STATE OF NEW YORK

S. 2008--C A. 3008--C

SENATE - ASSEMBLY

January 23, 2017

IN SENATE -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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

AN ACT to amend 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 disposition of revenues (Part A); to amend the vehicle and traffic law, in relation to divisible load permits (Part B); intentionally omitted (Part C); to amend the vehicle and traffic law, in relation to compliance with new federal regulations (Part D); to amend the vehicle and traffic law, in relation to reciprocal agreements concerning suspension or revocation of registration of a motor vehicle for violations of toll collection regulations (Part E); intentionally omitted (Part F); intentionally omitted (Part G); to amend the vehicle and traffic law, in relation to the waiver of non-driver identification card fees for crime victims (Part H); to amend the vehicle and traffic law, in relation to the reinstatement fee for non-residents (Part I); intentionally omitted (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

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

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corporation to make loans, in relation to the effectiveness thereof (Part N); intentionally omitted (Part O); intentionally omitted (Part P); 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 Q); intentionally omitted (Part R); to amend the real property law, in relation to streamlining the licensing process for real estate professionals (Part S); to amend the environmental conservation law and the executive law, in relation to local waterfront revitalization (Part T); intentionally omitted (Part U); authorizing utility and cable television assessments to provide funds to the department of health from cable television assessment revenues and to the departments of agriculture and markets, environmental conservation, office of parks, recreation and historic preservation, and state from utility assessment revenues; and providing for the repeal of such provisions upon expiration thereof (Part V); 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 the effectiveness of such authorization (Part W); intentionally omitted (Part X); intentionally omitted (Part Y); intentionally omitted (Part Z); intentionally omitted (Part AA); intentionally omitted (Part BB); intentionally omitted (Part CC); intentionally omitted (Part DD); intentionally omitted (Part EE); to amend the real property actions and proceedings law and the civil practice law and rules, in relation to reverse mortgages (Part FF); intentionally omitted (Part GG); to amend the navigation law, in relation to establishing the New York environmental protection and spill remediation account (Part HH); intentionally omitted (Part II); to amend the state finance law and the environmental conservation law, in relation to environmental protection fund deposits and transfers; and to amend part F of chapter 58 of the laws of 2013 amending the environmental conservation law and the state finance law relating to the "Cleaner, Greener NY Act of 2013", in relation to extending the effectiveness thereof (Part JJ); intentionally omitted (Part KK); to amend the public authorities law and the public officers law, in relation to the sharing of employees, services and resources by the power authority of the state of New York, canal corporation and department of transportation (Part LL); to authorize the energy research and development authority to finance a portion of its research, development and demonstration, policy and planning, and Fuel NY programs, as well as the department of environmental conservation's climate change program and the department of agriculture and markets' Fuel NY program, from an assessment on gas and electric corporations (Part MM); to amend chapter 495 of the laws of 2004 amending the insurance law and the public health law relating to the New York state health insurance continuation assistance demonstration project, in relation to the effectiveness thereof (Part NN); to amend the agriculture and markets law, in relation to increasing the number of sites authorized for the growing or cultivating of industrial hemp as part of agricultural pilot programs (Part OO); to amend the public authorities law, in relation to the definition of transportation purpose (Part PP); to amend subpart H of part C of chapter 20 of the laws of 2015, appropriating money for certain municipal corporations and school districts, in relation to funding to local government entities

from the urban development corporation (Part QQ); establishing the Indian Point closure task force and providing for the repeal of such provisions upon expiration thereof (Part RR); to amend the environmental conservation law, in relation to pesticide registration time frames and fees; and to amend chapter 67 of the laws of 1992, amending the environmental conservation law relating to pesticide product registration timetables and fees, in relation to the effectiveness thereof (Part SS); to amend the New York state urban development corporation act, in relation to the life sciences initiatives program (Part TT); and to amend the environmental conservation law, in relation to retrofit technology for diesel-fueled vehicles (Part UU)

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 2017-2018 state fiscal year. Each component is wholly contained within a Part identified as Parts A through UU. 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 A of chapter 58 of the laws of 2015, is amended to read as follows:

§ 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, 2020; [~~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, 2020.

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

PART B

Section 1. The sixth undesignated paragraph of paragraph (f) of subdivision 15 of section 385 of the vehicle and traffic law, as amended by section 4 of part C of chapter 59 of the laws of 2004, is amended to read as follows:

Until June thirtieth, nineteen hundred ninety-four, no more than sixteen thousand power units shall be issued annual permits by the department for any twelve-month period in accordance with this para-

graph. After June thirtieth, nineteen hundred ninety-four, no more than sixteen thousand five hundred power units shall be issued annual permits by the department for any twelve-month period. After December thirty-first, nineteen hundred ninety-five, no more than seventeen thousand power units shall be issued annual permits by the department for any twelve-month period. After December thirty-first, two thousand three, no more than twenty-one thousand power units shall be issued annual permits by the department for any twelve-month period. After December thirty-first, two thousand five, no more than twenty-two thousand power units shall be issued annual permits by the department for any twelve-month period. After December thirty-first, two thousand six, no more than twenty-three thousand power units shall be issued annual permits by the department for any twelve-month period. After December thirty-first, two thousand seven, no more than twenty-four thousand power units shall be issued annual permits by the department for any twelve-month period. After December thirty-first, two thousand eight, no more than twenty-five thousand power units shall be issued annual permits by the department for any twelve-month period. **After December thirty-first, two thousand sixteen, no more than twenty-seven thousand power units shall be issued annual permits by the department for any twelve-month period.**

§ 2. This act shall take effect immediately.

PART C

Intentionally Omitted

PART D

Section 1. Intentionally omitted.

§ 2. Subparagraphs 5 and 6 of paragraph (b) of subdivision 4 of section 385 of the vehicle and traffic law, subparagraph 5 as amended by chapter 669 of the laws of 2005, and subparagraph 6 as amended by chapter 26 of the laws of 2002, are amended and a new subparagraph 7 is added to read as follows:

5. A vehicle or combination of vehicles which is disabled and unable to proceed under its own power and is being towed for a distance not in excess of ten miles for the purpose of repairs or removal from the highway, except that the distance to the nearest exit of a controlled-access highway shall not be considered in determining such ten mile distance; [~~and~~]

6. Stinger-steered automobile transporters or stinger-steered boat transporters, while operating on qualifying and access highways. [~~Such vehicles~~] **Stinger-steered boat transporters** shall not, however, exceed seventy-five feet exclusive of an overhang of not more than three feet on the front and four feet on the rear of the vehicle[~~.~~] **and stinger-steered automobile transporters shall not exceed eighty feet exclusive of an overhang of not more than four feet on the front and six feet on the rear of the vehicle; and**

7. A combination of vehicles operating on any qualifying or access highways consisting of a power unit and two trailers or semitrailers with a total weight that shall not exceed twenty-six thousand pounds when the overall length is greater than sixty-five feet but shall not exceed eighty-two feet in which the trailers or semitrailers carry no property and constitute inventory property of a manufacturer, distributor, or dealer of such trailers or semitrailers.

