO THE ACCOUNT ESTABLISHED BY PARAGRAPH (A) OF SUBDIVISION TWO OF SECTION ONE HUNDRED SEVENTY-NINE OF THIS ARTICLE, penalties collected pursuant to paragraph (b) of subdivision four of section one hundred seventy-four-a of this article, money collected pursuant to section one hundred eighty-seven of this article, all penalties collected pursuant to section one hundred ninety-two of this article, and registration fees collected pursuant to subdivision two of section 17-1009 of the environmental conservation law.

(C) AN OIL SPILL PREVENTION AND TRAINING ACCOUNT WHICH SHALL BE CREDITED WITH TWO MILLION ONE HUNDRED THOUSAND DOLLARS IN STATE FISCAL YEAR 2015-16 AND ONE MILLION DOLLARS IN EACH SUBSEQUENT FISCAL YEAR FROM THE PORTION OF THE SURCHARGE COLLECTED PURSUANT TO PARAGRAPH (D) OF SUBDIVISION FOUR OF SECTION ONE HUNDRED SEVENTY-FOUR FOR USE ONLY FOR THE PURPOSES AUTHORIZED IN SUBDIVISION THREE OF SECTION ONE HUNDRED EIGHTY-SIX OF THIS PART. IF THE BALANCE IN THE OIL SPILL PREVENTION AND TRAINING ACCOUNT EXCEEDS THREE MILLION DOLLARS AT THE START OF ANY FISCAL YEAR THEN ANY MONEYS TO BE CREDITED TO THE ACCOUNT FOR THAT FISCAL YEAR SHALL BE CREDITED TO THE ACCOUNT ESTABLISHED BY PARAGRAPH (A) OF SUBDIVISION FOUR OF SECTION ONE HUNDRED SEVENTY-FOUR.

S 5. Intentionally omitted.

S 6. Subdivision 7 of section 185 of the navigation law, as added by chapter 672 of the laws of 1991, is amended to read as follows:

7. Within sixty calendar days from the close of such hearing and after due consideration of the written and oral statements and testimony and arguments filed pursuant to this section, or on default in appearance on said return day, the administrator shall make [his] A final determination on the validity or amount of the damage claims or claims for cleanup and removal costs filed by the injured persons. The administrator shall notify the claimant and, if known, the alleged discharger thereof in writing by registered mail.

S 7. Subdivisions 3 and 4 of section 186 of the navigation law, as amended by chapter 38 of the laws of 1985, are amended to read as follows:

3. MONEYS IN THE ACCOUNT ESTABLISHED BY PARAGRAPH (C) OF SUBDIVISION TWO OF SECTION ONE HUNDRED SEVENTY-NINE OF THIS PART SHALL BE DISBURSED BY THE ADMINISTRATOR FOR THE FOLLOWING PURPOSES:

(A) SUCH SUMS AS MAY BE NECESSARY FOR THE ACQUISITION AND MAINTENANCE OF PETROLEUM SPILL PREVENTION, RESPONSE OR PERSONAL SAFETY EQUIPMENT AND SUPPLIES AND TRAINING FOR STATE AND LOCAL GOVERNMENT ENTITIES, INCLUDING EMERGENCY SERVICES AGENCIES AND PERSONNEL.

(B) SUCH SUMS AS MAY BE NECESSARY FOR PETROLEUM SPILL RESPONSE DRILLS AND EXERCISES.

(C) SUCH SUMS AS MAY BE NECESSARY FOR IDENTIFICATION, MAPPING, AND ANALYSIS OF POPULATIONS, ENVIRONMENTALLY SENSITIVE AREAS, AND RESOURCES AT RISK FROM SPILLS OF PETROLEUM AND RELATED IMPACTS; AND THE DEVELOPMENT, IMPLEMENTATION, AND UPDATING OF CONTINGENCY PLANS, INCLUDING GEOGRAPHIC RESPONSE PLANS, TO PROTECT THOSE POPULATIONS, SENSITIVE ENVIRONMENTS, AND RESOURCES IN THE EVENT OF A SPILL OF PETROLEUM OR RELATED IMPACTS.

PRIOR TO DISBURSEMENT OF SUCH MONIES, A SPENDING PLAN SHALL BE PREPARED BY THE COMMISSIONER AND POSTED ON THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION WEBSITE.

4. Moneys shall be disbursed from the fund only for the purposes set forth in subdivisions one and two of this section; PROVIDED HOWEVER, FOR

THE PURPOSES OF SUBDIVISION THREE OF THIS SECTION ONLY MONIES FROM THE ACCOUNT ESTABLISHED PURSUANT TO PARAGRAPH (C) OF SUBDIVISION TWO OF SECTION ONE HUNDRED SEVENTY-NINE OF THIS PART MAY BE DISBURSED FOR SUCH PURPOSES.

[4.] 5. The state comptroller may invest and reinvest any moneys in said fund in obligations in which the comptroller is authorized to invest pursuant to the provisions of section ninety-eight-a of the state finance law. Any income or interest derived from such investment shall be included in the fund.

S 8. Intentionally omitted.

S 9. Intentionally omitted.

S 10. Intentionally omitted.

S 11. Intentionally omitted.

S 12. Subdivision 2 of section 97-b of the state finance law, as amended by section 4 of part I of chapter 1 of the laws of 2003, is amended to read as follows:

2. Such fund shall consist of all of the following:

(a) moneys appropriated for transfer to the fund's site investigation and construction account; (b) all fines and other sums accumulated in the fund prior to April first, nineteen hundred eighty-eight pursuant to section 71-2725 of the environmental conservation law for deposit in the fund's site investigation and construction account; (c) all moneys collected or received by the department of taxation and finance pursuant to section 27-0923 of the environmental conservation law for deposit in the fund's industry fee transfer account; (d) all moneys paid into the fund pursuant to section 72-0201 of the environmental conservation law which shall be deposited in the fund's industry fee transfer account; (e) all moneys paid into the fund pursuant to PARAGRAPH (B) OF SUBDIVISION ONE OF section one hundred eighty-six of the navigation law which shall be deposited in the fund's industry fee transfer account; (f) all moneys paid into the fund by municipalities for repayment of landfill closure loans made pursuant to title five of article fifty-two of the environmental conservation law for deposit in the fund's site investigation and construction account; (g) all monies recovered under sections 56-0503, 56-0505 and 56-0507 of the environmental conservation law into the fund's environmental restoration project account; (h) all fees paid into the fund pursuant to section 72-0403 of the environmental conservation law which shall be deposited in the fund's industry fee transfer account; (i) payments received for all state costs incurred in negotiating and overseeing the implementation of brownfield site cleanup agreements pursuant to title fourteen OF ARTICLE TWENTY-SEVEN of the environmental conservation law shall be deposited in the hazardous waste remediation oversight and assistance account; and (j) other moneys credited or transferred thereto from any other fund or source for deposit in the fund's site investigation and construction account.

S 13. Intentionally omitted.

S 14. This act shall take effect immediately, provided however, the increased fees authorized in section three of this act shall take effect September 1, 2015 and shall apply to any barrel that is transferred on and after such date.

PART Y

Section 1. The opening paragraph of subdivision 1 of section 72-0303 of the environmental conservation law, as amended by section 1 of part BBB of chapter 59 of the laws of 2009, is amended to read as follows:

COMMENCING JANUARY FIRST, TWO THOUSAND FIFTEEN AND EVERY YEAR THEREAFTER, ALL SOURCES OF REGULATED AIR CONTAMINANTS IDENTIFIED PURSUANT TO SUBDIVISION ONE OF SECTION 19-0311 OF THIS CHAPTER SHALL SUBMIT TO THE DEPARTMENT AN ANNUAL BASE FEE OF TWO THOUSAND FIVE HUNDRED DOLLARS. THIS BASE FEE SHALL BE IN ADDITION TO THE FEES LISTED BELOW. Commencing January first, nineteen hundred ninety-four and every year thereafter all sources of regulated air contaminants identified pursuant to subdivision one of section 19-0311 of this chapter shall submit to the department an annual fee [of forty-five dollars per ton] NOT TO EXCEED THE PER TON FEES DESCRIBED BELOW. THE PER TON FEE IS ASSESSED ON EACH TON OF EMISSIONS up to seven thousand tons annually of each regulated air contaminant as follows: [forty-five] SIXTY dollars per ton for facilities with total emissions less than one thousand tons annually; [fifty] SEVENTY dollars per ton for facilities with total emissions of one thousand or more but less than two thousand tons annually; [fifty-five] EIGHTY dollars per ton for facilities with total emissions of two thousand or more but less than five thousand tons annually; and [sixty-five] NINETY dollars per ton for facilities with total emissions of five thousand or more tons annually. Such fee shall be sufficient to support an appropriation approved by the legislature for the direct and indirect costs associated with the operating permit program established in section 19-0311 of this chapter. Such fee shall be established by the department and shall be calculated by dividing the amount of the current year appropriation from the operating permit program account of the clean air fund by the total tons of emissions of regulated air contaminants that are subject to the operating permit program fees from sources subject to the operating permit program pursuant to section 19-0311 of this chapter up to seven thousand tons annually of each regulated air contaminant from each source; provided that, in making such calculation, the department shall adjust their calculation to account for any deficit or surplus in the operating permit program account of the clean air fund established pursuant to section ninety-seven-oo of the state finance law; any loan repayment from the mobile source account of the clean air fund established pursuant to section ninety-seven-oo of the state finance law; and the rate of collection by the department of the bills issued for the fee for the prior year.

S 2. Intentionally omitted.

S 3. Subdivisions a, b, c, d, e, f, g, h, i, j, k, l, m, n, q and t of section 72-0602 of the environmental conservation law, paragraphs a, b, c, d, e, f, g, h, q and t as amended by section 1 of part JJ of chapter 59 of the laws of 2009, subdivision i as amended by section 1 of part T1 of chapter 62 of the laws of 2003, and subdivisions j, k, l, m and n as amended by chapter 62 of the laws of 1989, are amended to read as follows:

a. [$300.00] $375.00 for any P/C/I facilities having a permit to discharge or discharging at an average daily rate of less than 100,000 gallons;

b. [$600.00] $750.00 for P/C/I facilities having a permit to discharge or discharging at an average daily rate of 100,000 gallons or more;

c. [$600.00] $750.00 for industrial facilities having a permit to discharge or discharging at an average daily rate of less than 10,000 gallons;

d. [$2,000.00] $2,300.00 for industrial facilities having a permit to discharge or discharging at an average daily rate of between 10,000 gallons and 99,999 gallons;

e. [$6,000.00] $7,250.00 for industrial facilities having a permit to discharge or discharging at an average daily rate of between 100,000 gallons and 499,999 gallons;

f. [$20,000.00] $25,000.00 for industrial facilities having a permit to discharge or discharging at an average daily rate of between 500,000 and 999,999 gallons;

g. [$30,000.00] $37,000.00 for industrial facilities having a permit to discharge or discharging at an average daily rate of between 1,000,000 and 9,999,999 gallons;

h. [$50,000.00] $58,000.00 for industrial facilities having a permit to discharge or discharging at an average daily rate of 10,000,000 gallons or more;

i. [$50,000.00] $58,000.00 for any power plant;

j. [$375.00] $450.00 for municipal facilities having a permit to discharge or discharging at an average daily rate of less than 200,000 gallons;

k. [$1,875.00] $2,000.00 for municipal facilities having a permit to discharge or discharging at an average daily rate of between 200,000 and 999,999 gallons;

l. [$7,500.00] $8,000.00 for municipal facilities having a permit to discharge or discharging at an average daily rate of between 1,000,000 and 4,999,999 gallons;

m. [$15,000.00] $15,500.00 for municipal facilities having a permit to discharge or discharging at an average daily rate of between 5,000,000 and 39,999,999 gallons;

n. [$37,500.00] $38,500.00 for municipal facilities having a permit to discharge or discharging at an average daily rate of 40,000,000 gallons or more;

q. [$100.00] $125.00 per acre disturbed plus [$600.00] $700.00 per future impervious acre for any facility, not owned or managed by a local government or a state department, agency, or authority, discharging or authorized to discharge pursuant to a SPDES permit for stormwater discharges from construction activity. For the purposes of this subdivision, acres disturbed are acres subject to clearing, grading, or excavating subject to SPDES permitting and future impervious acres are acres that will be newly paved or roofed during construction;

t. [$100.00] $150.00 for any facility, other than a municipal separate storm sewer as defined by 40 CFR S122.26 (b) (8), discharging or authorized to discharge pursuant to a general permit unless a specific fee is imposed pursuant to subdivisions a through s of this section for such discharge or authorization to discharge.

