STATE OF NEW YORK

S. 2508--C A. 3008--C

SENATE - ASSEMBLY

January 20, 2021

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 intentionally omitted (Part A); intentionally omitted (Part B); intentionally omitted (Part C); intentionally omitted (Part D); intentionally omitted (Part E); intentionally omitted (Part F); intentionally omitted (Part G); intentionally omitted (Part H); intentionally omitted (Part I); 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 extending loan powers (Part J); to amend the urban development corporation act, in relation to extending the authority of the New York state urban development corporation to administer the empire state economic development fund (Part K); intentionally omitted (Part L); to amend section 3 of part S of chapter 58 of the laws of 2016, relating to transferring the statutory authority for the promulgation of marketing orders from the department of agriculture and markets to the New York state urban development corporation, in relation to the effectiveness thereof (Part M); 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 the

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

LBD12573-05-1

effectiveness thereof (Part N); intentionally omitted (Part O); intentionally omitted (Part P); intentionally omitted (Part Q); intentionally omitted (Part R); intentionally omitted (Part S); intentionally omitted (Part T); intentionally omitted (Part U); intentionally omitted (Part V); to authorize the energy research and development authority to finance a portion of its research, development and demonstration, policy and planning, and Fuel NY program, as well as climate change related expenses of the department of environmental conservation and the department of agriculture and markets' Fuel NY program, from an assessment on gas and electric corporations (Part W); intentionally omitted (Part X); intentionally omitted (Part Y); to amend part UU of chapter 58 of the laws of 2020 authorizing the county of Nassau, to permanently and temporarily convey certain easements and to temporarily alienate certain parklands, in relation to authorizing certain counties to permanently and temporarily convey certain easements and to temporarily alienate certain parklands (Part Z); to amend the tax law, in relation to extending certain brownfield credit periods that expire on or after 3/20/20 and before 12/31/21 for two years (Part AA); intentionally omitted (Part BB); to amend 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 the effectiveness thereof (Part CC); intentionally omitted (Part DD); intentionally omitted (Part EE); intentionally omitted (Part FF); to amend part FF of chapter 55 of the laws of 2017 relating to motor vehicles equipped with autonomous vehicle technology, in relation to the effectiveness thereof (Part GG); intentionally omitted (Part HH); to amend 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, in relation to the effectiveness thereof (Part II); intentionally omitted (Part JJ); intentionally omitted (Part KK); to amend the banking law, in relation to the forbearance of residential mortgage payments (Part LL); intentionally omitted (Part MM); intentionally omitted (Part NN); intentionally omitted (Part OO); intentionally omitted (Part PP); intentionally omitted (Part QQ); intentionally omitted (Part RR); intentionally omitted (Part SS); intentionally omitted (Part TT); intentionally omitted (Part UU); intentionally omitted (Part VV); and to authorize utility and cable television assessments that provide funds to the department of health from cable television assessment revenues and to the department of agriculture and markets, department of environmental conservation, department of state, and the office of parks, recreation and historic preservation from utility assessment revenues; and providing for the repeal of such provisions upon the expiration thereof (Part WW)

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 necessary to implement the state transportation, economic development and environmental conservation budget for the 2021-2022 state fiscal year. Each component is wholly contained within a Part identified as Parts A through WW. 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

Intentionally Omitted

PART B

Intentionally Omitted

PART C

Intentionally Omitted

PART D

Intentionally Omitted

PART E

Intentionally Omitted

PART F

Intentionally Omitted

PART G

Intentionally Omitted

PART H

Intentionally Omitted

PART I

Intentionally Omitted

PART J

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 FF of chapter 58 of the laws of 2020, 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, [~~2021~~] 2022, 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 July 1, 2021.

PART K

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 EE of chapter 58 of the laws of 2020, 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, [~~2021~~] **2022**.

§ 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after July 1, 2021.