§ 3. Paragraph (c) of subdivision 4 of section 385 of the vehicle and traffic law, as amended by chapter 26 of the laws of 2002, is amended to read as follows:

(c) Notwithstanding the provisions of paragraph (a) of this subdivision, an overhang of not more than three feet on the front and four feet on the rear of an automobile transporter or **an overhang of not more than four feet on the front and six feet on the rear of a** stinger-steered automobile transporter or **an overhang of not more than three feet on the front and four feet on the rear of** a boat transporter or stinger-steered boat transporter shall be permitted.

§ 4. Subdivision 10 of section 385 of the vehicle and traffic law, as amended by chapter 1008 of the laws of 1983, is amended to read as follows:

10. A single vehicle or a combination of vehicles having three axles or more and equipped with pneumatic tires, when loaded, may have a total weight on all axles not to exceed thirty-four thousand pounds, plus one thousand pounds for each foot and major fraction of a foot of the distance from the center of the foremost axle to the center of the rearmost axle. Axles to be counted as provided in subdivision five of this section. In no case, however, shall the total weight exceed eighty thousand pounds **except for a vehicle if operated by an engine fueled primarily by natural gas which may have a maximum gross weight of up to eighty-two thousand pounds**. For any vehicle or combination of vehicles having a total gross weight less than seventy-one thousand pounds, the higher of the following shall apply:

(a) the total weight on all axles shall not exceed thirty-four thousand pounds plus one thousand pounds for each foot and major fraction of a foot of the distance from the center of the foremost axle to the center of the rearmost axle, or

(b) the overall gross weight on a group of two or more consecutive axles shall not exceed the weight produced by application of the following formula:

$$W = 500 ((LxN)/(N-1) + (12xN)+36)$$

where W equals overall gross weight on any group of two or more consecutive axles to the nearest five hundred pounds, L equals distance in feet from the center of the foremost axle to the center of the rearmost axle of any group of two or more consecutive axles, and N equals number of axles in group under consideration, except that two consecutive sets of tandem axles may carry a gross load of thirty-four thousand pounds each providing the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six feet or more.

For any vehicle or combination of vehicles having a total gross weight of seventy-one thousand pounds or greater, paragraph (b) shall apply to determine maximum gross weight which is permitted hereunder.

§ 5. Section 385 of the vehicle and traffic law is amended by adding a new subdivision 24 to read as follows:

24. The provisions of subdivisions six, seven, eight, nine, ten, eleven and twelve of this section shall not apply to any tow truck that is transporting a disabled vehicle from the place where such vehicle became disabled to the nearest appropriate repair facility and has a gross vehicle weight that is equal to or exceeds the gross vehicle weight of the disabled vehicle being transported.

§ 6. Intentionally omitted.

§ 7. This act shall take effect immediately.

PART E

Section 1. The vehicle and traffic law is amended by adding a new section 518 to read as follows:

§ 518. Reciprocal agreements concerning suspension or revocation of registration of a motor vehicle for violations of toll collection regulations. a. The commissioner may execute a reciprocal compact or agreement regarding toll collection violations with the motor vehicle administrator or other authorized official of another state not inconsistent with the provisions of this chapter. Such compact or agreement shall provide that if a registration of a motor vehicle would be suspended or revoked pursuant to paragraph d of subdivision three of section five hundred ten of this chapter, or pursuant to a comparable law or regulation of another state, because a registrant of such motor vehicle failed to pay tolls and related fees, or have such tolls or fees dismissed or transferred, then the state issuing the registration shall likewise suspend or revoke the registration or bar renewal of such registration, until such registrant has paid such tolls and fees or complied with the rules and regulations of the tolling authority that imposed such tolls and fees. Such compact or agreement shall also provide that no such action by a state against a motor vehicle registration shall be taken pursuant to such compact or agreement unless the tolling authority in the other state provides notice, due process, an opportunity to be heard and appeal protections for registrants of motor vehicles, and allows motor vehicle registrants in this state to present evidence by mail, telephone, electronic means or other means to invoke rights of due process without having to appear personally in the jurisdiction where the violations occurred.

b. Such compact or agreement shall also provide such terms and procedures as are necessary and proper to facilitate its administration. Any such compact or agreement shall specify the violations subject to the compact or agreement, and shall include a determination of comparable violations in each state if any such violations are of a substantially similar nature but are not denominated or described in precisely the same words in each party state.

c. The word "state" when used in this section shall mean any state, territory, a possession of the United States, the District of Columbia or any province of Canada.

§ 2. (a) The commissioner of motor vehicles shall, in consultation with the thruway authority, the triborough bridge and tunnel authority, the port authority of New York and New Jersey, and every other public authority which operates a toll highway, bridge and/or tunnel facility in the state of New York, submit a report to the governor, the temporary president of the senate, the speaker of the assembly, the chairs of the senate and assembly transportation committees, and the chairs of the senate and assembly corporations, authorities and commissions committee on reciprocal compacts and agreements entered into pursuant to section 518 of the vehicle and traffic law. Such report shall identify each state with which the commissioner has entered such a reciprocal compact or agreement. Such report shall also include, but not be limited to, the following information:

I. The total number of registration suspensions requested, on a quarterly basis, by other states for registrants of the state of New York, and the total number of registration suspensions requested and imposed, on a quarterly basis, by the state of New York for non-New York registrants;

II. The number of releases of New York state registrants for toll violations in other states;

III. The total number of active registration suspensions, on a quarterly basis, on registrants of the state of New York by other states, and the total number of registration suspensions, on a quarterly basis, on non-residents by the state of New York;

IV. The number of suspensions requested due to tolls and related fees imposed by each tolling authority;

V. The total number of hearings requested, the total number of hearings sustained and the total number not sustained; and,

VI. For each tolling authority within the state of New York, the total amount of tolls, and the total amount of related fees, both imposed upon and collected from non-residents.

(b) For purposes of this section, the term "state" shall have the same meaning as such term is defined in subdivision c of section 518 of the vehicle and traffic law.

§ 3. This act shall take effect immediately.

PART F

Intentionally Omitted

PART G

Intentionally Omitted

PART H

Section 1. Section 491 of the vehicle and traffic law is amended by adding a new subdivision 3 to read as follows:

3. Waiver of fee. The commissioner may waive the payment of fees required by subdivision two of this section if the applicant is a victim of a crime and the identification card applied for is a replacement for one that was lost or destroyed as a result of the crime.

§ 2. This act shall take effect on the one hundred twentieth day after it shall have become a law.

PART I

Section 1. Paragraph (i) of subdivision 2 of section 503 of the vehicle and traffic law, as amended by chapter 55 of the laws of 1992, is amended to read as follows:

(i) A non-resident whose driving privileges have been revoked pursuant to sections five hundred ten, eleven hundred ninety-three and eleven hundred ninety-four of this chapter shall, upon application for reinstatement of such driving privileges, pay to the commissioner of motor vehicles a fee of [~~twenty-five~~] **one hundred** dollars. **When the basis for the revocation is a finding of driving after having consumed alcohol pursuant to the provisions of section eleven hundred ninety-two-a of this chapter, the fee to be paid to the commissioner shall be one hundred dollars.** Such fee is not refundable and shall not be returned to the applicant regardless of the action the commissioner may take on such person's application for reinstatement of such driving privileges.

§ 2. This act shall take effect on the one hundred twentieth day after it shall have become a law.