S 4. Intentionally omitted.

S 5. This act shall take effect immediately and shall apply to all bills issued on and after January 1, 2015.

PART Z

Intentionally Omitted

PART AA

Section 1. Paragraph 4 of subdivision (a) of section 83 of the state finance law, as amended by chapter 512 of the laws of 1994, is amended to read as follows:

4. (i) There is hereby created a special account within the conservation fund to be known as the state fish and game trust account to consist of all moneys received by the state from the sale of ALL lifetime hunting, fishing[,] AND trapping[,] LICENSES AND LIFETIME archery and muzzle-loading [licenses] PRIVILEGES pursuant to section 11-0702 of the environmental conservation law. The state comptroller shall invest the moneys in such account in securities as defined by section ninety-eight-a of this article, EXCEPT AS PROVIDED IN SUBPARAGRAPH (IV) OF THIS PARAGRAPH. Any income earned by the investment of such moneys, except income transferred to the conservation fund pursuant to subparagraph (iii) of this paragraph, shall be added to and become a part of, and shall be used for the purposes of such account.

(ii) The state comptroller shall provide an annual report of the trust account which lists the amount of the principal, THE AMOUNT TRANSFERRED TO THE HABITAT CONSERVATION AND ACCESS ACCOUNT PURSUANT TO SUBPARAGRAPH (IV) OF THIS PARAGRAPH, the earned income, the earned income accrued to the principal, and the earned income transferred to the conservation fund pursuant to subparagraph (iii) of this paragraph not later than April tenth of each year for the state fiscal year ending the immediately preceding March thirty-first. A copy of such report shall be transmitted, forthwith, to the director of the division of the budget, the chairman of the senate finance committee, the chairman of the assembly ways and means committee, the commissioner of the department of environmental conservation and each of the eleven members of the conservation fund advisory [council] BOARD, created pursuant to section [seven hundred] 11-0327 of the [executive] ENVIRONMENTAL CONSERVATION law.

(iii) Earned income from the sale of all lifetime licenses, except income earned on the proceeds of the sale of a lifetime license during the period from sale of such license until April first of the year following one full year of deposit of the proceeds of the sale of such lifetime license, shall be available for deposit within the conservation fund pursuant to paragraph one of this subdivision in an amount equal to the cost of the appropriate annual license. The earned income which exceeds the current cost of each annual license comparable to the lifetime license, shall be added to the trust account as principal. The earned income from lifetime licenses issued to persons who are under the legal age to implement such licenses shall be added to the trust account as principal until such person becomes of legal age to hunt, fish or trap.

(IV) BEGINNING APRIL FIRST, TWO THOUSAND FIFTEEN, THE LESSER OF (A) ONE MILLION FIVE HUNDRED THOUSAND DOLLARS ANNUALLY FROM THE STATE FISH AND GAME TRUST ACCOUNT OR (B) AN AMOUNT EQUIVALENT TO FIFTY PERCENT OF THE MONEYS RECEIVED BY THE STATE IN ONE YEAR FROM THE SALE OF ALL LIFETIME HUNTING, FISHING AND TRAPPING LICENSES AND LIFETIME ARCHERY AND MUZZLE-LOADING PRIVILEGES PURSUANT TO SECTION 11-0702 OF THE ENVIRONMENTAL CONSERVATION LAW SHALL BE AVAILABLE FOR DEPOSIT WITHIN THE HABITAT CONSERVATION AND ACCESS ACCOUNT ESTABLISHED PURSUANT TO SECTION EIGHTY-THREE-A OF THIS ARTICLE.

S 2. Subdivision (h) of section 83 of the state finance law is REPEALED.

S 3. The state finance law is amended by adding a new section 83-a to read as follows:

S 83-A. HABITAT CONSERVATION AND ACCESS ACCOUNT. (A) THE HABITAT CONSERVATION AND ACCESS ACCOUNT IS CREATED WITHIN THE MISCELLANEOUS CAPITAL PROJECTS FUND. THE HABITAT CONSERVATION AND ACCESS ACCOUNT SHALL CONSIST OF ALL MONEYS FROM SUBPARAGRAPH (IV) OF PARAGRAPH FOUR OF SUBDI-

VISION (A) OF SECTION EIGHTY-THREE OF THIS ARTICLE, AND ALL MONEYS, REVENUES AND INTEREST THEREON RECEIVED AS A RESULT OF THE APPLICATION OF SUBDIVISION SEVENTEEN OF SECTION 11-0305 OF THE ENVIRONMENTAL CONSERVATION LAW AUTHORIZING THE ISSUANCE AND SALE OF VOLUNTARY HABITAT STAMPS, OTHER THAN THE AMOUNT RETAINED BY THE ISSUING AGENT OR OFFICER. THE HABITAT CONSERVATION AND ACCESS ACCOUNT SHALL BE SUBJECT TO THE SAME RESTRICTIONS AND PROTECTIONS AS THE CONSERVATION FUND.

(B) THESE MONEYS, AFTER APPROPRIATION BY THE LEGISLATURE, AND WITHIN THE AMOUNTS SET FORTH AND FOR THE SEVERAL PURPOSES SPECIFIED, SHALL BE AVAILABLE TO THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION EXCLUSIVELY FOR THE CAPITAL EXPENSES ASSOCIATED WITH FISH AND WILDLIFE HABITAT MANAGEMENT, PROTECTION, AND RESTORATION, IMPROVEMENT AND DEVELOPMENT OF PUBLIC ACCESS FOR FISH AND WILDLIFE RELATED RECREATION.

(C) ALL PAYMENTS MADE FROM THE HABITAT CONSERVATION AND ACCESS ACCOUNT SHALL BE MADE BY THE DEPARTMENT OF TAXATION AND FINANCE AFTER AUDIT AND UPON WARRANT OF THE COMPTROLLER ON VOUCHERS APPROVED BY THE COMMISSIONER OF ENVIRONMENTAL CONSERVATION. AFTER APPROPRIATIONS MADE AVAILABLE FROM THE HABITAT CONSERVATION AND ACCESS ACCOUNT SHALL CEASE TO HAVE FORCE AND EFFECT, ANY BALANCES REMAINING UNEXPENDED SHALL REVERT TO THE STATE FISH AND GAME TRUST ACCOUNT ESTABLISHED PURSUANT TO PARAGRAPH FOUR OF SUBDIVISION (A) OF SECTION EIGHTY-THREE OF THIS ARTICLE.

(D) NO FUNDS MAY BE TRANSFERRED OR USED IN ANY WAY WHICH WOULD RESULT IN THE LOSS OF ELIGIBILITY FOR FEDERAL BENEFITS OR FEDERAL FUNDS PURSUANT TO FEDERAL LAW, RULE, OR REGULATION AS ASSENTED TO IN CHAPTER SIX HUNDRED EIGHTY-THREE OF THE LAWS OF NINETEEN HUNDRED THIRTY-EIGHT AND CHAPTER SEVEN HUNDRED OF THE LAWS OF NINETEEN HUNDRED FIFTY-ONE.

S 4. Subdivision 17 of section 11-0305 of the environmental conservation law, as added by section 3 of part F of chapter 82 of the laws of 2002, is amended to read as follows:

17. To prepare or cause to be prepared voluntary habitat stamps and furnish such stamps annually to license issuing agents and officers for sale and issuance in the same manner as licenses and other types of stamps. The department shall, by rule, establish the fee for the habitat stamp which shall [not exceed] BE NO LESS THAN five dollars plus an additional amount for the issuing agent or officer. The purchase of a stamp is voluntary and a stamp need not be possessed in order to take fish or wildlife.

S 5. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2015; provided, however, that all funds in the habitat account of the conservation fund, established pursuant to subdivision (h) of section 83 of the state finance law, on the effective date of this act shall be transferred to the habitat conservation and access account established pursuant to section 83-a of the state finance law as added by section three of this act; and provided further that section one of this act shall expire and be deemed repealed April 1, 2017.

PART BB

Section 1. Paragraph a of section 11.00 of the local finance law is amended by adding a new subdivision 29-a to read as follows:

29-A. TRANSIT MOTOR VEHICLES. THE PURCHASE OF MUNICIPALLY OWNED OMNIBUS OR SIMILAR SURFACE TRANSIT MOTOR VEHICLES, TEN YEARS.

S 2. This act shall take effect immediately.

PART CC

Section 1. Section 155 of the vehicle and traffic law, as amended by chapter 628 of the laws of 2002, is amended to read as follows:

S 155. Traffic infraction. The violation of any provision of this chapter, except articles forty-seven and forty-eight, or of any law, ordinance, order, rule or regulation regulating traffic which is not declared by this chapter or other law of this state to be a misdemeanor or a felony. A traffic infraction is not a crime and the punishment imposed therefor shall not be deemed for any purpose a penal or criminal punishment and shall not affect or impair the credibility as a witness or otherwise of any person convicted thereof. This definition shall be retroactive and shall apply to all acts and violations heretofore committed where such acts and violations would, if committed subsequent to the taking effect of this section, be included within the meaning of the term "traffic infraction" as herein defined. Except in those portions of Suffolk county for which a district court has been established, outside of cities having a population in excess of two hundred thousand BUT LESS THAN TWO HUNDRED TWENTY THOUSAND in which administrative tribunals have heretofore been established AND OUTSIDE OF CITIES HAVING A POPULATION IN EXCESS OF ONE MILLION IN WHICH ADMINISTRATIVE TRIBUNALS HAVE HERETOFORE BEEN ESTABLISHED, courts and judicial officers heretofore having jurisdiction over such violations shall continue to do so and for such purpose such violations shall be deemed misdemeanors and all provisions of law relating to misdemeanors except as provided in section eighteen hundred five of this chapter and except as herein otherwise expressly provided shall apply except that no jury trial shall be allowed for traffic infractions. In those portions of Suffolk county for which a district court has been established, and in cities having a population in excess of two hundred thousand BUT LESS THAN TWO HUNDRED TWENTY THOUSAND in which administrative tribunals have heretofore been established AND IN CITIES HAVING A POPULATION IN EXCESS OF ONE MILLION IN WHICH ADMINISTRATIVE TRIBUNALS HAVE HERETOFORE BEEN ESTABLISHED, the criminal courts of such cities or portions of Suffolk county in which a district court has been established shall have jurisdiction to hear and determine any complaint alleging a violation constituting a traffic infraction, except that administrative tribunals heretofore established in such cities or portions of Suffolk county in which a district court has been established shall have jurisdiction to hear and determine any charge of an offense which is a traffic infraction, except parking, standing or stopping. In cities having a population in excess of two hundred thousand in which administrative tribunals have heretofore been established, and any such administrative tribunal established by the city of Yonkers, the city of Peekskill, or the city of Syracuse, such tribunals shall have jurisdiction to hear and determine any charge of an offense which is a parking, standing or stopping violation. Any fine imposed by an administrative tribunal shall be a civil penalty. For purposes of arrest without a warrant, pursuant to article one hundred forty of the criminal procedure law, a traffic infraction shall be deemed an offense.