PART L

Intentionally Omitted

PART M

Section 1. Section 3 of part S of chapter 58 of the laws of 2016, relating to transferring the statutory authority for the promulgation of marketing orders from the department of agriculture and markets to the New York state urban development corporation, as amended by section 1 of part Y of chapter 58 of the laws of 2018, is amended to read as follows:

§ 3. This act shall take effect on the ninetieth day after it shall have become a law and shall expire and be deemed repealed July 31, [~~2021~~] **2026**; provided, however, that any assessment due and payable under such marketing orders shall be remitted to the urban development corporation starting 30 days after such effective date.

§ 2. This act shall take effect immediately.

PART N

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 R of chapter 58 of the laws of 2020, 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, 2021~~].

§ 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after March 31, 2021.

PART O

Intentionally Omitted

PART P

Intentionally Omitted

PART Q

Intentionally Omitted

PART R

Intentionally Omitted

PART S

Intentionally Omitted

PART T

Intentionally Omitted

PART U

Intentionally Omitted

PART V

Intentionally Omitted

PART W

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 $22,700,000 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 assessed shall be allocated to each electric corporation and gas corporation in proportion to its intrastate electricity and gas revenues in the calendar year 2019. 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, 2021 and such amounts shall be paid to the New York state energy research and development authority on or before September 10, 2021. 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 up to $4 million to the state general fund for climate change related 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, 2021.

PART X

Intentionally Omitted

PART Y

Intentionally Omitted

PART Z

Section 1. Part UU of chapter 58 of the laws of 2020, authorizing the county of Nassau, to permanently and temporarily convey certain easements and to temporarily alienate certain parklands, is amended to read as follows:

PART UU

Section 1. This act enacts into law components of legislation which are necessary to implement legislation relating to the Bay Park Conveyance Project. Each component is wholly contained within a Subpart identified as Subparts A through C. The effective date for each particular provision contained within such Subpart is set forth in the last section of such Subpart. Any provision in any section contained within a

Subpart, including the effective date of the Subpart, 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 Subpart in which it is found. Section three of this act sets forth the general effective date of this act.

SUBPART A

Section 1. Subject to the provisions of this act, the county of Nassau, acting by and through the county legislature of such county, is hereby authorized to (a) discontinue permanently the use as parkland the [~~subsurface~~] lands described in sections [~~four,~~] five, seven, eight, [~~ten~~] and eleven of this act and establish permanent easements on such lands for the purpose of constructing, operating, maintaining and repairing a subsurface sewer main, and (b) discontinue temporarily the use as parkland the lands described in sections three, **four,** six [~~and~~], nine**, and ten** of this act and establish temporary easements on such lands for the purpose of constructing a subsurface sewer main. Authorization for the temporary easements described in sections three, **four,** six, [~~and~~] nine**, and ten** of this act shall cease upon the completion of the construction of such sewer main, at which time the department of environmental conservation shall restore the surface of the parklands disturbed and the parklands shall continue to be used for park purposes as they were prior to the establishment of such temporary easements. Authorization for the permanent easements described in sections [~~four,~~] five, seven, eight, [~~ten~~] and eleven of this act shall require that the department of environmental conservation restore the surface of the parklands disturbed and the parklands shall continue to be used for park purposes as they were prior to the establishment of the permanent easements.

§ 2. The authorization provided in section one of this act shall be effective only upon the condition that the county of Nassau dedicate an amount equal to or greater than the fair market value of the parklands being discontinued to the acquisition of new parklands and/or capital improvements to existing park and recreational facilities.