PART J

Intentionally Omitted

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 F of chapter 58 of the laws of 2016, 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, [~~2017~~] **2018**.

§ 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after July 1, 2017.

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 G of chapter 58 of the laws of 2016, is amended to read as follows:

§ 2. This act shall take effect immediately provided, however, that section one of this act shall expire on July 1, [~~2017~~] **2018**, 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.

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

PART O

Intentionally Omitted

PART P

Intentionally Omitted

PART Q

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 M of chapter 58 of the laws of 2016, is amended to read as follows:

§ 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, [~~2017~~] **2018**.

§ 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after March 31, 2017.

PART R

Intentionally Omitted

PART S

Section 1. Subdivision 1 of section 441-b of the real property law, as amended by chapter 324 of the laws of 1998, is amended to read as follows:

1. The fee for a license issued or reissued under the provisions of this article entitling a person, co-partnership, limited liability company or corporation to act as a real estate broker shall be [~~one hundred fifty~~] **one hundred fifty-five** dollars. The fee for a license issued or reissued under the provisions of this article entitling a person to act as a real estate salesman shall be [~~fifty~~] **fifty-five** dollars. Notwithstanding the provisions of subdivision seven of section four hundred forty-one-a of this article, after January first, nineteen hundred eighty-six, the secretary of state shall assign staggered expiration dates for outstanding licenses that have been previously renewed on October thirty-first of each year from the assigned date unless renewed. If the assigned date results in a term that exceeds twenty-four months, the applicant shall pay an additional prorated adjustment together with the regular renewal fee. The secretary of state shall assign dates to existing licenses in a manner which shall result in a term of not less than two years.

§ 2. This act shall take effect immediately.

PART T

Section 1. Subdivision 2 of section 54-1101 of the environmental conservation law, as amended by section 4 of part U of chapter 58 of the laws of 2016, is amended to read as follows:

2. State assistance payments and/or technical assistance, as defined in section nine hundred seventeen of the executive law, shall not exceed [~~fifty~~] **seventy-five** percent of the cost of the program **provided, however, in environmental justice communities, such assistance payments and/or technical assistance shall not exceed eighty-five percent of the cost of the program**. For the purpose of determining the amount of state assistance payments, costs shall not be more than the amount set forth in the application for state assistance payments approved by the secretary. The state assistance payments shall be paid on audit and warrant of the state comptroller on a certificate of availability of the director of the budget.

§ 2. The opening paragraph and paragraph a of subdivision 1 of section 918 of the executive law, as added by chapter 840 of the laws of 1981, are amended to read as follows:

The secretary may enter into a contract or contracts for grants **or payments** to be made, within the limits of any appropriations therefor, for the following:

a. To any local governments, or to two or more local governments, for projects approved by the secretary which lead to preparation of a waterfront revitalization program; provided, however, that such grants **or payments** shall not exceed [~~**fifty**~~] **seventy-five** percent of the approved cost of such projects **provided, however, in environmental justice communities, such assistance payments and/or technical assistance shall not exceed eighty-five percent of the cost of the program**;

§ 3. This act shall take effect immediately.

PART U

Intentionally Omitted

PART V

Section 1. Expenditures of moneys appropriated in a chapter of the laws of 2017 to the department of agriculture and markets from the special revenue funds-other/state operations, miscellaneous special revenue fund-339, public service account shall be subject to the provisions of this section. Notwithstanding any other provision of law to the contrary, direct and indirect expenses relating to the department of agriculture and markets' participation in general ratemaking proceedings pursuant to section 65 of the public service law or certification proceedings pursuant to article 7 or 10 of the public service law, shall be deemed expenses of the department of public service within the meaning of section 18-a of the public service law. No later than August 15, 2018, the commissioner of the department of agriculture and markets shall submit an accounting of such expenses, including, but not limited to, expenses in the 2017 -- 2018 fiscal year for personal and non-personal services and fringe benefits, to the chair of the public service commission for the chair's review pursuant to the provisions of section 18-a of the public service law.

§ 2. Expenditures of moneys appropriated in a chapter of the laws of 2017 to the department of state from the special revenue funds-other/state operations, miscellaneous special revenue fund-339, public service account shall be subject to the provisions of this section. Notwithstanding any other provision of law to the contrary, direct and indirect expenses relating to the activities of the department of state's utility intervention unit pursuant to subdivision 4 of section 94-a of the executive law, including, but not limited to participation in general ratemaking proceedings pursuant to section 65 of the public service law or certification proceedings pursuant to article 7 or 10 of the public service law, shall be deemed expenses of the department of public service within the meaning of section 18-a of the public service law. No later than August 15, 2018, the secretary of state shall submit an accounting of such expenses, including, but not limited to, expenses in the 2017 -- 2018 fiscal year for personal and non-personal services and fringe benefits, to the chair of the public service commission for the chair's review pursuant to the provisions of section 18-a of the public service law.

§ 3. Expenditures of moneys appropriated in a chapter of the laws of 2017 to the office of parks, recreation and historic preservation from the special revenue funds-other/state operations, miscellaneous special revenue fund-339, public service account shall be subject to the provisions of this section. Notwithstanding any other provision of law to the contrary, direct and indirect expenses relating to the office of

parks, recreation and historic preservation's participation in general ratemaking proceedings pursuant to section 65 of the public service law or certification proceedings pursuant to article 7 or 10 of the public service law, shall be deemed expenses of the department of public service within the meaning of section 18-a of the public service law. No later than August 15, 2018, the commissioner of the office of parks, recreation and historic preservation shall submit an accounting of such expenses, including, but not limited to, expenses in the 2017 -- 2018 fiscal year for personal and non-personal services and fringe benefits, to the chair of the public service commission for the chair's review pursuant to the provisions of section 18-a of the public service law.

§ 4. Expenditures of moneys appropriated in a chapter of the laws of 2017 to the department of environmental conservation from the special revenue funds-other/state operations, environmental conservation special revenue fund-301, utility environmental regulation account shall be subject to the provisions of this section. Notwithstanding any other provision of law to the contrary, direct and indirect expenses relating to the department of environmental conservation's participation in state energy policy proceedings, or certification proceedings pursuant to article 7 or 10 of the public service law, shall be deemed expenses of the department of public service within the meaning of section 18-a of the public service law. No later than August 15, 2018, the commissioner of the department of environmental conservation shall submit an accounting of such expenses, including, but not limited to, expenses in the 2017 -- 2018 fiscal year for personal and non-personal services and fringe benefits, to the chair of the public service commission for the chair's review pursuant to the provisions of section 18-a of the public service law.

§ 5. 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. No later than August 15, 2018, the commissioner of the department of health shall submit an accounting of expenses in the 2017 -- 2018 fiscal year to the chair of the public service commission for the chair's review pursuant to the provisions of section 217 of the public service law.

§ 6. Any expense deemed to be expenses of the department of public service pursuant to sections one through four of this act shall not be recovered through assessments imposed upon telephone corporations as defined in subdivision 17 of section 2 of the public service law.

§ 7. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2017 and shall be deemed repealed April 1, 2018.

PART W

Section 1. Section 2 of Part BB of 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, as amended by section 1 of part S of chapter 58 of the laws of 2015, is amended to read as follows:

§ 2. This act shall take effect immediately and shall expire and be deemed repealed April 1, [~~2017~~] **2019**.