S 2. Subdivision 1 of section 225 of the vehicle and traffic law, as amended by chapter 388 of the laws of 2012, is amended to read as follows:

1. Notwithstanding any inconsistent provision of law, all violations of this chapter or of a law, ordinance, order, rule or regulation relating to traffic, except parking, standing, stopping or pedestrian offenses, which occur within a city having a population of two hundred thousand or more BUT LESS THAN TWO HUNDRED TWENTY THOUSAND in which

administrative tribunals have heretofore been established, OR WITHIN A CITY HAVING A POPULATION OF ONE MILLION OR MORE IN WHICH ADMINISTRATIVE TRIBUNALS HAVE HERETOFORE, BEEN ESTABLISHED, and which are classified as traffic infractions, may be heard and determined pursuant to the regulations of the commissioner as provided in this article. Whenever a crime and a traffic infraction arise out of the same transaction or occurrence, a charge alleging both offenses may be made returnable before the court having jurisdiction over the crime. Nothing herein provided shall be construed to prevent a court, having jurisdiction over a criminal charge relating to traffic or a traffic infraction, from lawfully entering a judgment of conviction, whether or not based on a plea of guilty, for any offense classified as a traffic infraction.

S 3. Subdivision 5 of section 227 of the vehicle and traffic law, as amended by chapter 690 of the laws of 1996, is amended to read as follows:

5. All penalties and forfeited security collected pursuant to the provisions of this article shall be paid to the department of audit and control to the credit of the justice court fund and shall be subject to the applicable provisions of section eighteen hundred three of this chapter. After such audit as shall reasonably be required by the comptroller, such penalties and forfeited security shall be paid quarterly or, in the discretion of the comptroller, monthly, to the appropriate jurisdiction in which the violation occurred in accordance with the provisions of section ninety-nine-a of the state finance law, except that the sum of four dollars for each violation occurring in such jurisdiction for which a complaint has been filed with the administrative tribunal established pursuant to this article shall be retained by the state. The amount distributed during the first three quarters to the [cities] CITY of Rochester [and Buffalo] in any given fiscal year shall not exceed seventy percent of the amount which will be otherwise payable. Provided, however, that if the full costs of administering this article shall exceed the amounts received and retained by the state for any period specified by the commissioner, then such additional sums as shall be required to offset such costs shall be retained by the state out of the penalties and forfeited security collected pursuant to this article.

S 4. Section 370 of the general municipal law is amended by adding a new subdivision 4 to read as follows:

4. THERE SHALL BE AN EXECUTIVE DEPARTMENT OF THE BUFFALO CITY GOVERNMENT KNOWN AS THE BUFFALO TRAFFIC VIOLATIONS AGENCY, WHICH SHALL OPERATE UNDER THE DIRECTION AND CONTROL OF THE MAYOR.

S 5. Subdivision 2 of section 370-a of the general municipal law, as amended by chapter 388 of the laws of 2012, is amended and a new subdivision 1-a is added to read as follows:

1-A. "TRAFFIC VIOLATIONS AGENCY" SHALL MEAN AN EXECUTIVE DEPARTMENT OF THE CITY OF BUFFALO ESTABLISHED PURSUANT TO SUBDIVISION FOUR OF SECTION THREE HUNDRED SEVENTY OF THIS ARTICLE TO ADMINISTER AND DISPOSE OF TRAFFIC INFRACTIONS AS AUTHORIZED PURSUANT TO THIS ARTICLE.

2. "Traffic prosecutor" shall mean an attorney duly admitted to practice law in the state of New York who, having been appointed and either hired or retained pursuant to section three hundred seventy-four of this article, has the responsibility of prosecuting any traffic and parking infractions returnable before the Nassau county district court or the Suffolk county district court OR ANY TRAFFIC INFRACTIONS RETURNABLE BEFORE THE BUFFALO CITY COURT pursuant to the jurisdictional limitations of section three hundred seventy-one of this article.

S 6. Section 371 of the general municipal law is amended by adding a new subdivision 2-a to read as follows:

2-A. THE BUFFALO TRAFFIC VIOLATIONS AGENCY, AS ESTABLISHED IN SUBDIVISION FOUR OF SECTION THREE HUNDRED SEVENTY OF THIS ARTICLE, MAY BE AUTHORIZED TO ASSIST THE BUFFALO CITY COURT IN THE DISPOSITION AND ADMINISTRATION OF INFRACTIONS OF TRAFFIC LAWS, ORDINANCES, RULES AND REGULATIONS EXCEPT THAT SUCH AGENCY SHALL NOT HAVE JURISDICTION OVER (A) THE TRAFFIC INFRACTION DEFINED UNDER SUBDIVISION ONE OF SECTION ELEVEN HUNDRED NINETY-TWO OF THE VEHICLE AND TRAFFIC LAW; (B) THE TRAFFIC INFRACTION DEFINED UNDER SUBDIVISION FIVE OF SECTION ELEVEN HUNDRED NINETY-TWO OF THE VEHICLE AND TRAFFIC LAW; (C) THE VIOLATION DEFINED UNDER PARAGRAPH (B) OF SUBDIVISION FOUR OF SECTION FOURTEEN-F OF THE TRANSPORTATION LAW AND THE VIOLATION DEFINED UNDER CLAUSE (B) OF SUBPARAGRAPH (III) OF PARAGRAPH C OF SUBDIVISION TWO OF SECTION ONE HUNDRED FORTY OF THE TRANSPORTATION LAW; (D) THE TRAFFIC INFRACTION DEFINED UNDER SECTION THREE HUNDRED NINETY-SEVEN-A OF THE VEHICLE AND TRAFFIC LAW AND THE TRAFFIC INFRACTION DEFINED UNDER SUBDIVISION (G) OF SECTION ELEVEN HUNDRED EIGHTY OF THE VEHICLE AND TRAFFIC LAW; (E) TRAFFIC INFRACTIONS CONSTITUTING PARKING, STANDING, STOPPING OR PEDESTRIAN OFFENSES; (F) ANY MISDEMEANOR OR FELONY; OR (G) ANY OFFENSE THAT IS PART OF THE SAME CRIMINAL TRANSACTION, AS THAT TERM IS DEFINED IN SUBDIVISION TWO OF SECTION 40.10 OF THE CRIMINAL PROCEDURE LAW, AS A VIOLATION OF SUBDIVISION ONE OF SECTION ELEVEN HUNDRED NINETY-TWO OF THE VEHICLE AND TRAFFIC LAW, A VIOLATION OF SUBDIVISION FIVE OF SECTION ELEVEN HUNDRED NINETY-TWO OF THE VEHICLE AND TRAFFIC LAW, A VIOLATION OF PARAGRAPH (B) OF SUBDIVISION FOUR OF SECTION FOURTEEN-F OF THE TRANSPORTATION LAW, A VIOLATION OF CLAUSE (B) OF SUBPARAGRAPH (III) OF PARAGRAPH C OF SUBDIVISION TWO OF SECTION ONE HUNDRED FORTY OF THE TRANSPORTATION LAW, A VIOLATION OF SECTION THREE HUNDRED NINETY-SEVEN-A OF THE VEHICLE AND TRAFFIC LAW, A VIOLATION CONSTITUTING A PARKING, STOPPING, STANDING OR PEDESTRIAN OFFENSE, A VIOLATION OF SUBDIVISION (G) OF SECTION ELEVEN HUNDRED EIGHTY OF THE VEHICLE AND TRAFFIC LAW OR ANY MISDEMEANOR OR FELONY.

S 7. Section 371 of the general municipal law is amended by adding a new subdivision 3-a to read as follows:

3-A. A PERSON CHARGED WITH AN INFRACTION WHICH SHALL BE DISPOSED OF BY THE BUFFALO TRAFFIC VIOLATIONS AGENCY MAY BE PERMITTED TO ANSWER, WITHIN A SPECIFIED TIME, AT THE TRAFFIC VIOLATIONS AGENCY EITHER IN PERSON OR BY WRITTEN POWER OF ATTORNEY IN SUCH FORM AS MAY BE PRESCRIBED IN THE ORDINANCE OR LOCAL LAW CREATING THE AGENCY, BY PAYING A PRESCRIBED FINE AND, IN WRITING, WAIVING A HEARING IN COURT, PLEADING GUILTY TO THE CHARGE OR A LESSER CHARGE AGREEABLE TO THE TRAFFIC PROSECUTOR AND THE PERSON CHARGED WITH AN INFRACTION, AND AUTHORIZING THE PERSON IN CHARGE OF THE AGENCY TO ENTER SUCH A PLEA AND ACCEPT PAYMENT OF SAID FINE. ACCEPTANCE OF THE PRESCRIBED FINE AND POWER OF ATTORNEY BY THE AGENCY SHALL BE DEEMED COMPLETE SATISFACTION FOR THE VIOLATION, AND THE VIOLATOR SHALL BE GIVEN A RECEIPT WHICH SO STATES. IF A PERSON CHARGED WITH A TRAFFIC VIOLATION DOES NOT ANSWER AS HEREINBEFORE PRESCRIBED, WITHIN A DESIGNATED TIME, THE AGENCY MAY CAUSE A COMPLAINT TO BE ENTERED AGAINST HIM FORTHWITH AND A WARRANT TO BE ISSUED FOR HIS ARREST AND APPEARANCE BEFORE THE COURT, SUCH SUMMONS TO BE PREDICATED UPON THE PERSONAL SERVICE OF SAID SUMMONS UPON THE PERSON CHARGED WITH THE INFRACTION. ANY PERSON WHO SHALL HAVE BEEN, WITHIN THE PRECEDING TWELVE MONTHS, GUILTY OF THREE OR MORE VIOLATIONS, SHALL NOT BE PERMITTED TO APPEAR AND ANSWER TO A SUBSEQUENT VIOLATION AT THE AGENCY, BUT MUST APPEAR IN COURT AT A TIME SPECIFIED BY THE AGENCY. SUCH AGENCY SHALL NOT BE AUTHORIZED TO

DEPRIVE A PERSON OF HIS RIGHT TO COUNSEL OR TO PREVENT HIM FROM EXERCISING HIS RIGHT TO APPEAR IN COURT TO ANSWER TO, EXPLAIN, OR DEFEND ANY CHARGE OF A VIOLATION OF ANY TRAFFIC LAW, ORDINANCE, RULE OR REGULATION.