§ 3. TEMPORARY EASEMENT - Force main shaft construction area. Parkland upon and under which a temporary easement may be established pursuant to subdivision (b) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at Bay Park, Town of Hempstead, County of Nassau and State of New York being more particularly bounded and described as follows: beginning at a point on the northerly line of the Nassau County Sewage Treatment Plant property, said Point of Beginning being South [~~68°00'~~] **68°06'12"** East, as measured along northerly line of said sewage treatment plant, [~~543~~] **535.50** feet plus or minus, from the intersection of the northerly line Nassau County Sewage Treatment Plant with the westerly side of Compton Street; running thence South [~~68°00'~~] **68°06'12"** East, along the northerly line of said sewage treatment plant, [~~247~~] **249.60** feet plus or minus; thence South [~~07°04'~~] **07°20'58"** West [~~196~~] **198.58** feet plus or minus; thence North [~~78°37'~~] **78°30'32"** West [~~33~~] **35.88** feet plus or minus; thence North [~~06°10'~~] **06°10'23"** East [~~105~~] **89.20** feet plus or minus; thence North [~~30°53'~~] **33°17'21"** West [~~56~~] **78.28** feet plus or minus; thence North [~~64°27'~~] **66°13'52"** West [~~190~~] **173.72** feet plus or minus; thence North [~~20°21'~~] **19°56'50"** East [~~49~~] **62.50** feet plus or minus, to the northerly line of the Nassau County Sewage Treatment Plant, at the Point of Begin-

ning. Containing within said bounds [~~19,700~~] 23,089 square feet plus or minus. The above described temporary easement is for the construction of a [~~thirty-foot~~] fifty-foot diameter access shaft. The location of said temporary access shaft is more particularly described in section four of this act. Said parcel being part of property designated as Section: 42 Block: A Lots: 50, 57 on the Nassau County Land and Tax Map.

§ 4. [~~PERMANENT SUBSURFACE~~] TEMPORARY EASEMENT - Access shaft. Parkland upon and under which a [~~permanent~~] temporary easement may be established pursuant to subdivision [~~(a)~~] (b) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at Bay Park, Town of Hempstead, County of Nassau and State of New York being more particularly bounded and described as follows: a circular easement with a radius of [~~15~~] 25 feet, the center of said circle being the following three (3) courses from the intersection of the northerly line of the Nassau County Sewage Treatment Plant with the westerly side of Compton Street: [~~running thence~~] South [~~68°00'~~] 68°06'12" East, along the northerly line of said sewage treatment plant, [~~581~~] 573.10 feet plus or minus to the centerline of the permanent easement for a force main described in section five of this act; thence South [~~21°34'~~] 22°24'56" West, along said centerline, [~~17~~] 19.74 feet plus or minus; thence South [~~14°28'~~] 22°24'56" West, [~~continuing~~] along the production of said centerline, [~~1,439~~] 5.25 feet [~~plus or minus~~], to the center of the herein described circular easement. Containing within said bound [~~707~~] 1,963 square feet plus or minus. Said [~~permanent~~] temporary easement is for the construction of an access shaft that extends from the surface of the ground to an approximate depth of 70 feet. [~~Any permanent surface improvements for cathodic protection, if necessary, would be flush with the ground surface or integrated into site landscaping.~~] Said parcel being part of property designated as Section: 42 Block: A Lots: 50, 57 on the Nassau County Land and Tax Map.

§ 5. PERMANENT [~~SUBSURFACE~~] EASEMENT - Force main. Parkland upon and under which a permanent easement may be established pursuant to subdivision (a) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at Bay Park, Town of Hempstead, County of Nassau and State of New York being a 20-foot wide strip of land more particularly bounded and described as follows: [~~beginning~~] Beginning at a point on the northerly line of the Nassau County Sewage Treatment Plant property, said Point of Beginning being South [~~68°00'~~] 68°06'12" East, as measured along northerly line of said sewage treatment plant, [~~571~~] 563.10 feet plus or minus, from the intersection of the northerly line Nassau County Sewage Treatment Plant with the westerly side of Compton Street; running thence South [~~68°00'~~] 68°06'12" East, along the northerly line of said sewage treatment plant, 20.00 feet plus or minus; thence South [~~21°34'~~] 22°24'56" West [~~17~~] 19.15 feet plus or minus; thence South [~~14°28'~~] 14°35'11" West [~~1,463~~] 1446.44 feet plus or minus; thence North [~~75°32'~~] 75°24'49" West 20.00 feet plus or minus; thence North [~~14°28'~~] 14°35'11" East [~~1,464~~] 1447.81 feet plus or minus; thence North [~~21°34'~~] 22°24'56" East [~~18~~] 20.34 feet plus or minus, to the northerly line of the Nassau County Sewage Treatment Plant, at the Point of Beginning. Containing within said bounds [~~29,600~~] 29,337 square feet. The above described permanent easement is for the construction and operation of a six-foot diameter force main at a minimum depth of fifteen feet below the ground surface. Said parcel being part of proper-