§ 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.

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

PART X

Intentionally Omitted

PART Y

Intentionally Omitted

PART Z

Intentionally Omitted

PART AA

Intentionally Omitted

PART BB

Intentionally Omitted

PART CC

Intentionally Omitted

PART DD

Intentionally Omitted

PART EE

Intentionally Omitted

PART FF

Section 1. Paragraph (b) of subdivision 6 of section 1304 of the real property actions and proceedings law, as amended by section 7 of part Q of chapter 73 of the laws of 2016, is amended to read as follows:

(b) **(1)** "Home loan" means a home loan, including an open-end credit plan, [~~other than a reverse mortgage transaction,~~] in which:

(i) The principal amount of the loan at origination did not exceed the conforming loan size that was in existence at the time of origination for a comparable dwelling as established by the **federal housing administration or** federal national mortgage association;

(ii) The borrower is a natural person;

(iii) The debt is incurred by the borrower primarily for personal, family, or household purposes;

(iv) The loan is secured by a mortgage or deed of trust on real estate upon which there is located or there is to be located a structure or structures intended principally for occupancy of from one to four families which is or will be occupied by the borrower as the borrower's principal dwelling; and

(v) The property is located in this state.

(2) A home loan shall include a loan secured by a reverse mortgage that meets the requirements of clauses (i) through (v) of subparagraph one of this paragraph.

§ 2. Subdivision (a) of rule 3408 of the civil practice law and rules, as amended by section 2 of part Q of chapter 73 of the laws of 2016, is amended to read as follows:

(a) [~~In~~] **1. Except as provided in paragraph two of this subdivision, in** any residential foreclosure action involving a home loan as such term is defined in section thirteen hundred four of the real property actions and proceedings law, in which the defendant is a resident of the property subject to foreclosure, plaintiff shall file proof of service within twenty days of such service, however service is made, and the court shall hold a mandatory conference within sixty days after the date when proof of service upon such defendant is filed with the county clerk, or on such adjourned date as has been agreed to by the parties, for the purpose of holding settlement discussions pertaining to the relative rights and obligations of the parties under the mortgage loan documents, including, but not limited to: [~~1.~~] **(i)** determining whether the parties can reach a mutually agreeable resolution to help the defendant avoid losing his or her home, and evaluating the potential for a resolution in which payment schedules or amounts may be modified or other workout options may be agreed to, including, but not limited to, a loan modification, short sale, deed in lieu of foreclosure, or any other loss mitigation option; or [~~2.~~] **(ii)** whatever other purposes the court deems appropriate.

2. (i) Paragraph one of this subdivision shall not apply to a home loan secured by a reverse mortgage where the default was triggered by the death of the last surviving borrower unless:

(A) the last surviving borrower's spouse, if any, is a resident of the property subject to foreclosure; or

(B) the last surviving borrower's successor in interest, who, by bequest or through intestacy, owns, or has a claim to the ownership of the property subject to foreclosure, and who was a resident of such property at the time of the death of such last surviving borrower.

(ii) The superintendent of financial services may promulgate such rules and regulations as he or she shall deem necessary to implement the provisions of this paragraph.

§ 3. This act shall take effect immediately; provided, however, that:

(a) the amendments to paragraph (b) of subdivision 6 of section 1304 of the real property actions and proceedings law, made by section one of

this act, shall take effect on the same date and in the same manner as section 7 of part Q of chapter 73 of the laws of 2016 takes effect; and

(b) the amendments to subdivision (a) of rule 3408 of the civil practice law and rules, made by section two of this act, shall be subject to the expiration and reversion of such subdivision pursuant to subdivision e of section 25 of chapter 507 of the laws of 2009, as amended.

PART GG

Intentionally Omitted

PART HH

Section 1. Paragraph (a) of subdivision 2 of section 179 of the navigation law, as amended by section 2 of part X of chapter 58 of the laws of 2015, is amended to read as follows:

(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 **except as provided in section one hundred seventy-nine-a 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, 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.

§ 2. The navigation law is amended by adding a new section 179-a to read as follows:

§ 179-a. New York environmental protection and spill remediation account. 1. There is hereby created an account within the miscellaneous capital projects fund, the New York environmental protection and spill remediation account. The New York environmental protection and spill remediation account shall consist of license fees received by the state pursuant to section one hundred seventy-four of this article, in an amount equal to expenditures made from this account.

2. These moneys, after appropriation by the legislature, and within the amounts set forth and for the several purposes specified, shall be available to reimburse the department of environmental conservation for expenditures associated with the purposes of costs incurred under this article, including cleanup and removal of petroleum spills, and other capital, investigation, maintenance and remediation costs.

3. All payments made from the New York environmental protection and spill remediation account shall be made by the administrator upon certification by the commissioner.

4. Spending pursuant to this section shall be included in the annual report required by section one hundred ninety-six of this article.

§ 3. Subdivision 3 of section 176 of the navigation law, as added by chapter 845 of the laws of 1977, is amended to read as follows:

3. Any unexplained discharge of petroleum within state jurisdiction or discharge of petroleum occurring in waters beyond state jurisdiction that for any reason penetrates within state jurisdiction shall be removed by or under the direction of the department. Except for those expenses incurred by the party causing such discharge, any expenses incurred in the removal of discharges shall be paid promptly from the

New York environmental protection and spill compensation fund pursuant to [~~section~~] **sections** one hundred and eighty-six **and one hundred seventy-nine-a** of this article and any reimbursements due such fund shall be collected in accordance with the provisions of section one hundred and eighty-seven of this article.

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

PART II

Intentionally Omitted

PART JJ

Section 1. Paragraph (a) of subdivision 6 of section 92-s of the state finance law, as amended by chapter 432 of the laws of 1997, is amended to read as follows:

(a) All moneys heretofore and hereafter deposited in the environmental protection transfer account shall be transferred by the comptroller to the solid waste account, the parks, recreation and historic preservation account**, the climate change mitigation and adaptation account** or the open space account upon the request of the director of the budget.

§ 2. Subdivision 5 of section 27-1012 of the environmental conservation law, as amended by section 6 of part F of chapter 58 of the laws of 2013, is amended to read as follows:

5. All [~~monies~~] **moneys** collected or received by the department of taxation and finance pursuant to this title shall be deposited to the credit of the comptroller with such responsible banks, banking houses or trust companies as may be designated by the comptroller. Such deposits shall be kept separate and apart from all other moneys in the possession of the comptroller. The comptroller shall require adequate security from all such depositories. Of the total revenue collected, the comptroller shall retain the amount determined by the commissioner of taxation and finance to be necessary for refunds out of which the comptroller must pay any refunds to which a deposit initiator may be entitled. After reserving the amount to pay refunds, the comptroller must, by the tenth day of each month, pay into the state treasury to the credit of the general fund the revenue deposited under this subdivision during the preceding calendar month and remaining to the comptroller's credit on the last day of that preceding month; provided, however, that, beginning April first, two thousand thirteen, **nineteen million dollars,** and all fiscal years thereafter, [~~fifteen~~] **twenty-three** million dollars plus all funds received from the payments due each fiscal year pursuant to subdivision four of this section in excess of **the greater of** the amount received from April first, two thousand twelve through March thirty-first, two thousand thirteen **or one hundred twenty-two million two hundred thousand dollars**, shall be deposited to the credit of the environmental protection fund established pursuant to section ninety-two-s of the state finance law.