S 8. Section 371 of the general municipal law is amended by adding a new subdivision 4-a to read as follows:

4-A. NOTWITHSTANDING ANY INCONSISTENT PROVISION OF LAW, FINES, PENALTIES AND FORFEITURES COLLECTED BY THE BUFFALO TRAFFIC VIOLATIONS AGENCY SHALL BE DISTRIBUTED AS PROVIDED IN SECTION EIGHTEEN HUNDRED THREE OF THE VEHICLE AND TRAFFIC LAW. ALL FINES, PENALTIES AND FORFEITURES FOR VIOLATIONS ADJUDICATED BY THE BUFFALO TRAFFIC VIOLATIONS AGENCY PURSUANT TO SUBDIVISION TWO-A OF THIS SECTION EXCEPT AS PROVIDED IN SUBDIVISION THREE OF SECTION NINETY-NINE-A OF THE STATE FINANCE LAW, SHALL BE PAID BY SUCH AGENCY TO THE STATE COMPTROLLER WITHIN THE FIRST TEN DAYS OF THE MONTH FOLLOWING COLLECTION. EACH SUCH PAYMENT SHALL BE ACCOMPANIED BY A TRUE AND COMPLETE REPORT IN SUCH FORM AND DETAIL AS THE COMPTROLLER SHALL PRESCRIBE.

S 9. The general municipal law is amended by adding a new section 374-a to read as follows:

S 374-A. TRAFFIC PROSECUTOR SELECTION AND OVERSIGHT. (A) THE EXECUTIVE DIRECTOR OF THE BUFFALO TRAFFIC VIOLATIONS AGENCY, APPOINTED PURSUANT TO SUBDIVISION (B) OF THIS SECTION, SHALL SELECT AND MAY CONTRACT WITH OR HIRE ONE OR MORE PERSONS WHO ARE ATTORNEYS, DULY ADMITTED TO THE PRACTICE OF LAW IN NEW YORK STATE FOR THE PROSECUTION OF ANY TRAFFIC INFRACTION, EXCEPT THOSE DESCRIBED IN PARAGRAPHS (A), (B), (C), (D), (E), (F) AND (G) OF SUBDIVISION TWO-A OF SECTION THREE HUNDRED SEVENTY-ONE OF THIS ARTICLE, TO BE HEARD, TRIED OR OTHERWISE DISPOSED OF BY THE BUFFALO CITY COURT. SUCH PERSONS SHALL BE KNOWN AS "TRAFFIC PROSECUTORS", AS THAT TERM IS DEFINED IN SECTION THREE HUNDRED SEVENTY-A OF THIS ARTICLE. TRAFFIC PROSECUTORS SHALL HAVE THE SAME POWER AS A DISTRICT ATTORNEY WOULD OTHERWISE HAVE IN THE PROSECUTION OF ANY TRAFFIC INFRACTION WHICH MAY, PURSUANT TO THE JURISDICTIONAL PROVISIONS OF SECTION THREE HUNDRED SEVENTY-ONE OF THIS ARTICLE, BE PROSECUTED BEFORE THE BUFFALO CITY COURT IF THE TRAFFIC VIOLATION OCCURRED IN THE CITY OF BUFFALO. THE EXECUTIVE DIRECTOR SHALL GIVE ACTIVE CONSIDERATION TO REQUIRING THAT SUCH TRAFFIC PROSECUTORS SERVE ON A FULL-TIME BASIS. TRAFFIC PROSECUTORS ARE PROHIBITED FROM APPEARING IN ANY CAPACITY OTHER THAN AS A TRAFFIC PROSECUTOR IN ANY PART OF THE BUFFALO CITY COURT ON ANY MATTER RELATING TO TRAFFIC VIOLATIONS AND ARE FURTHER PROHIBITED FROM APPEARING IN ANY CAPACITY OTHER THAN AS A TRAFFIC PROSECUTOR IN ANY OTHER COURT OR ADMINISTRATIVE TRIBUNAL ON ANY MATTER RELATING TO TRAFFIC VIOLATIONS.

(B) THE MAYOR OF THE CITY OF BUFFALO SHALL APPOINT A PERSON TO SERVE AS THE EXECUTIVE DIRECTOR OF THE BUFFALO TRAFFIC VIOLATIONS AGENCY SUBJECT TO THE CONFIRMATION OF THE COMMON COUNCIL OF THE CITY OF BUFFALO. THE EXECUTIVE DIRECTOR SHALL BE RESPONSIBLE FOR THE OVERSIGHT AND ADMINISTRATION OF THE AGENCY. THE EXECUTIVE DIRECTOR IS PROHIBITED FROM APPEARING IN ANY CAPACITY IN ANY PART OF THE BUFFALO CITY COURT ON ANY MATTER RELATING TO TRAFFIC VIOLATIONS AND IS FURTHER PROHIBITED FROM APPEARING IN ANY CAPACITY IN ANY OTHER COURT OR ADMINISTRATIVE TRIBUNAL ON ANY MATTER RELATING TO TRAFFIC VIOLATIONS.

(C) IT SHALL BE A MISDEMEANOR FOR THE EXECUTIVE DIRECTOR, ANY TRAFFIC PROSECUTOR OR ANY JUDICIAL HEARING OFFICER ASSIGNED TO HEAR TRAFFIC VIOLATIONS CASES PURSUANT TO SECTION SIXTEEN HUNDRED NINETY OF THE VEHICLE AND TRAFFIC LAW TO ESTABLISH ANY QUOTA OF TRAFFIC VIOLATION CONVICTIONS WHICH MUST BE OBTAINED BY ANY TRAFFIC PROSECUTOR OR JUDICIAL HEARING OFFICER. NOTHING CONTAINED HEREIN SHALL PROHIBIT THE TAKING OF ANY JOB ACTION AGAINST A TRAFFIC PROSECUTOR OR JUDICIAL HEARING OFFICER

FOR FAILURE TO SATISFACTORILY PERFORM SUCH PROSECUTOR'S OR OFFICER'S JOB ASSIGNMENT EXCEPT THAT THE EMPLOYMENT PRODUCTIVITY OF SUCH PROSECUTOR OR OFFICER SHALL NOT BE MEASURED BY THE ATTAINMENT OR NONATTAINMENT OF ANY CONVICTION QUOTA. FOR THE PURPOSES OF THIS SECTION A CONVICTION QUOTA SHALL MEAN A SPECIFIC NUMBER OF CONVICTIONS WHICH MUST BE OBTAINED WITHIN A SPECIFIC TIME PERIOD.

(D) PURSUANT TO ARTICLE 20 OF THE BUFFALO CITY CHARTER, THE CITY OF BUFFALO MAY APPROPRIATE THOSE MONIES WHICH, IN ITS SOLE DISCRETION, ARE NECESSARY FOR THE COMPENSATION OF THOSE PERSONS SELECTED TO SERVE AS EXECUTIVE DIRECTOR AND TRAFFIC PROSECUTORS AND TO COVER ALL OTHER EXPENSES ASSOCIATED WITH THE ADMINISTRATION OF THE BUFFALO TRAFFIC VIOLATIONS AGENCY.

S 10. Subdivision 3 of section 99-a of the state finance law, as amended by chapter 388 of the laws of 2012, is amended to read as follows:

3. The comptroller is hereby authorized to implement alternative procedures, including guidelines in conjunction therewith, relating to the remittance of fines, penalties, forfeitures and other moneys by town and village justice courts, and by the Nassau and Suffolk counties traffic and parking violations agencies, AND BY THE CITY OF BUFFALO TRAFFIC VIOLATIONS AGENCY, to the justice court fund and for the distribution of such moneys by the justice court fund. Notwithstanding any law to the contrary, the alternative procedures utilized may include:

a. electronic funds transfer;

b. remittance of funds by the justice court to the chief fiscal office of the town or village, or, in the case of the Nassau and Suffolk counties traffic and parking violations agencies, to the county treasurer, OR, IN THE CASE OF THE BUFFALO TRAFFIC VIOLATIONS AGENCY, TO THE CITY OF BUFFALO COMPTROLLER, for distribution in accordance with instructions by the comptroller; and/or

c. monthly, rather than quarterly, distribution of funds.

The comptroller may require such reporting and record keeping as he or she deems necessary to ensure the proper distribution of moneys in accordance with applicable laws. A justice court or the Nassau and Suffolk counties traffic and parking violations agencies OR THE CITY OF BUFFALO TRAFFIC VIOLATIONS AGENCY may utilize these procedures only when permitted by the comptroller, and such permission, once given, may subsequently be withdrawn by the comptroller on due notice.

S 11. Paragraph (c) of subdivision 4-a of section 510 of the vehicle and traffic law, as added by section 10 of part J of chapter 62 of the laws of 2003, is amended to read as follows:

(c) Upon receipt of notification from a traffic and parking violations agency OR A TRAFFIC VIOLATIONS AGENCY of the failure of a person to appear within sixty days of the return date or new subsequent adjourned date, pursuant to an appearance ticket charging said person with a violation of:

(i) any of the provisions of this chapter except one for parking, stopping or standing and except those violations described in paragraphs (a), (b), (d), (e) and (f) of subdivision two AND IN PARAGRAPHS (A), (B), (D), (E), (F) AND (G) OF SUBDIVISION TWO-A of section three hundred seventy-one of the general municipal law;

(ii) section five hundred two or subdivision (a) of section eighteen hundred fifteen of the tax law;

(iii) section fourteen-f (except paragraph (b) of subdivision four of section fourteen-f), two hundred eleven or two hundred twelve of the transportation law; or

(iv) any lawful ordinance or regulation made by a local or public authority relating to traffic (except one for parking, stopping or standing) or the failure to pay a fine imposed for such a violation by a traffic and parking violations agency OR A TRAFFIC VIOLATIONS AGENCY, the commissioner or his or her agent may suspend the driver's license or privileges of such person pending receipt of notice from the agency that such person has appeared in response to such appearance ticket or has paid such fine. Such suspension shall take effect no less than thirty days from the day upon which notice thereof is sent by the commissioner to the person whose driver's license or privileges are to be suspended. Any suspension issued pursuant to this paragraph shall be subject to the provisions of paragraph (j-1) of subdivision two of section five hundred three of this chapter.

S 12. Paragraph (b) of subdivision 3 of section 514 of the vehicle and traffic law, as amended by section 11 of part J of chapter 62 of the laws of 2003, is amended to read as follows:

(b) Upon the failure of a person to appear or answer, within sixty days of the return date or any subsequent adjourned date, or the failure to pay a fine imposed by a traffic and parking violations agency OR A TRAFFIC VIOLATIONS AGENCY pursuant to a summons charging him or her with a violation of:

(1) any of the provisions of this chapter except one for parking, stopping or standing and except those violations described in paragraphs (a), (b), (d), (e) and (f) of subdivision two AND IN PARAGRAPHS (A), (B), (D), (E), (F) AND (G) OF SUBDIVISION TWO-A of section three hundred seventy-one of the general municipal law;

(2) section five hundred two or subdivision (a) of section eighteen hundred fifteen of the tax law;

(3) section fourteen-f (except paragraph (b) of subdivision four of section fourteen-f), two hundred eleven or two hundred twelve of the transportation law; or

(4) any lawful ordinance or regulation made by a local or public authority relating to traffic (except one for parking, stopping or standing);

the clerk thereof shall within ten days certify that fact to the commissioner, in the manner and form prescribed by the commissioner, who shall record the same in his or her office. Thereafter and upon the appearance of any such person in response to such summons or the receipt of the fine by the agency, the traffic and parking violations agency, THE TRAFFIC VIOLATIONS AGENCY or the clerk thereof shall forthwith certify that fact to the commissioner, in the manner and form prescribed by the commissioner; provided, however, no such certification shall be made unless the traffic and parking violations agency OR THE TRAFFIC VIOLATIONS AGENCY has collected the termination of suspension fee required to be paid pursuant to paragraph (j-1) of subdivision two of section five hundred three of this chapter.