ty designated as Section: 42 Block: A Lots: 50, 57 on the Nassau County Land and Tax Map.

§ 6. TEMPORARY EASEMENT - Force main shaft construction area. Parkland upon and under which a temporary easement may be established pursuant to subdivision (b) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at the hamlet of Wantagh, Town of Hempstead, County of Nassau and State of New York being more particularly bounded and described as follows: beginning at a point on the northwesterly line of the herein described temporary easement for the force main shaft construction area, said Point of Beginning being [~~more particularly described as commencing at the~~] North 44°03'41" East 50.26 feet plus or minus, from the intersection of the [~~southerly side of Sunrise Highway Street~~] northerly line of lands licensed to the County of Nassau, as described in deed dated December 5, 1977, recorded on January 13, 1978, at the Nassau County Clerk's Office in Liber 9088 of Deeds at page 567, and as shown on map entitled Department of Public Works Nassau County, N.Y., Map Showing Lands under the Jurisdiction of the Long Island State Park Commission in Wantagh State Park to be Licensed to the County of Nassau for Park and Recreational Purposes in the Vicinity of Wantagh, Town of Hempstead, dated September 1976, and on file at the New York State Office of Parks, Recreation and Historic Preservation as Map No. 21R-1860-1, with the southeasterly side of Lakeview Road, formerly known as Old Mill Road; running thence [~~southerly~~] along the southeasterly side of Lakeview Road [~~243 feet plus or minus, to the centerline of the~~], North 44°03'41" East 237.63 feet plus or minus; thence South 50°48'50" East 70.10 feet plus or minus; thence partly through the aforementioned lands licensed to the County of Nassau by the State of New York (Long Island State Park Commission), South 43°39'59" West 239.51 feet; thence partially through a permanent [~~subsurface~~] drainage easement [~~for force main described in section eight of this act; thence South 60°06' East, along said centerline, 25 feet plus or minus, to the northwesterly line of the temporary easement~~] granted from the City of New York to the County of Nassau, as shown on Map of Real Property to be Acquired for the [~~force main shaft construction area~~] Improvement of Bellmore Creek from Wilson Avenue to Lakeview Road, Filed February 8, 1979, at the Nassau County Clerk's Office as Map No. H-1841, and also through the aforementioned licensed lands, North 49°12'28" West 71.62 feet plus or minus; to the southeasterly side of Lakeview Road, at the Point of Beginning. [~~Running thence North 39°06' East 111 feet plus or minus; thence South 55°47' East 70 feet plus or minus; thence South 38°42' West 240 feet plus or minus; thence North 54°11' West 72 feet plus or minus; thence North 39°06' East 127 feet plus or minus, to the Point of Beginning.~~] Containing within said bounds [~~16,900~~] 16,864 square feet plus or minus. The above described temporary easement is for the construction of a [~~thirty-foot~~] forty-four-foot diameter permanent access shaft. The location of said permanent access shaft is more particularly described in section seven of this act. Said parcel being part of property designated as Section: 56 Block: Y Lot: 259 on the Nassau County Land and Tax Map.