§ 2-a. Subdivision 3 of section 92-s of the state finance law, as amended by section 11 of part F of chapter 58 of the laws of 2013, is amended to read as follows:

3. Such fund shall consist of the amount of revenue collected within the state from the amount of revenue, interest and penalties deposited pursuant to section fourteen hundred twenty-one of the tax law, the amount of fees and penalties received from easements or leases pursuant

to subdivision fourteen of section seventy-five of the public lands law and the money received as annual service charges pursuant to section four hundred [~~four-l~~] four-n of the vehicle and traffic law, all moneys required to be deposited therein from the contingency reserve fund pursuant to section two hundred ninety-four of chapter fifty-seven of the laws of nineteen hundred ninety-three, all moneys required to be deposited pursuant to section thirteen of chapter six hundred ten of the laws of nineteen hundred ninety-three, repayments of loans made pursuant to section 54-0511 of the environmental conservation law, all moneys to be deposited from the Northville settlement pursuant to section one hundred twenty-four of chapter three hundred nine of the laws of nineteen hundred ninety-six, provided however, that such moneys shall only be used for the cost of the purchase of private lands in the core area of the central Suffolk pine barrens pursuant to a consent order with the Northville industries signed on October thirteenth, nineteen hundred ninety-four and the related resource restoration and replacement plan, the amount of penalties required to be deposited therein by section 71-2724 of the environmental conservation law, all moneys required to be deposited pursuant to article thirty-three of the environmental conservation law, all fees collected pursuant to subdivision eight of section 70-0117 of the environmental conservation law, all moneys collected pursuant to title thirty-three of article fifteen of the environmental conservation law, beginning with the fiscal year commencing on April first, two thousand thirteen, nineteen million dollars, and all fiscal years thereafter, [~~fifteen~~] twenty-three million dollars plus all funds received by the state each fiscal year in excess of the greater of the amount received from April first, two thousand twelve through March thirty-first, two thousand thirteen or one hundred twenty-two million two hundred thousand dollars, from the payments collected pursuant to subdivision four of section 27-1012 of the environmental conservation law and all funds collected pursuant to section 27-1015 of the environmental conservation law, provided such funds shall not be less than four million dollars for the fiscal year commencing April first, two thousand thirteen, and not less than eight million dollars for all fiscal years thereafter and all other moneys credited or transferred thereto from any other fund or source pursuant to law. All such revenue shall be initially deposited into the environmental protection fund, for application as provided in subdivision five of this section.

§ 2-b. Section 12 of part F of chapter 58 of the laws of 2013 amending the environmental conservation law and the state finance law relating to the "Cleaner, Greener NY Act of 2013", as amended by section 1 of part DD of chapter 58 of the laws of 2015, is amended to read as follows:

§ 12. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2013; provided, however, that the amendments to subdivision 5-a of section 27-1015 of the environmental conservation law, as added by section nine of this act, shall expire and be deemed repealed on April 1, [~~2017~~] 2019.

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

PART KK

Intentionally Omitted

PART LL

Section 1. The public authorities law is amended by adding a new section 1005-d to read as follows:

§ 1005-d. Sharing employees, services and resources; indemnity and defense. 1. For the purposes of this section, the following words and terms shall have the following meanings unless the context indicates another meaning or intent:

(a) "Department" means the department of transportation.

2. A shared services agreement may be executed between the department and the authority, canal corporation, or both of them, only for an emergency situation or extreme weather conditions, to share employees, services or resources as deemed appropriate including, but not limited to, for the performance of work and activities by the department on the facilities and property under the jurisdiction of the authority or canal corporation, and for the performance of work and activities by the authority or canal corporation on the facilities and property under the jurisdiction of the department. Such agreement or any project undertaken pursuant to such an agreement shall not be deemed to impair the rights of bondholders and may provide for, but not be limited to, the management, supervision and direction of such employees' performance of such services. Such agreement shall provide that the term shall not be longer than ten days. All shared employees shall remain employees of their respective employers and all applicable collectively bargained agreements shall remain in effect for the entire length of the shared services agreement. Further, such shared services agreement shall not amend, repeal or replace the terms of any agreement that is collectively negotiated between an employer and an employee organization, including an agreement or interest arbitration award made pursuant to article fourteen of the civil service law.

3. The authority shall defend any unit, entity, officer or employee of the department, using the forces of the department of law pursuant to subdivision eleven of this section in any action, proceeding, claim, demand or the prosecution of any appeal arising from or occasioned by the acts or omissions to act in the performance of the functions of the authority or canal corporation pursuant to a shared services agreement.

4. Defense pursuant to subdivision three of this section shall be conditioned upon the full cooperation of the department.

5. The authority shall indemnify and hold harmless any unit, entity, officer or employee of the department in the amount of any judgment obtained against the department or in the amount of any settlement the department enters into with the consent of the authority for any and all claims, damages or liabilities arising from or occasioned by the acts or omissions to act of the authority or canal corporation pursuant to a shared services agreement; provided, however, that the act or omission from which such judgment or settlement arose occurred while the authority or canal corporation was acting within the scope of its functions pursuant to a shared services agreement. No such settlement of any such action, proceeding, claim or demand shall be made without the approval of the authority's board of trustees or its designee.

6. Any claim or proceeding commenced against any unit, entity, officer or employee of the authority or canal corporation that arises pursuant to any shared services agreement shall not be construed in any way to impair, alter, limit, modify, abrogate or restrict any immunity available to or conferred upon any unit, entity, officer or employee of the authority or canal corporation, or to impair, alter, limit, modify, abrogate or restrict any right to defense and indemnification provided for any governmental officer or employee by, in accordance with, or by

reason of, any other provision of state or federal statutory or common law.

7. (a) The state shall defend any unit, entity, officer or employee of the authority and canal corporation using the forces of the department of law in any action, proceeding, claim, demand or the prosecution of any appeal arising from or occasioned by the acts or omissions to act in the performance of the functions of the department pursuant to a shared services agreement.

(b) Defense pursuant to paragraph (a) of this subdivision shall be conditioned upon the full cooperation of the authority and canal corporation.

(c) The state shall indemnify and hold harmless any unit, entity, officer or employee of the authority or canal corporation in the amount of any judgment obtained against the authority or canal corporation in the amount of any settlement the authority or canal corporation enters into with the consent of the state for any and all claims, damages or liabilities arising from or occasioned by the acts or omissions to act on behalf of the department pursuant to a shared services agreement, provided, however, that the act or omission from which such judgment or settlement arose occurred while the department was acting within the scope of its functions pursuant to a shared services agreement. Any such settlement shall be executed pursuant to section twenty-a of the court of claims act.

(d) Any claim or proceeding commenced against any unit, entity, officer or employee of the department pursuant to any shared services agreement shall not be construed in any way to impair, alter, limit, modify, abrogate or restrict any immunity available to or conferred upon any unit, entity, officer or employee of the department, or to impair, alter, limit, modify, abrogate or restrict any right to defense and indemnification provided for any governmental officer or employee by, in accordance with, or by reason of, any other provision of state or federal statutory or common law.