S 13. The article heading of article 44-A of the vehicle and traffic law, as amended by chapter 388 of the laws of 2012, is amended to read as follows:

AUTHORITY OF THE NASSAU AND SUFFOLK
COUNTY DISTRICT COURT AND BUFFALO CITY COURT
JUDICIAL HEARING OFFICERS

S 14. The section heading of section 1690 of the vehicle and traffic law, as amended by chapter 388 of the laws of 2012, is amended to read as follows:

Authority of the Nassau county and Suffolk county district court judicial hearing officers AND THE CITY OF BUFFALO JUDICIAL HEARING OFFICERS.

S 15. Section 1690 of the vehicle and traffic law is amended by adding two new subdivisions 1-a and 4-a to read as follows:

1-A. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, WHERE THE TRIAL OF A TRAFFIC INFRACTION IS AUTHORIZED OR REQUIRED TO BE TRIED BEFORE THE BUFFALO CITY COURT, AND SUCH TRAFFIC INFRACTION DOES NOT CONSTITUTE A MISDEMEANOR, FELONY, VIOLATION OF SUBDIVISION ONE OF SECTION ELEVEN HUNDRED NINETY-TWO, SUBDIVISION FIVE OF SECTION ELEVEN HUNDRED NINETY-TWO, SECTION THREE HUNDRED NINETY-SEVEN-A, OR SUBDIVISION (G) OF SECTION ELEVEN HUNDRED EIGHTY OF THIS CHAPTER, OR A VIOLATION OF PARAGRAPH (B) OF SUBDIVISION FOUR OF SECTION FOURTEEN-F OR CLAUSE (B) OF SUBPARAGRAPH (III) OF PARAGRAPH C OF SUBDIVISION TWO OF SECTION ONE HUNDRED FORTY OF THE TRANSPORTATION LAW, OR ANY PARKING, STOPPING, STANDING OR PEDESTRIAN OFFENSE, OR ANY OFFENSE THAT IS PART OF THE SAME CRIMINAL TRANSACTION, AS THAT TERM IS DEFINED IN SUBDIVISION TWO OF SECTION 40.10 OF THE CRIMINAL PROCEDURE LAW, AS SUCH A MISDEMEANOR, FELONY, VIOLATION OF SUBDIVISION ONE OF SECTION ELEVEN HUNDRED NINETY-TWO, SUBDIVISION TWO OF SECTION ELEVEN HUNDRED NINETY-TWO, SECTION THREE HUNDRED NINETY-SEVEN-A OR SUBDIVISION (G) OF SECTION ELEVEN HUNDRED EIGHTY OF THIS CHAPTER, OR A VIOLATION OF PARAGRAPH (B) OF SUBDIVISION FOUR OF SECTION FOURTEEN-F OR CLAUSE (B) OF SUBPARAGRAPH (III) OF PARAGRAPH D OF SUBDIVISION TWO OF SECTION ONE HUNDRED FORTY OF THE TRANSPORTATION LAW, OR ANY PARKING, STOPPING, STANDING OR PEDESTRIAN OFFENSE, THE ADMINISTRATIVE JUDGE OF THE EIGHTH JUDICIAL DISTRICT MAY ASSIGN JUDICIAL HEARING OFFICERS TO CONDUCT SUCH A TRIAL. SUCH JUDICIAL HEARING OFFICERS SHALL: (I) BE RESIDENTS OF THE CITY OF BUFFALO; AND (II) BE VILLAGE OR TOWN COURT JUSTICES, CITY COURT JUDGES OR RETIRED JUDGES OR JUSTICES ALL OF WHICH SHALL HAVE AT LEAST TWO YEARS OF EXPERIENCE CONDUCTING TRIALS OF TRAFFIC VIOLATIONS CASES; AND (III) BE ADMITTED TO PRACTICE LAW IN THIS STATE; AND (IV) BE SELECTED FROM A LIST OF RECOMMENDATIONS OF THE MAYOR OF THE CITY OF BUFFALO PROVIDED THAT THE MAYOR SHALL GIVE AT LEAST THREE RECOMMENDATIONS FOR EACH JUDICIAL HEARING OFFICER ASSIGNMENT. WHERE SUCH ASSIGNMENT IS MADE, THE JUDICIAL HEARING OFFICER SHALL ENTERTAIN THE CASE IN THE SAME MANNER AS A COURT AND SHALL:

(A) DETERMINE ALL QUESTIONS OF LAW;

(B) ACT AS THE EXCLUSIVE TRIER OF ALL ISSUES OF FACT;

(C) RENDER A VERDICT;

(D) IMPOSE SENTENCE; OR

(E) DISPOSE OF THE CASE IN ANY MANNER PROVIDED BY LAW.

4-A. JUDICIAL HEARING OFFICERS ARE PROHIBITED FROM APPEARING IN ANY CAPACITY OTHER THAN AS A JUDICIAL HEARING OFFICER IN ANY PART OF BUFFALO CITY COURT ON ANY MATTER RELATING TO TRAFFIC VIOLATIONS AND ARE FURTHER PROHIBITED FROM APPEARING IN ANY CAPACITY OTHER THAN AS A JUDICIAL HEARING OFFICER IN ANY OTHER COURT OR ADMINISTRATIVE TRIBUNAL ON ANY MATTER RELATING TO TRAFFIC VIOLATIONS.

S 16. Subdivision 5 of section 350.20 of the criminal procedure law, as amended by chapter 388 of the laws of 2012, is amended to read as follows:

5. Notwithstanding the provisions of subdivision one of this section, for all proceedings before the district court of Nassau county the administrative judge of Nassau county may, and for all proceedings before the district court of Suffolk county, the administrative judge of Suffolk county may, without the consent of the parties, assign matters involving traffic and parking infractions except those described in

paragraphs (a), (b), (c), (d), (e) and (f) of subdivision two of section three hundred seventy-one of the general municipal law to a judicial hearing officer in accordance with the provisions of section sixteen hundred ninety of the vehicle and traffic law AND FOR ALL PROCEEDINGS BEFORE THE BUFFALO CITY COURT THE ADMINISTRATIVE JUDGE OF THE EIGHTH JUDICIAL DISTRICT MAY, WITHOUT THE CONSENT OF THE PARTIES, ASSIGN MATTERS INVOLVING TRAFFIC INFRACTIONS EXCEPT THOSE DESCRIBED IN PARAGRAPHS (A), (B), (C), (D), (E), (F) AND (G) OF SUBDIVISION TWO-A OF SECTION THREE HUNDRED SEVENTY-ONE OF THE GENERAL MUNICIPAL LAW TO A JUDICIAL HEARING OFFICER IN ACCORDANCE WITH THE PROVISIONS OF SECTION SIXTEEN HUNDRED NINETY OF THE VEHICLE AND TRAFFIC LAW.

S 17. Pending actions and proceedings. (a) No proceeding involving a charge of a traffic infraction pending at such time when an existing administrative tribunal shall cease to exist shall be affected or abated by the passage of this act or by anything herein contained or by the cessation of the existence of any administrative tribunal. All such proceedings are hereby transferred to the court of appropriate jurisdiction in the city where such traffic infractions allegedly occurred.

(b)(i) The agency, department, office, or person charged with the custody of the records of an existing administrative tribunal which is about to cease existing under, or in connection with, this act shall arrange for the transfer of the records of pending proceedings to the court of appropriate jurisdiction to which the proceedings shall be transferred. The presiding judge of such court shall enter an order providing for adequate notice consistent with due process of law to respondents in such pending proceedings regarding the transfer of such proceedings.

(ii) In no event shall any difficulty or delay resulting from the transfer process, not caused by the respondent, increase the penalty required of the respondent appearing before the court due to a transfer of the traffic infraction proceeding or otherwise prejudice such respondent. Respondents before the court due to a transfer of the traffic infraction proceeding from an administrative tribunal to the court that fail to appear shall be permitted at least one adjournment before the penalties and procedures pursuant to subdivision 3 of section 226 of the vehicle and traffic law shall be available. The presiding judge of such court shall enter an order providing for adequate notice consistent with due process of law to respondents, including notice of the penalties and procedures available pursuant to subdivision 3 of section 226 of the vehicle and traffic law.

S 18. The executive director of the Buffalo traffic violations agency shall issue on an annual basis, beginning eighteen months following the creation of the Buffalo traffic violations agency pursuant to city of Buffalo local law, a report detailing the progress, development and operations of the traffic violations agency. The report shall be provided to the governor, the temporary president of the senate, the speaker of the assembly, the mayor of Buffalo, the common council of Buffalo, the presiding judge of the Buffalo city court and the Erie county district attorney.

S 19. This act shall take effect on May 1, 2015; provided, however, that effective immediately the city of Buffalo is authorized to enact a local law establishing a traffic violations agency in the city of Buffalo; provided, however, that the provisions of sections four and five of this act shall take effect on the same date as the enactment of such local law, herein authorized, establishing a traffic violations agency; provided, further, that if established, such agency and the city

of Buffalo shall comply with all the provisions of law set forth in this act; provided, however, that the amendments made to section 371 of the general municipal law, made by sections six, seven and eight of this act, shall not affect the expiration of such section and be deemed to expire therewith; and provided, further, that the city of Buffalo shall notify the legislative bill drafting commission upon the occurrence of the enactment of the local law provided for in this section in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law.

PART DD

Section 1. The transportation law is amended by adding a new article 2-G to read as follows:

ARTICLE 2-G

TEMPORARY ADVISORY BOARD ON UPSTATE TRANSIT FUNDING

SECTION 74-A. TEMPORARY ADVISORY BOARD ON UPSTATE FUNDING.
74-B. ASSISTANCE OF OTHER AGENCIES.

S 74-A. TEMPORARY ADVISORY BOARD ON UPSTATE TRANSIT FUNDING.

1. THERE IS HEREBY CREATED IN THE DEPARTMENT A BOARD, TO BE KNOWN AS THE TEMPORARY ADVISORY BOARD ON UPSTATE TRANSIT FUNDING. SUCH BOARD SHALL STUDY, DEVELOP AND MAKE SPECIFIC RECOMMENDATIONS WITH RESPECT TO SUSTAINABLE STATE FUNDING OPTIONS FOR THE GROWTH AND STABILITY OF THE PUBLIC TRANSPORTATION SYSTEMS OPERATING ASSISTANCE ACCOUNT, HEREINAFTER REFERRED TO AS "PTSOA ACCOUNT," OF THE MASS TRANSPORTATION OPERATING ASSISTANCE FUND. AS PART OF SUCH STUDY, THE BOARD MAY PROVIDE AN OPPORTUNITY FOR PUBLIC COMMENT INCLUDING PUBLIC HEARINGS.