§ 7. PERMANENT [~~SUBSURFACE~~] EASEMENT - Access shaft. Parkland upon and under which a permanent easement may be established pursuant to subdivision (a) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at Hamlet of Wantagh, Town of Hempstead, County of Nassau and State of New York being more particular-

ly bounded and described as follows: [~~a circular easement with a radius of 15 feet,~~] Beginning at a point on the [~~center~~] of southeasterly side of Lakeview Road, said [~~circle~~] Point of Beginning being [~~the following two (2) courses~~] North 44°03'41" East 170.39 feet plus or minus, from the intersection of the [~~southerly side of Sunrise Highway~~] northerly line of lands licensed to the County of Nassau, as described in deed dated December 5, 1977, recorded on January 13, 1978, at the Nassau County Clerk's Office in Liber 9088 of Deeds at page 567, and as shown on map entitled Department of Public Works Nassau County, N.Y., Map Showing Lands under the Jurisdiction of the Long Island State Park Commission in Wantagh State Park to be Licensed to the County of Nassau for Park and Recreational Purposes in the Vicinity of Wantagh, Town of Hempstead, dated September 1976, and on file at the New York State Office of Parks, Recreation and Historic Preservation as Map No. 21R-1860-1, with the southeasterly side of Lakeview Road[~~: Southerly~~], formerly known as Old Mill Road; running thence, along the southeasterly side of Lakeview Road [~~243 feet plus or minus, to the centerline of the permanent subsurface easement for force main, described in section eight of this act; South 60°06' East, along said centerline, 51~~], North 44°03'41" East 25.04 feet plus or minus, to the [~~center of the herein described circular easement.~~] beginning of a non-tangent curve; thence 111.59 feet plus or minus along said non-tangent circular curve to the right that has a radius of 22.00 feet, subtends an angle of 290°37'31", and has a chord that bears South 44°03'41" West 25.04 feet, to the Point of Beginning. Containing within said bounds a surface area of [~~707~~] 1,454 square feet plus or minus. Said permanent easement is for an access shaft that extends from the surface of the ground to an approximate depth of 70 feet. The permanent easement allows vehicular and personnel access to the shaft and within the shaft for inspection, maintenance, repair and reconstruction. Any permanent surface improvements for a manhole or for cathodic protection, if necessary, would be flush with the ground surface or integrated into site landscaping. Said parcel being part of property designated as Section: 56 Block: Y Lot: 259 on the Nassau County Land and Tax Map.

§ 8. PERMANENT SUBSURFACE EASEMENT - Force main. Parkland upon and under which a permanent easement may be established pursuant to subdivision (a) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at the Hamlet of Wantagh, Town of Hempstead, County of Nassau and State of New York being a 20-foot wide strip of land more particularly bounded and described as follows: [~~beginning at a point on the southeasterly side of Lakeview Road, said Point of Beginning being southwesterly 222 feet plus or minus, as measured along the southeasterly side of Lakeview Road from the intersection of the southerly side of Sunrise Highway with the southeasterly side of Lakeview Road; thence South 60°06' East 40 feet plus or minus; thence South 32°15' East 1,759 feet plus or minus; thence South 16°16' West 53 feet plus or minus; thence North 32°15' West 1,785 feet plus or minus; thence North 60°06' West 53 feet plus or minus, to the southeasterly side of Lakeview Road; thence North 48°13' East, along the southeasterly side of Lakeview Road, 42 feet plus or minus, to the Point of Beginning. Containing within said bounds 72,000 square feet plus or minus.~~] Beginning at the intersection of the southerly side of the Wantagh State Parkway, also being the same as the southerly line of a permanent easement granted by the State of New York (Long Island State Park Commission) to the Town of Hempstead for Highway purposes shown as Parcel E on