(e) Any payment made pursuant to this subdivision or any monies paid for a claim against or settlement with the department, authority or canal corporation pursuant to this subdivision and pursuant to a shared services agreement shall be paid from appropriations for payment by the state pursuant to the court of claims act.

8. This section shall not in any way affect the obligation of any claimant to give notice to the state, authority, or canal corporation under section ten and section eleven of the court of claims act or any other provision of law provided, however, that notice served upon the state, authority, or canal corporation who is a party to the shared services agreement shall be valid notice on all parties to the agreement, when such claim arises out of such shared services agreement. The state, authority and canal corporation shall notify each other when they receive a notice of claim, notice of intention to make a claim or a claim arising out of such agreement.

9. The provisions of this section shall not be construed to impair, alter, limit or modify the rights and obligations of any insurer under any insurance agreement.

10. Notwithstanding any other provision of law, when employed pursuant to a shared services agreement, employees of the authority, canal corporation and department shall be deemed employees of all such entities and the state for purposes of the workers' compensation law.

11. At the request of the authority or canal corporation, services and assistance and legal services for the authority or canal corporation

shall be performed by forces or officers of the department and the department of law respectively, and all other state officers, departments, boards, divisions and commissions shall render services within their respective functions.

§ 2. Subdivision 1 of section 17 of the public officers law is amended by adding a new paragraph (z) to read as follows:

(z) For purposes of this section, the term "employee" shall include members of the governing board, officers and employees of the New York state canal corporation.

§ 3. This act, being necessary for the prosperity of the state and its inhabitants, shall be liberally construed to effect the purposes and secure the beneficial intents hereof.

§ 4. If any provision of any section of this act or the application thereof to any person or circumstance shall be adjudged invalid by a court of competent jurisdiction, such order or judgment shall be confined in its operation to the controversy in which it was rendered, and shall not affect or invalidate the remainder of any provision of any section of this act or the application thereof to any other person or circumstance and to this end the provisions of each section of this act are hereby declared to be severable.

§ 5. This act shall take effect immediately.

PART MM

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, the zero emissions vehicle and electric vehicle rebate 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 2015. 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, 2017 and such amounts shall be paid to the New York state energy research and development authority on or before September 10, 2017. Upon receipt, the New York state energy research and development authority shall deposit such funds in the energy 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, $150,000 to the state general fund for services and expenses of the department of agriculture and markets, and $825,000 to the University of Rochester laboratory for

laser energetics from the funds received; and (2) 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. This itemized record shall include an itemized breakdown of the programs being funded by this section and the amount committed to each program. 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. Any such amount not committed by such authority to contracts or contracts to be awarded 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, and any refund amounts must be explicitly lined out in the itemized record described above.

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

PART NN

Section 1. Section 4 of chapter 495 of the laws of 2004, amending the insurance law and the public health law relating to the New York state health insurance continuation assistance demonstration project, as amended by section 1 of part AA of chapter 54 of the laws of 2016, is amended to read as follows:

§ 4. This act shall take effect on the sixtieth day after it shall have become a law; provided, however, that this act shall remain in effect until July 1, [~~2017~~] 2018 when upon such date the provisions of this act shall expire and be deemed repealed; provided, further, that a displaced worker shall be eligible for continuation assistance retroactive to July 1, 2004.

§ 2. This act shall take effect immediately.

PART OO

Section 1. Section 506 of the agriculture and markets law, as amended by chapter 256 of the laws of 2016, is amended to read as follows:

§ 506. Growth, sale, distribution, transportation and processing of industrial hemp and products derived from such hemp permitted. Notwithstanding any provision of law to the contrary, industrial hemp and products derived from such hemp are agricultural products which may be grown, produced and possessed in the state, and sold, distributed, transported or processed either in or out of state as part of agricultural pilot programs pursuant to authorization under federal law and the provisions of this article.

Notwithstanding any provision of law to the contrary restricting the growing or cultivating, sale, distribution, transportation or processing of industrial hemp and products derived from such hemp, and subject to authorization under federal law, the commissioner may authorize [~~no more than ten sites for~~] the growing or cultivating of industrial hemp as part of agricultural pilot programs conducted by the department and/or an institution of higher education to study the growth and cultivation, sale, distribution, transportation and processing of such hemp and products derived from such hemp provided that the sites and programs used for growing or cultivating industrial hemp are certified by, and registered with, the department.

§ 2. This act shall take effect on the thirtieth day after it shall have become a law.

PART PP

Section 1. Subdivision 18-a of section 1261 of the public authorities law, as added by section 1 of part PP of chapter 54 of the laws of 2016, is amended to read as follows:

18-a. "Transportation purpose" shall mean a purpose that directly [~~or indirectly~~] supports [~~all or any of~~] the missions or purposes of the authority, any of its subsidiaries, New York city transit authority or its subsidiary, including the realization of revenues [~~available for the costs and expenses of all or any transportation facilities~~] **derived from property that is, or is to be used as, a transportation facility**.

§ 2. This act shall take effect immediately.

PART QQ

Section 1. Sections 1 and 2 of subpart H of part C of chapter 20 of the laws of 2015, appropriating money for certain municipal corporations and school districts, as added by section 1 of part BB of chapter 58 of the laws of 2016, is amended to read as follows:

Section 1. Contingent upon available funding, and not to exceed [~~$30,000,000~~] **$45,000,000** moneys from the urban development corporation shall be available for a local government entity, which for the purposes of this section shall mean a county, city, town, village, school district or special district, where (i) on or after June 25, 2015, an electric generating facility located within such local government entity has ceased operations, and (ii) the closing of such facility has caused a reduction in the real property tax collections or payments in lieu of taxes of at least twenty percent owed by such electric generating facility. Such moneys attributable to the cessation of operations, shall be paid annually on a first come, first served basis by the urban development corporation to such local government entity within a reasonable time upon confirmation from the state office of real property tax services or the local industrial development authority established pursuant to titles eleven and fifteen of article eight of the public authorities law, or the local industrial development agency established pursuant to article eighteen-A of the general municipal law that such cessation has resulted in a reduction in the real property tax collections or payments in lieu of taxes, provided, however, that the urban development corporation shall not provide assistance to such local government entity for more than [~~five~~] **seven** years, and shall [~~not~~] award [~~in the first year more than eighty percent of~~] **payments reflect-**

ing the loss of revenues due to the cessation of operations[~~.~~] as follows:

Award Year	Maximum Potential Award
1	no more than eighty percent of loss of revenues
2	no more than seventy percent of loss of revenues
3	no more than sixty percent of loss of revenues
4	no more than fifty percent of loss of revenues
5	no more than forty percent of loss of revenues
6	no more than thirty percent of loss of revenues
7	no more than twenty percent of loss of revenues

A local government entity shall be eligible for only one payment of funds hereunder per year. A local government entity may seek assistance under the electric generation facility cessation mitigation fund once a generator has submitted its notice to the federally designated electric bulk system operator (BSO) serving the state of New York of its intent to retire the facility or of its intent to voluntarily remove the facility from service subject to any return-to-service provisions of any tariff, and that the facility also is ineligible to participate in the markets operated by the BSO. The date of submission of a local government entity's application for assistance shall establish the order in which assistance is paid to program applicants, except that in no event shall assistance be paid to a local government entity until such time that an electric generating facility has retired or become ineligible to participate in the markets operated by the BSO. For purposes of this section, any local government entity seeking assistance under the electric generation facility cessation mitigation fund must submit an attestation to the department of public service that a facility is no longer producing electricity and is no longer participating in markets operated by the BSO. After receipt of such attestation, the department of public service shall confirm such information with the BSO. In the case that the BSO confirms to the department of public service that the facility is no longer producing electricity and participating in markets operated by such BSO, it shall be deemed that the electric generating facility located within the local government entity has ceased operation. The department of public service shall provide such confirmation to the urban development corporation upon receipt. The determination of the amount of such annual payment shall be determined by the president of the urban development corporation based on the amount of the differential between the annual real property taxes and payments in lieu of taxes imposed upon the facility, exclusive of interest and penalties, during the last year of operations and the current real property taxes and payments in lieu of taxes imposed upon the facility, exclusive of interest and penalties. The total amount awarded from this program shall not exceed [~~$30,000,000~~] $45,000,000.