2. SUCH BOARD SHALL CONSIST OF THE COMMISSIONER AND NINE OTHER MEMBERS TO BE APPOINTED BY THE GOVERNOR AS FOLLOWS: TWO UPON THE RECOMMENDATION OF THE TEMPORARY PRESIDENT OF THE SENATE, TWO UPON THE RECOMMENDATION OF THE SPEAKER OF THE ASSEMBLY, ONE UPON THE RECOMMENDATION OF THE MINORITY LEADER OF THE SENATE, ONE UPON THE RECOMMENDATION OF THE MINORITY LEADER OF THE ASSEMBLY, AND THREE WITHOUT RECOMMENDATION FROM ANY OTHER PERSON. OF THE NINE MEMBERS APPOINTED BY THE GOVERNOR, AT LEAST TWO SHALL BE REPRESENTATIVES OF LOCAL GOVERNMENTS RECEIVING PTSOA ACCOUNT FUNDS, AT LEAST TWO SHALL BE REPRESENTATIVES OF PUBLIC TRANSPORTATION AUTHORITIES RECEIVING PTSOA ACCOUNT FUNDS, AT LEAST TWO SHALL BE REPRESENTATIVES OF LABOR UNIONS AFFILIATED WITH PUBLIC TRANSPORTATION SYSTEMS RECEIVING PTSOA ACCOUNT FUNDS, AND AT LEAST TWO SHALL BE REPRESENTATIVES OF RIDERS OF PUBLIC TRANSPORTATION SYSTEMS RECEIVING PTSOA ACCOUNT FUNDS.

3. THE COMMISSIONER SHALL SERVE AS CHAIR OF THE BOARD, AND PERSONNEL OF THE DEPARTMENT SHALL PROVIDE, FROM EXISTING STAFF, SERVICES TO THE BOARD SO THAT IT MAY PERFORM ITS DUTIES.

4. BOARD MEMBERS SHALL BE APPOINTED WITHIN THIRTY DAYS AFTER THE EFFECTIVE DATE OF THIS ARTICLE; PROVIDED, HOWEVER, THAT AFTER THE EXPIRATION OF THE THIRTY DAY PERIOD, THE APPOINTMENT OF A MAJORITY OF THE MEMBERS SHALL CONSTITUTE A QUORUM. BOARD MEMBERS SHALL SERVE WITHOUT COMPENSATION.

5. THE BOARD SHALL PREPARE A REPORT ON OR BEFORE DECEMBER FIRST, TWO THOUSAND FIFTEEN ON ITS FINDINGS AND SPECIFIC RECOMMENDATIONS FOR SUSTAINABLE FUNDING OPTIONS FOR THE GROWTH AND STABILITY OF THE PTSOA ACCOUNT. SUCH REPORT SHALL BE DELIVERED BY SUCH DATE TO THE GOVERNOR, THE TEMPORARY PRESIDENT OF THE SENATE, THE SPEAKER OF THE ASSEMBLY, THE CHAIR OF THE SENATE FINANCE COMMITTEE, THE CHAIR OF THE ASSEMBLY WAYS

AND MEANS COMMITTEE, THE CHAIR OF THE SENATE TRANSPORTATION COMMITTEE, THE CHAIR OF THE ASSEMBLY TRANSPORTATION COMMITTEE AND THE CHAIR OF THE ASSEMBLY CORPORATIONS, AUTHORITIES AND COMMISSIONS COMMITTEE.

S 74-B. ASSISTANCE OF OTHER AGENCIES. TO EFFECTUATE THE PURPOSES OF THIS ARTICLE, THE BOARD MAY REQUEST AND SHALL RECEIVE FROM ANY DEPARTMENT, DIVISION, BOARD, BUREAU, COMMISSION OR OTHER AGENCY OF THE STATE OR ANY STATE PUBLIC AUTHORITY SUCH ASSISTANCE, INFORMATION AND DATA AS WILL ENABLE THE BOARD PROPERLY TO CONDUCT ITS STUDY AND MAKE ITS RECOMMENDATIONS.

S 2. This act shall take effect immediately and shall expire and be deemed repealed on the one hundred twentieth day after the temporary advisory board on upstate transit funding has submitted its completed report as required by section one of this act, provided that the commissioner of transportation of the state of New York shall notify the legislative bill drafting commission upon the occurrence of the submission of the completed report as required by section one of this act in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law.

PART EE

Section 1. Section 363 of the public authorities law, as amended by chapter 766 of the laws of 1992, is amended to read as follows:

S 363. Annual [report] REPORTS AND SPENDING PLAN. 1. The authority shall submit to the governor, to the legislature, to the comptroller and to the director of the budget on or before the first day of February of each year a detailed report setting forth its operations and fiscal transactions during the preceding calendar year with a statement of its financial condition as of the end of such year and a statement of all receipts and expenditures during such year. Such report shall include detailed information relating to additional expenditures incurred by the authority as a result of the amendments made to subdivision four of section three hundred fifty-nine of this [chapter] TITLE pursuant to [the] chapter SEVEN HUNDRED SIXTY-SIX of the laws of nineteen hundred ninety-two [which enacted this sentence].

2. (A) NOTWITHSTANDING THE PROVISIONS OF ANY OTHER LAW, NO FUNDING FROM THE NEW YORK STATE SPECIAL INFRASTRUCTURE ACCOUNT SHALL BE RELEASED TO THE NEW YORK STATE THRUWAY AUTHORITY UNLESS:

(I) A SPENDING PLAN IS SUBMITTED TO THE DIRECTOR OF THE BUDGET, THE CHAIR OF THE SENATE FINANCE COMMITTEE AND THE CHAIR OF THE ASSEMBLY WAYS AND MEANS COMMITTEE. SUCH A PLAN SHALL INCLUDE:

(1) AN EXPENDITURE PLAN FOR ALL FUNDS BEING APPROPRIATED TO THE NEW YORK STATE THRUWAY AUTHORITY FROM THE NEW YORK STATE SPECIAL INFRASTRUCTURE ACCOUNT WHICH SHALL, AT A MINIMUM, PROVIDE A DETAILED DESCRIPTION OF THE PROJECTS THAT WILL BE FUNDED INCLUDING, FOR EACH SUCH PROJECT: A DESCRIPTION OF THE WORK TO BE COMPLETED; A PROJECT IDENTIFICATION NUMBER; THE LOCATION OF THE PROJECT; THE ENGINEERING, ADMINISTRATION AND CONSTRUCTION COSTS OF THE PROJECT; THE AMOUNT OF FUNDING TO BE RECEIVED BY THE PROJECT FROM THE SPECIAL INFRASTRUCTURE ACCOUNT; THE ESTIMATED TOTAL COST OF THE PROJECT; AND THE ESTIMATED START AND COMPLETION DATES OF THE PROJECT; AND

(2) A FINANCING REPORT FOR THE NEW NY BRIDGE INCLUDING THE SOURCES OF FUNDING AS WELL AS THE SOURCES OF REVENUE TO BE USED TO MAKE DEBT SERVICE PAYMENTS FOR SUCH BRIDGE. FOR THE PURPOSES OF THIS SECTION, THE

TERM "NEW NY BRIDGE" SHALL MEAN THE BRIDGE THAT, WHEN COMPLETED, WILL CARRY THE THRUWAY OVER THE HUDSON RIVER BETWEEN WESTCHESTER AND ROCKLAND COUNTIES AND REPLACE THE BRIDGE KNOWN AS "THE GOVERNOR MALCOLM WILSON TAPPAN ZEE BRIDGE" AS DEFINED BY SECTION THREE HUNDRED FIFTY-SIX OF THIS TITLE; AND

(II) NONE OF THE FOLLOWING HAS NOTIFIED THE AUTHORITY IN WRITING OF THEIR DISAPPROVAL WITHIN A FIFTEEN DAY PERIOD AFTER RECEIVING THE SPENDING PLAN REQUIRED BY SUBDIVISION (A) OF THIS SECTION: THE DIRECTOR OF THE BUDGET, THE CHAIR OF THE SENATE FINANCE COMMITTEE, OR THE CHAIR OF THE ASSEMBLY WAYS AND MEANS COMMITTEE.

(B) IF THE PLAN REQUIRED PURSUANT TO SUBDIVISION (A) OF THIS SECTION IS NOT APPROVED, THE AUTHORITY MAY THEREAFTER REFORMULATE AND RESUBMIT SUCH PLAN AT ANY TIME. FOLLOWING SUCH RESUBMISSION, NO FUNDING SHALL BE RELEASED FROM THE NEW YORK STATE SPECIAL INFRASTRUCTURE ACCOUNT TO THE NEW YORK STATE THRUWAY AUTHORITY UNLESS NONE OF THE FOLLOWING HAS NOTIFIED THE AUTHORITY IN WRITING OF THEIR DISAPPROVAL OF THE RESUBMITTED PLAN WITHIN A FIFTEEN DAY PERIOD: THE DIRECTOR OF THE BUDGET, THE CHAIR OF THE SENATE FINANCE COMMITTEE, OR THE CHAIR OF THE ASSEMBLY WAYS AND MEANS COMMITTEE.

(C) IN ADDITION, THE AUTHORITY SHALL ANNUALLY PROVIDE, ON OR BEFORE APRIL FIFTEENTH OF EACH YEAR, A REPORT DETAILING THE AMOUNT OF NEW YORK STATE SPECIAL INFRASTRUCTURE ACCOUNT FUNDING USED FOR EACH PROJECT DETAILED IN THE SPENDING PLAN IN THE PREVIOUS CALENDAR YEAR, THE TOTAL AMOUNT OF NEW YORK STATE SPECIAL INFRASTRUCTURE ACCOUNT FUNDING SPENT ON EACH PROJECT UP TO THE END OF THE PREVIOUS CALENDAR YEAR, AND THE STATUS OF EACH PROJECT IN THE PLAN, INCLUDING ANY CHANGES IN TOTAL COST ESTIMATES AND START AND COMPLETION DATES.

S 2. This act shall take effect immediately.

PART FF

Section 1. Legislative intent and findings. The Legislature hereby finds that there are significant environmental and public health costs associated with the burning of number six and number four heating oil in buildings throughout the City of New York. These costs are borne by all New Yorkers through the need to comply with federal air regulations and public health programs to treat respiratory illnesses, including asthma. In 2010, the City of New York passed Local Law 43, requiring that buildings cease burning number six heating oil by 2015 and transition to number 2 heating oil, gas, steam or a cleaner alternative by 2030. As of 2014, there were more than 4,000 buildings citywide burning number six heating oil or number four heating oil. The Legislature finds that a steady source of funding will help to accelerate conversions throughout the city and improve air quality.

S 2. The public authorities law is amended by adding a new section 1899-b to read as follows:

S 1899-B. MULTI-FAMILY EMISSIONS REDUCTION PROGRAM. 1. DEFINITIONS. AS USED IN THIS ACT, THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:

(A) "APPLICANT" MEANS A PERSON WHO OWNS A MULTI-FAMILY STRUCTURE AND WHO HAS THE AUTHORITY TO CONTRACT FOR FINANCING FOR AN ELIGIBLE PROJECT UNDER THIS SECTION.

(B) "AUTHORITY" SHALL MEAN THE NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY.

(C) "DISTRIBUTION UTILITY" MEANS CONSOLIDATED EDISON OR NIAGARA MOHAWK D/B/A NATIONAL GRID.