Map No. 21R-1651, dated September 30, 1935 and on file at the New York State Office of Parks, Recreation and Historic Preservation, with the easterly side of Linden Street, also being the westerly side of Wantagh State Parkway; running thence South 87°54'31" West 16.42 feet plus or minus, along the southerly side of the Wantagh State Parkway; thence through the aforementioned easement, North 49°40'30" West 172.07 feet plus or minus; thence partially through lands licensed to the County of Nassau by the State of New York (Long Island State Park Commission), as described in deed dated December 5, 1977, recorded on January 13, 1978, at the Nassau County Clerk's Office in Liber 9088 of Deeds at page 567, also as shown on map entitled Department of Public Works Nassau County, N.Y., Map Showing Lands under the Jurisdiction of the Long Island State Park Commission in Wantagh State Park to be Licensed to the County of Nassau for Park and Recreational Purposes in the Vicinity of Wantagh, Town of Hempstead, dated September 1976, and on file at the New York State Office of Parks, Recreation and Historic Preservation as Map No. 21R-1860-1, North 32°14'44" West 1,935.06 feet; thence North 60°00'15" West 18.68 feet plus or minus, to the southeasterly side of Lakeview Road; thence along the southeasterly side of Lakeview Road, North 44°03'41" East 20.62 feet plus or minus; thence South 60°00'15" East 18.61 feet plus or minus; thence through the aforementioned licensed lands, South 32°14'44" East 1,936.94 feet; thence South 49°40'30" East 294.48 feet plus or minus, to the westerly side of the Wantagh State Parkway, also being the same as the easterly side of Linden Street; thence northwesterly along the westerly side of the Wantagh State Parkway, being also the easterly side of Linden Street, 113.74 feet plus or minus along the arc of a non-tangent curve, bearing to the left, having a radius of 1,233.00', a chord that bears North 54°10'34" West 113.70 feet plus or minus, to the southerly side of the Wantagh State Parkway, at the Point of Beginning. Containing within said bounds 43,088 square feet plus or minus. The above described permanent easement is for the construction and operation of a six-foot diameter force main at a minimum depth of fifteen feet below the ground surface. Said parcel being part of property designated as Section: 56 Block: Y Lots: 259 on the Nassau County Land and Tax Map.

§ 9. TEMPORARY EASEMENT - Force main shaft construction area. Parkland upon and under which a temporary easement may be established pursuant to subdivision (b) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at the hamlet of Wantagh, Town of Hempstead, County of Nassau and State of New York being more particularly bounded and described as follows: [~~beginning~~] Beginning at a point on the northerly line of the herein described temporary easement for [~~the force main shaft~~] construction [~~area~~] staging, said Point of Beginning being more particularly described as commencing at the intersection of the southerly side of Byron Street with the easterly side of Wantagh Parkway; running thence [~~southerly~~] South 02°05'40" East, along the easterly side of Wantagh Parkway [~~319~~], 392.77 feet plus or minus, to the centerline of the permanent subsurface easement for force main, described in section eleven of this act; thence South [~~19°15'~~] 19°14'42" East, along said centerline, [~~257~~] 166.40 feet plus or minus, to the northerly line of the temporary easement for [~~the force main shaft~~] construction [~~area~~] staging, at the Point of Beginning. Running thence North [~~87°25'~~] 87°24'47" East 122.41 feet plus or minus; thence [~~south 33°56'~~] South 33°56'04" East [~~68~~] 67.89 feet plus or minus; thence South [~~04°43'~~] 04°43'16 East [~~54~~] 53.69 feet plus or

minus; thence South [~~86°38'~~] 86°37'33 West 78.30 feet plus or minus; thence South [~~02°20'~~] 02°20'25 East 83.22 feet plus or minus; thence South [~~47°04'~~] 47°03'34" West [~~103~~] 102.51 feet plus or minus; thence South [~~86°22'~~] 86°22'25" West [~~28~~] 27.76 feet plus or minus; thence North [~~08°39'~~] 07°01'12" West [~~264~~] 263.59 feet plus or minus; thence North [~~87°25'~~] 87°24'47" East [~~53~~] 45.17 feet plus or minus, to the Point of Beginning. Containing within said bounds [~~36,500~~] 35,505 square feet plus or minus. The above described temporary easement is for the construction of a [~~thirty-foot~~] forty-four-foot diameter access shaft. The location of said temporary access shaft is more particularly described in section ten of this act. Said parcel being part of property designated as Section: 63 Block: 261 Lots: 765G, 765H, 818A (Part of Cedar Creek Park) on the Nassau County Land and Tax Map.