§ 2. Notwithstanding any provision of law, rule, or regulation to the contrary the New York state energy research and development authority (authority) is authorized and directed to make a contribution to the urban development corporation for the purposes of this act, an amount not to exceed $30,000,000 for the state fiscal year commencing April 1, 2016, and an additional amount not to exceed $15,000,000 for the state fiscal year commencing April 1, 2020 from proceeds collected by the authority from the auction or sale of carbon dioxide emission allowances allocated by the department of environmental conservation.

§ 2. This act shall take effect immediately provided, however, that the amendments to sections 1 and 2 of subpart H of part C of chapter 20 of the laws of 2015 made by section one of this act shall not affect the repeal of such subpart and shall be deemed repealed therewith.

PART RR

Section 1. Indian Point closure task force. 1. (a) On February 28, 2017, the governor announced the appointment of a task force to address the closure of the Indian Point nuclear power plant in Westchester County and to provide guidance and support to affected local municipalities and employees (the "task force"). The task force was formed to partner with local governments to address employment and property tax impacts, develop new economic opportunities, evaluate site reuse options, and identify work force retraining programs and opportunities. The task force will also monitor the closure, and related decommissioning and site restoration issues, coordinate ongoing safety inspections and review reliability and environmental concerns, among other issues. Recognizing the importance of establishing such task force in law, there are hereby established the following provisions pertaining to membership, purpose, and duties of the task force. Members shall be appointed as follows:

(i) At the discretion of the governor, staff of the executive chamber, including but not limited to members of the governor's offices of energy and education;

(ii) The chairperson of the public service commission or his or her designee(s);

(iii) The commissioner of environmental conservation or his or her designee(s);

(iv) The secretary of state or his or her designee(s);

(v) The commissioner of taxation and finance or his or her designee(s);

(vi) The commissioner of labor or his or her designee(s);

(vii) The commissioner of economic development or his or her designee(s);

(viii) The commissioner of the division of homeland security and emergency services or his or her designee(s);

(ix) The president of the New York energy research and development authority or his or her designee(s);

(x) The chairperson of the New York power authority or his or her designee(s);

(xi) The mayor of the village of Buchanan or his or her designee;

(xii) The superintendent of the Hendrick Hudson school district or his or her designee;

(xiii) The supervisor of the town of Cortlandt or his or her designee;

(xiv) One member to be appointed by the temporary president of the senate from the district representing the aforementioned local governments;

(xv) One member to be appointed by the speaker of the assembly from the district representing the aforementioned local governments;

(xvi) One member, to be appointed by the governor, shall be a representative of a labor union whose members are employed at the Indian Point nuclear generating facility;

(xvii) One member, to be appointed by the governor, shall be a representative of a labor union whose members are employed at the Indian Point nuclear generating facility through contracted service providers;

(xviii) One member, to be appointed by the governor, shall be a representative of a labor organization whose members represent public employees in the impacted geographical region; and

(xix) The chairperson of the task force may appoint local elected officials and municipal officers, as defined by section 800 of the general municipal law, from the impacted geographical region.

(b) The members appointed to the task force established by the governor prior to the effective date of this act shall: (i) satisfy the initial appointment requirements of subparagraphs (i) through (xv) of paragraph a of this subdivision; and (ii) be ex-officio members of the task force established pursuant to this section.

2. Task force members shall receive no compensation for their services but may be reimbursed for actual and necessary expenses incurred in the performance of their duties.

3. The chairperson of the task force shall be the chairperson of the public service commission or his or her designee. The task force shall meet no less than three times each year.

4. Vacancies for task force members appointed pursuant to subparagraphs (i) through (xix) of paragraph a of subdivision one of this section shall be filled in the manner provided for in the initial appointment.

5. The task force shall be authorized to hold public hearings and meetings to enable it to accomplish its duties.

6. The task force may consult with any organization, educational institution, other governmental entity or agency or person including, but not limited to, the nuclear regulatory commission and the New York independent system operator, in the development of its report required by subdivision nine of this section.

7. The department of public service and all other agencies of the state or subdivisions thereof, including public authorities and public benefit corporations acting within the scope of their statutory purpose and authority and with the appropriate consent of their respective boards or governing bodies may, at the request of the chairperson, provide the task force with such facilities, assistance, and data as will enable the task force to carry out its powers and duties.

8. The purpose of the task force shall be to assess the impacts of the Indian Point nuclear generating facility closure on the state and local municipalities and evaluate ways of addressing and mitigating anticipated impacts, including, but not limited to those on real property tax collections or payments in lieu of taxes, public safety, labor, and decommissioning and site restoration programs, strategies, and timelines, as well as spend fuel storage issues. The task force will also monitor impacts on electric reliability and rates.

In addition, no later than April 30, 2018, the task force shall produce a study evaluating the future reuse and reutilization options of the land where the facility is located. Such study shall consider all aspects of possible uses of the lands and buildings at such facility, together with such other and further information that the task force and the entities with which it shall consult, shall choose to include. In examining such reutilizaiton, the study shall further consider the infrastructure currently at and near such facility, the costs and measures that would need to be taken by the owners of the facility, regulators and/or governmental bodies in order to achieve any such reutilization, and any other factors that the task force and the entities with which it shall consult, shall choose to include in its considerations.

9. No later than April 30, 2018, and annually thereafter through 2023, the task force shall make available for public comment and than submit 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, a report containing the following:

a. an assessment of:

(i) anticipated impacts related to the closure, including, but not limited to impacts on real property tax collections or payments in lieu of taxes, electric reliability and rates, public safety, labor, and the future use of the land where the facility is located;

(ii) workforce retraining programs and opportunities in other energy related employment sectors for affected workers, including training in renewable energy and an evaluation of access to employment with other utilities and power plants in the state;

(iii) all sources and potential sources of generating capacity, including transmission upgrades, energy efficiency, fossil fuel derived energy, and renewable energy;

(iv) workforce retention; and

(v) programs implemented to retrain persons employed at the Indian Point nuclear generating facility, such analysis, shall include the number of retraining programs, the content of the retraining programs, the employment outcomes of individuals retrained, and any other information deemed appropriate by the task force;

b. an assessment of compliance with any and all federal, state and local laws, regulations and rules related to the closure and decommissioning of a nuclear generating facility;

c. a listing of any enforcement actions initiated for any actual or alleged condition at the nuclear generating facility;

d. recommendations for the projects to be selected pursuant to the community fund established in the agreement related to Indian Point entered into by the state of New York on January 9, 2017, and an assessment of the progress and effectiveness of projects selected;

e. recommendations related to short term and long term programs the state of New York could establish to provide support and guidance to the affected local municipalities, and the implementation of such programs; and

f. any information or data the task force deems appropriate.