(D) "DISTRICT ENERGY SYSTEM" SHALL MEAN FACILITIES FURNISHED, INSTALLED AND MAINTAINED BY A DISTRICT ENERGY CUSTOMER REQUIRED FOR THE UTILIZATION OF DISTRICT SERVICE INCLUDING, BUT NOT LIMITED TO, SERVICE STOP VALVES, METER STOP VALVES, PRIMARY AND SECONDARY SERVICE PRESSURE REDUCING VALVES, METER SUPPORTS AND ALL PIPING BETWEEN THE POINT OF SERVICE TERMINATION AND THE CUSTOMER'S UTILIZATION EQUIPMENT, AND ANY OTHER IMPROVEMENT TO A HEATING SYSTEM THAT SATISFIES THE CRITERIA SET FORTH IN THIS SECTION.

(E) "ELIGIBLE PROJECT" SHALL MEAN A HEATING SYSTEM CONVERSION TO BE PERFORMED IN ACCORDANCE WITH GUIDELINES ESTABLISHED BY THE AUTHORITY FOR THE MULTI-FAMILY EMISSIONS REDUCTION PROGRAM PURSUANT TO THIS SECTION.

(F) "MULTI-FAMILY STRUCTURE" OR "STRUCTURE" SHALL MEAN A RESIDENTIAL BUILDING WITH FIVE OR MORE UNITS LOCATED WITHIN THE CITY OF NEW YORK.

(G) "MULTI-FAMILY EMISSIONS REDUCTION PROGRAM" OR "PROGRAM" SHALL MEAN A PROGRAM ADMINISTERED BY THE AUTHORITY TO PROVIDE LOW-INTEREST LOANS TO OWNERS OF MULTI-FAMILY STRUCTURES WITH LESS EFFICIENT HEATING SYSTEMS FOR THE COMPLETION OF ELIGIBLE PROJECTS.

(H) "LESS EFFICIENT HEATING SYSTEM" SHALL MEAN A SYSTEM THAT GENERATES HEAT, HOT AIR, HOT WATER OR STEAM BY THE COMBUSTION OF NUMBER SIX HEATING OIL OR NUMBER FOUR HEATING OIL AND DISTRIBUTES SUCH HEAT WITHIN A MULTI-FAMILY STRUCTURE.

(I) "HEATING SYSTEM CONVERSION" SHALL MEAN A CONVERSION OF A LESS EFFICIENT HEATING SYSTEM TO A HEATING SYSTEM UTILIZING NUMBER TWO FUEL OIL, GAS OR TO A DISTRICT ENERGY SYSTEM THAT MEETS THE REQUIREMENTS OF LOCAL LAW 43 OF 2010. A HEATING SYSTEM CONVERSION, WHETHER COMPLETED UNDER THE PROGRAM OR OTHERWISE, SHALL NOT BE CONSIDERED A MAJOR CAPITAL IMPROVEMENT PURSUANT TO SUBPARAGRAPH (G) OF PARAGRAPH ONE OF SUBDIVISION G OF SECTION 26-405 OF THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK, SUBPARAGRAPH (K) OF PARAGRAPH ONE OF SUBDIVISION G OF SECTION 26-405 OF THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK, PARAGRAPH SIX OF SUBDIVISION C OF SECTION 26-511 OF THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK, PARAGRAPH THREE OF SUBDIVISION D OF SECTION SIX OF SECTION FOUR OF CHAPTER FIVE HUNDRED SEVENTY-SIX OF THE LAWS OF NINETEEN HUNDRED SEVENTY-FOUR, AND THE SECOND UNDESIGNATED PARAGRAPH OF PARAGRAPH (A) OF SUBDIVISION FOUR OF SECTION FOUR OF CHAPTER TWO HUNDRED SEVENTY-FOUR OF THE LAWS OF NINETEEN HUNDRED FORTY-SIX.

2. PROGRAM IMPLEMENTATION. IMMEDIATELY FOLLOWING THE EFFECTIVE DATE OF THIS SECTION, THE AUTHORITY SHALL ESTABLISH A MULTI-FAMILY EMISSIONS REDUCTION PROGRAM. THE PROGRAM SHALL INCLUDE:

(A) A REVOLVING LOAN FUND TO PROVIDE INTEREST-FREE LOANS, PAID TO QUALIFIED APPLICANTS, TO OFFSET THE COSTS OF AN ELIGIBLE PROJECT.

(B) A TIERED PREFERENCE SYSTEM TO PRIORITIZE THE ISSUANCE OF LOANS TO APPLICANTS WHO OWN A MULTI-FAMILY STRUCTURE WITH A LESS EFFICIENT HEATING SYSTEM WHICH (I) HAS THE POTENTIAL TO EMIT THE HIGHEST LEVELS OF SULFUR DIOXIDE, NITROGEN OXIDE, PARTICULATE MATTER THAT IS TWO AND ONE-HALF MICRONS IN WIDTH (COMMONLY REFERRED TO AS PM 2.5 EMISSIONS) AND CARBON DIOXIDE AND (II) IS LOCATED IN A LOW INCOME CENSUS TRACT.

(C) SELECTION OF CONTRACTORS BY THE AUTHORITY WHICH WOULD BE RESPONSIBLE FOR PERFORMING ELIGIBLE PROJECTS;

(D) OUTREACH TO BUILDING OWNERS WITH LESS EFFICIENT HEATING SYSTEMS; AND

(E) APPLICATION PROCEDURES.

3. MULTI-FAMILY EMISSIONS REDUCTION REVOLVING LOAN FUND. (A) THERE IS HEREBY CREATED A MULTI-FAMILY EMISSIONS REDUCTION REVOLVING LOAN FUND. THE REVOLVING LOAN FUND SHALL CONSIST OF:

(I) ALL MONIES MADE AVAILABLE, AT A MINIMUM OF FIFTEEN MILLION DOLLARS OF AUTHORITY RESOURCES, FOR THE PURPOSE OF THE REVOLVING LOAN FUND PURSUANT TO THIS SECTION;

(II) PAYMENTS OF PRINCIPAL, INCLUDING ANY LATE PAYMENT CHARGES, MADE PURSUANT TO LOAN OR FINANCING AGREEMENTS ENTERED INTO WITH THE AUTHORITY OR ITS DESIGNEE PURSUANT TO THIS SECTION;

(III) ANY INTEREST EARNED BY THE INVESTMENT OF MONIES IN THE REVOLVING LOAN FUND.

(B) THE AUTHORITY SHALL NOT COMMINGLE REVOLVING LOAN FUND MONIES OR EXPEND SUCH MONIES, EXCEPT IN ACCORDANCE WITH THE REQUIREMENTS OF THIS SECTION.

(C) THE REVOLVING LOAN FUND SHALL BE MAINTAINED TO PROVIDE LOANS TO FINANCE THE COST OF ELIGIBLE PROJECTS FOR MULTI-FAMILY STRUCTURES WITH LESS EFFICIENT HEATING SYSTEMS.

(D) LOANS MADE BY THE AUTHORITY PURSUANT TO THIS SECTION SHALL BE SUBJECT TO THE FOLLOWING LIMITATIONS:

(I) LOANS SHALL NOT EXCEED ONE HUNDRED SEVENTY-FIVE THOUSAND DOLLARS OR EIGHTY PERCENT OF THE COSTS OF AN ELIGIBLE PROJECT, WHICHEVER IS THE LESSER;

(II) NO FEES OR PENALTIES SHALL BE CHARGED OR COLLECTED FOR PREPAYMENT OF ANY SUCH LOAN; AND

(III) ALL LOANS SHALL BE INTEREST-FREE.

(E) PAYMENT SHALL BE MADE TO ELIGIBLE APPLICANTS UPON CERTIFICATION BY THE AUTHORITY THAT COMPLETION OF THE HEATING SYSTEM CONVERSION MEETS THE REQUIREMENTS OF THIS SECTION.

4. TIERED PREFERENCE SYSTEM. (A) IMMEDIATELY FOLLOWING THE EFFECTIVE DATE OF THIS ACT, THE NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION ("DEPARTMENT OF ENVIRONMENTAL PROTECTION") SHALL PRODUCE A COMPREHENSIVE DATABASE OF MULTI-FAMILY STRUCTURES WHICH AS OF THE EFFECTIVE DATE OF THIS SECTION OPERATE LESS EFFICIENT HEATING SYSTEMS. THE DATABASE SHALL INCLUDE: (I) MULTI-FAMILY STRUCTURE ADDRESS, (II) OWNER ADDRESS; (III) THE TYPE; (IV) CAPACITY; AND INFORMATION CONCERNING THE EMISSION CAPABILITY OF EACH LESS EFFICIENT HEATING SYSTEM; AND (V) ANY OTHER INFORMATION DEEMED NECESSARY BY THE AUTHORITY.

(B) THE DEPARTMENT OF ENVIRONMENTAL PROTECTION SHALL SUBMIT THIS LIST TO AND COORDINATE WITH THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION TO ASSIGN EACH LESS EFFICIENT HEATING SYSTEM A RATING BASED ON ITS POTENTIAL TO EMIT THE FOLLOWING: (I) PM 2.5; (II) SULFUR DIOXIDE; (III) NITROGEN OXIDE AND (IV) CARBON DIOXIDE.

(C) AFTER COMPLETION OF THE RATING SYSTEM REQUIRED PURSUANT TO THIS PARAGRAPH, THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND DEPARTMENT OF ENVIRONMENTAL CONSERVATION SHALL SUBMIT THEIR EMISSION RATING DATA COLLECTED TO THE AUTHORITY NO LATER THAN NINETY DAYS FOLLOWING THE EFFECTIVE DATE OF THIS SECTION.

(D) THE AUTHORITY SHALL OVERLAY THE EMISSION RATING DATA COLLECTED PURSUANT TO PARAGRAPH (B) OF THIS SUBDIVISION WITH THE MOST RECENT DATA PROVIDED BY THE UNITED STATES BUREAU OF CENSUS' AMERICAN COMMUNITY SURVEY INDICATING MEDIAN HOUSEHOLD INCOME BY CENSUS TRACT.

(E) THE TIERED PREFERENCE SYSTEM CREATED UNDER THIS SUBDIVISION SHALL RANK HEATING SYSTEM CONVERSIONS IN THE FOLLOWING MANNER: FROM HIGHEST TO LOWEST BASED ON EMISSION RATING DATA, PROVIDED THAT, IF THERE ARE TWO OR MORE STRUCTURES WITH IDENTICAL POTENTIAL EMISSION RATINGS, THE STRUCTURE OR STRUCTURES LOCATED IN THE CENSUS TRACTS WITH THE LOWEST MEDIAN HOUSEHOLD INCOME SHALL BE RANKED HIGHER.

(F) THE AUTHORITY SHALL UPDATE ITS DATABASE ON AN ANNUAL BASIS AS TO REFLECT COMPLETED ELIGIBLE PROJECTS.

5. SELECTION OF CONTRACTORS. (A) IMMEDIATELY FOLLOWING THE EFFECTIVE DATE OF THIS SECTION, THE AUTHORITY SHALL ISSUE A PROGRAM OPPORTUNITY NOTICE TO SELECT ELIGIBLE CONTRACTORS TO PERFORM HEATING SYSTEM CONVERSIONS IN THE MULTI-FAMILY REDUCTION PROGRAM.