§ 2. This act shall take effect immediately and shall expire and be deemed repealed April 1, 2024.

PART SS

Section 1. Section 33-0705 of the environmental conservation law, as amended by section 1 of part H of chapter 57 of the laws of 2014, is amended to read as follows:

§ 33-0705. Fee for registration.

The applicant for registration shall pay a fee as follows:

a. On or before July 1, [~~2017~~] **2020**, six hundred dollars for each pesticide proposed to be registered, provided that the applicant has submitted to the department proof in the form of a federal income tax return for the previous year showing gross annual sales, for federal income tax purposes, of three million five hundred thousand dollars or less;

b. On or before July 1, [~~2017~~] **2020**, for all others, six hundred twenty dollars for each pesticide proposed to be registered;

c. After July 1, [~~2017~~] 2020, fifty dollars for each pesticide proposed to be registered.

§ 2. Section 9 of chapter 67 of the laws of 1992, amending the environmental conservation law relating to pesticide product registration timetables and fees, as amended by section 2 of part H of chapter 57 of the laws of 2014, is amended to read as follows:

§ 9. This act shall take effect April 1, 1992 provided, however, that section three of this act shall take effect July 1, 1993 and shall expire and be deemed repealed on July 1, [~~2017~~] 2020.

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

PART TT

Section 1. Section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, is amended by adding a new section 16-aa to read as follows:

§ 16-aa. Life sciences initiatives program. The life sciences initiatives program is hereby established for the purpose of attracting new life sciences technologies, to promote critical public and private sector investment in emerging life sciences fields in New York state, and to create and expand life sciences related businesses and employment.

1. Such life sciences initiatives program is designated to operate in areas identified by the corporation as having significant potential for economic growth in New York, or in which the application of new life sciences technologies could significantly enhance the productivity and stability of New York businesses.

2. Life sciences are defined as advanced and applied sciences that expand the understanding of human physiology and have the potential to lead to medical advances or therapeutic applications including, but not limited to, academic medical centers, agricultural biotechnology, biogenerics, bioinformatics, biomedical engineering, biopharmaceuticals, biotechnology, chemical synthesis, chemistry technology, diagnostics, genomics, image analysis, marine biology, marine technology, medical devices, nanotechnology, natural product pharmaceuticals, proteomics, regenerative medicine, RNA interference, stem cell research, clinical trials, including but not limited to neurological clinical trials and veterinary science.

3. A life sciences entity is defined as a business corporation, partnership, firm, unincorporated association, or any other entity engaged in life sciences research, development, manufacturing or commercialization.

4. (a) The corporation is authorized, within available appropriations and consistent with such appropriations in the Life Sciences Initiatives Program to provide financial support, through an application and approval process and such funds may be used for the advancement and economic growth of life sciences programs, employment of staff, development and facilities or other working capital that are aligned with the life sciences program strategy and approved by the corporation.

(b) A life sciences entity must submit a completed application as prescribed by the chief executive officer of the corporation. Life sciences initiatives entity applications will be accepted, reviewed and approved on a rolling basis. Life sciences initiatives entity applicants may include a program or multiple programs in their application. Each life sciences program applicant shall include information in such

application relating to how its life sciences program initiative will enhance and accelerate life science programs, research and job creation and retention within New York.

5. The chief executive officer of the corporation shall, on or before October first, two thousand eighteen and every year thereafter, submit to the governor, the temporary president of the senate and the speaker of the assembly an annual report on the operations and accomplishments of the life sciences initiatives programs which shall include, but not be limited to, the economic impact of the activities undertaken with state funds, the number and amount of federal funds procured after program approval, including such factors as jobs created and maintained, the average salary of the jobs created and average salary of jobs retained.

6. (a) The corporation shall by rule establish criteria for such program, such criteria shall include detailed provisions for eligibility.

(b) The corporation shall issue guidelines to effectuate the purpose of this section.

§ 2. This act shall take effect immediately.

PART UU

Section 1. Subdivisions 3, 5 and 7 of section 19-0323 of the environmental conservation law, as amended by section 1 of part X of chapter 58 of the laws of 2016, are amended to read as follows:

3. Any diesel powered heavy duty vehicle that is owned by, operated by or on behalf of, or leased by a state agency and state and regional public authority with more than half of its governing body appointed by the governor shall utilize the best available retrofit technology for reducing the emission of pollutants. The commissioner shall promulgate regulations for the implementation of this subdivision specifying that all vehicles covered by this subdivision shall have best available retrofit technology on or before December 31, [~~2017~~] 2018.

This subdivision shall not apply to any vehicle subject to a lease or public works contract entered into or renewed prior to the effective date of this section.

5. In addition to any waiver which may be issued pursuant to subdivision four of this section, the department shall issue a waiver to a state agency, a state or regional public authority, or a person operating any diesel-powered heavy duty vehicle on behalf of a state agency, state or regional public authority, upon a request in a form acceptable to the department for a waiver from the provisions of subdivision three of this section for a vehicle engine provided that such vehicle engine will cease to be used in the state on or before December thirty-first, two thousand [~~eighteen~~] nineteen. Any waiver issued pursuant to this subdivision shall expire when a state agency, a state or regional public authority, or a person operating any diesel-powered heavy duty vehicle on behalf of a state agency, state or regional public authority ceases to use the engine in the state but not later than December thirty-first, two thousand [~~eighteen~~] nineteen.

7. On or before January 1, 2008 and every year thereafter, the commissioner shall report to the governor and legislature on the use of ultra low sulfur diesel fuel. On or before January 1, [~~2018~~] 2019 and every year thereafter, the commissioner shall include in the report to the governor and legislature the use of the best available retrofit technology as required under this section. The information contained in this

report shall include, but not be limited to, for each state agency and public authority covered by this section: (a) the total number of diesel fuel-powered motor vehicles owned or operated by such agency and authority; (b) the number of such motor vehicles that were powered by ultra low sulfur diesel fuel; (c) the total number of diesel fuel-powered motor vehicles owned or operated by such agency and authority having a gross vehicle weight rating of more than 8,500 pounds; (d) the number of such motor vehicles that utilized the best available retrofit technology, including a breakdown by motor vehicle model, engine year and the type of technology used for each vehicle; (e) the number of such motor vehicles that are equipped with an engine certified to the applicable 2007 United States environmental protection agency standard for particulate matter as set forth in section 86.007-11 of title 40 of the code of federal regulations or to any subsequent United States environmental protection agency standard for particulate matter that is at least as stringent; and (f) all waivers, findings, and renewals of such findings, which, for each waiver, shall include, but not be limited to, the quantity of diesel fuel needed to power diesel fuel-powered motor vehicles owned or operated by such agency and authority; specific information concerning the availability of ultra low sulfur diesel fuel.

§ 2. This act shall take effect immediately.

§ 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.

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