(B) THE AUTHORITY SHALL ESTABLISH GUIDELINES FOR THE SELECTION OF ELIGIBLE CONTRACTORS REQUIRED PURSUANT TO PARAGRAPH (A) OF THIS SUBDIVISION, PROVIDED THAT (I) THE AUTHORITY SHALL REQUIRE CONTRACTORS TO HAVE A RECORD OF MAINTAINING HARMONIOUS LABOR RELATIONS AND A COMMITMENT TO WORKING WITH MINORITY- AND WOMEN-OWNED BUSINESSES THROUGH JOINT VENTURES OR SUBCONTRACTOR RELATIONSHIPS; (II) THE AUTHORITY SHALL REQUIRE CONTRACTORS TO HAVE EXISTING APPRENTICESHIP AGREEMENTS APPROPRIATE FOR THE TYPE AND SCOPE OF WORK TO BE PERFORMED THAT HAVE BEEN REGISTERED WITH AND APPROVED BY THE COMMISSIONER OF THE DEPARTMENT OF LABOR, AND THAT HAVE BEEN IN SUCCESSFUL OPERATION FOR A PERIOD OF NOT LESS THAN THREE YEARS; (III) THE AUTHORITY SHALL ESTABLISH A PRICE RANGE FOR THE HEATING SYSTEM CONVERSIONS TO BE PUBLISHED IN THE PROGRAM OPPORTUNITY NOTICE; AND (IV) CONTRACTORS MUST AGREE TO CHARGE BUILDING OWNERS A PRICE WITHIN SUCH RANGE FOR HEATING SYSTEM CONVERSIONS.

(C) THE AUTHORITY SHALL SELECT A MINIMUM OF THIRTY CONTRACTORS TO PERFORM ELIGIBLE CONVERSIONS, PROVIDED THAT (I) NO LESS THAN FIVE CONTRACTORS SHALL BE QUALIFIED TO PERFORM CONVERSIONS TO DISTRICT ENERGY SYSTEMS AND (II) NO LESS THAN FIVE CONTRACTORS SHALL BE QUALIFIED TO PERFORM CONVERSIONS TO GAS.

(D) NO LATER THAN NINETY DAYS IMMEDIATELY FOLLOWING ISSUANCE OF THE PROGRAM OPPORTUNITY NOTICE REQUIRED PURSUANT TO PARAGRAPH (A) OF THIS SUBDIVISION, THE AUTHORITY SHALL FINALIZE ITS SELECTION OF CONTRACTORS, PROVIDED THAT, IF AFTER FINALIZATION, A CONTRACTOR DEEMED ELIGIBLE TO PERFORM WORK UNDER THE MULTI-FAMILY PROGRAM SHALL OPT OUT OF THE PROGRAM, THE AUTHORITY SHALL SELECT FROM AMONG THE RESPONSES A CONTRACTOR IT DEEMS COMPETENT TO PERFORM THE WORK REQUIRED UNDER THIS SECTION.

(E) THE AUTHORITY SHALL MAINTAIN ON ITS WEBSITE THE LIST OF ITS ELIGIBLE CONTRACTORS UNDER THE MULTI-FAMILY EMISSIONS REDUCTION PROGRAM. SUCH LIST SHALL INCLUDE THE NAME, ADDRESS AND CONTACT INFORMATION FOR EACH CONTRACTOR'S BUSINESS.

6. PROGRAM RULES. IMMEDIATELY FOLLOWING THE EFFECTIVE DATE OF THIS SECTION, THE AUTHORITY SHALL DEVELOP MULTI-FAMILY EMISSIONS REDUCTION PROGRAM GUIDELINES, WHICH SHALL INCLUDE:

(A) A STANDARDIZED JOINT APPLICATION TO BE COMPLETED BY OWNERS OF MULTI-FAMILY STRUCTURES WITH LESS EFFICIENT HEATING SYSTEMS AND ELIGIBLE CONTRACTORS WHICH SHALL REQUIRE: (I) A DESCRIPTION OF THE PROPOSED HEATING SYSTEM CONVERSION AGREED UPON BETWEEN THE OWNER OF A MULTI-FAMILY STRUCTURE WITH A LESS EFFICIENT HEATING SYSTEM AND THE ELIGIBLE CONTRACTOR; (II) A PLAN FOR THE DECOMMISSIONING OF THE LESS EFFICIENT HEATING SYSTEM; (III) SUBMISSION OF ANY FINANCIAL AGREEMENT BETWEEN THE OWNER OF THE MULTI-FAMILY STRUCTURE WITH THE LESS EFFICIENT HEATING SYSTEM AND THE ELIGIBLE CONTRACTOR; (IV) IN THE CASE OF A CONVERSION TO NATURAL GAS OR A DISTRICT ENERGY SYSTEM, VERIFICATION BY THE DISTRIBUTION UTILITY WHICH WOULD FURNISH GAS OR STEAM TO SUCH STRUCTURE, THAT SUCH DISTRIBUTION UTILITY WILL ACCOMMODATE THE CONVERSION; AND (V) ANY OTHER INFORMATION THE AUTHORITY SHALL DEEM NECESSARY FOR DETERMINING POTENTIAL ELIGIBLE PROJECTS;

(B) SELECTION CRITERIA WHICH SHALL PRIORITIZE THE AWARD OF LOANS TO OWNERS OF MULTI-FAMILY STRUCTURES WITH LESS EFFICIENT HEATING SYSTEMS WHO HAVE SUBMITTED COMPLETED APPLICATIONS, PROVIDED THAT SUCH CRITERIA SHALL PRIORITIZE PROJECTS IN CONFORMITY WITH THE TIERED PREFERENCE SYSTEM DESCRIBED IN PARAGRAPH (E) OF SUBDIVISION FOUR OF THIS SECTION;

(C) CRITERIA FOR CERTIFYING WORK WHICH MAY PROVIDE FOR POST-INSTALLATION SITE VISITS BY AUTHORITY PERSONNEL TO VERIFY THAT A HEATING SYSTEM CONVERSION MEETS STANDARDS ESTABLISHED UNDER THIS ACT;

(D) A STANDARDIZED PROCEDURE FOR AWARDING LOANS FOR ELIGIBLE PROJECTS, PROVIDED THAT LOANS AWARDED THROUGH THE MULTI-FAMILY EMISSIONS REDUCTION PROGRAM SHALL SUPPLEMENT AND NOT SUPPLANT TARIFF FUNDS COMMITTED TO GAS CONVERSION PROJECTS BY A DISTRIBUTION UTILITY.

7. OUTREACH. (A) IMMEDIATELY FOLLOWING THE SELECTION OF CONTRACTORS PURSUANT TO SUBDIVISION FIVE OF THIS SECTION, THE AUTHORITY SHALL COMMENCE OUTREACH TO OWNERS OF MULTI-FAMILY STRUCTURES WITH LESS EFFICIENT HEATING SYSTEMS AS DEFINED IN SUBDIVISION TWO OF THIS SECTION;

(B) IN FULFILLING THE REQUIREMENTS PURSUANT TO PARAGRAPH (A) OF THIS SUBDIVISION, THE AUTHORITY SHALL MAIL TO EACH OWNER OF A MULTI-FAMILY STRUCTURE WITH A LESS EFFICIENT HEATING SYSTEM A WRITTEN COMMUNICATION, DETAILING THE MULTI-FAMILY EMISSIONS REDUCTION PROGRAM AND THE PROCESS FOR APPLYING FOR FINANCIAL ASSISTANCE UNDER SUCH PROGRAM;

(C) THE COMMUNICATION REQUIRED PURSUANT TO PARAGRAPH (B) OF THIS SUBDIVISION SHALL INCLUDE: (I) DIRECTIONS FOR OBTAINING A PROGRAM APPLICATION; (II) A DESCRIPTION OF HEATING SYSTEM CONVERSIONS THAT COULD QUALIFY AS AN ELIGIBLE PROJECT; (III) THE WEBSITE ADDRESS LISTING ELIGIBLE CONTRACTORS REQUIRED PURSUANT TO PARAGRAPH (E) OF SUBDIVISION FIVE OF THIS ACT; (IV) ALL RELEVANT APPLICATION DEADLINES NECESSARY TO ENSURE TIMELY CONSIDERATION OF HEATING SYSTEM CONVERSIONS AS ELIGIBLE PROJECTS; AND (V) ANY OTHER INFORMATION DEEMED NECESSARY BY THE AUTHORITY.

8. AWARD SOLICITATIONS. (A) THE AUTHORITY SHALL ESTABLISH AN ANNUAL DEADLINE FOR APPLICATIONS FOR LOANS UNDER THE MULTI-FAMILY EMISSIONS REDUCTION PROGRAM.

(B) NO LATER THAN NINETY DAYS FOLLOWING THE CLOSING OF THE ANNUAL DEADLINE PROVIDED FOR PURSUANT TO PARAGRAPH (A) OF THIS SUBDIVISION, THE AUTHORITY SHALL CONTACT OWNERS OF MULTI-FAMILY STRUCTURES WITH LESS EFFICIENT HEATING SYSTEMS AND THE RESPECTIVE CONTRACTOR WHO HAVE SUBMITTED A COMPLETED APPLICATION WHICH IS DETERMINED BY THE AUTHORITY TO BE AN ELIGIBLE PROJECT TO INFORM THE PARTIES THAT THE HEATING SYSTEM CONVERSION CAN COMMENCE.

S 3. Report required. No later than December 31, 2016 and annually thereafter, the authority shall submit a report to the governor, the temporary president of the senate, the speaker of the assembly, the chair of the senate committee on energy and telecommunications and the chair of the assembly committee on energy describing the status of the multi-family emissions reduction program. Such report shall include: (i) the number of applicants in the previous year; (ii) the total amount of loans issued for eligible projects; (iii) the amount of money expended under the program; (iv) the number of less efficient boilers remaining; and (v) the balance of the revolving loan fund.

S 4. This act shall take effect immediately.

PART GG

Section 1. 1. No later than six months after the effective date of this act, the New York state energy research and development authority ("NYSERDA") shall develop standards and/or criteria that will encourage and increase participation of and issuance of loans to low-to-moderate income households statewide for qualified energy efficiency services under the green jobs - green New York program. For purposes of this section, "low-to-moderate income households" shall be defined as house-

holds with an income less than or equal to eighty percent of the area median income.

2. Immediately following the effective date of this act, NYSERDA shall create a working group to develop standards required pursuant to subdivision one of this section. NYSERDA shall consult with and solicit information and recommendations from such working group as to how to increase financing eligibility for low-to-moderate income households seeking qualified energy efficiency services, including, but not limited to, services described in paragraph (n) of subdivision 12 of section 1891 of the public authorities law. NYSERDA shall report the results of such consultations and solicitations to the governor, the senate majority leader and the speaker of the assembly no later than six months following the effective date of this act.

3. The working group established pursuant to subdivision two of this section shall include, but not be limited to constituency-based organizations, as such term is defined in subdivision 3 of section 1891 of the public authorities law and organizations advocating for the interests of low-to-moderate income residents.

4. NYSERDA shall continue the green jobs - green New York program as it existed prior to January 1, 2015 while and until the requirements of the provisions of subdivisions 1 and 2 of this section have been satisfied.

S 2. This act shall take effect immediately.

S 2. Severability clause. If any clause, sentence, paragraph, subdivision, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

S 3. This act shall take effect immediately provided, however, that the applicable effective date of Parts A through GG of this act shall be as specifically set forth in the last section of such Parts.