§ 10. [~~PERMANENT SUBSURFACE~~] TEMPORARY EASEMENT - Access shaft. Parkland upon and under which a [~~permanent~~] temporary easement may be established pursuant to subdivision [~~(a)~~] (b) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at Hamlet of Wantagh, Town of Hempstead, County of Nassau and State of New York being more particularly bounded and described as follows: a circular easement with a radius of [~~15~~] 22 feet, the center of said circle being the following two (2) courses from the intersection of the southerly side of Byron Street with the easterly side of Wantagh Parkway: [~~Southerly~~] South 02°05'40" East along the easterly side of Wantagh Parkway [~~310~~], 392.77 feet plus or minus, to the centerline of the permanent subsurface easement for force main, described in section eleven of this act; thence South [~~19°15'~~] 19°14'42" East, along said centerline, [~~315~~] 224.60 feet plus or minus, to the center of the herein described circular easement. Containing within said bounds a surface area of [~~707~~] 1,521 square feet plus or minus. Said [~~permanent~~] temporary easement is for the construction of an access shaft that extends from the surface of the ground to an approximate depth of 70 feet. [~~Any permanent surface improvements for cathodic protection, if necessary, would be flush with the ground surface or integrated into site landscaping.~~] Said parcel being part of property designated as Section: 63 Block: 261 Lots: 765G, 765H, 818A (Part of Cedar Creek Park) on the Nassau County Land and Tax Map.

§ 11. PERMANENT SUBSURFACE EASEMENT - Force main. Parkland upon and under which a permanent easement may be established pursuant to subdivision (a) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at the Hamlet of Wantagh, Town of Hempstead, County of Nassau and State of New York being a 20-foot wide strip of land more particularly bounded and described as follows: beginning at a point on the easterly side of the Wantagh State Parkway, said Point of Beginning being [~~southerly 285~~] South 02°05'40" East 358.86 feet plus or minus[~~, as measured along the easterly side of Wantagh Parkway~~] from the intersection of the southerly side of Byron Street with the easterly side of Wantagh Parkway; running thence South [~~19°15'~~] 19°14'42" East [~~340~~] 258.49 feet plus or minus; thence South [~~02°17'~~] 02°16'58" East [~~1,882~~] 1,725.93 feet plus or minus; thence [~~South 09°25' East 1,202~~] southwesterly 43.40 feet plus or minus[~~; thence South 80°35'~~] along the arc of a curve to the left having a radius of 1,075.00 feet and a chord that bears South 25°09'48" West [~~20 feet plus or minus; thence North 09°25' West 1,203~~] 43.39 feet plus or minus; thence North [~~02°17'~~] 02°16'58" West [~~1,880~~] 1,761.45 feet plus or

minus; thence North [~~19°15'~~] 19°14'42" West [~~281~~] 190.70 feet plus or minus, to the easterly side of Wantagh Parkway; thence North [~~02°09'~~] 02°05'40" West, along the easterly side of Wantagh Parkway, [~~68~~] 67.82 feet plus or minus, to the Point of Beginning. Containing within said bounds [~~68,000~~] 39,359 square feet plus or minus. The above described permanent easement is for the construction and operation of a six-foot diameter force main at a minimum depth of fifteen feet below the ground surface. Said parcel being part of property designated as Section: 63 Block: 261 Lots: 765G, 818A (Part of Cedar Creek Park) on the Nassau County Land and Tax Map.

§ 12. Should the lands described in sections [~~four,~~] five, seven, eight, [~~ten~~] and eleven of this act cease to be used for the purposes described in section one of this act, the permanent easements established pursuant to section one of this act shall cease and such lands shall be restored and dedicated as parklands.

§ 13. In the event that the county of Nassau received any funding support or assistance from the federal government for the purchase, maintenance, or improvement of the parklands set forth in sections three through eleven of this act, the discontinuance and alienation of such parklands authorized by the provisions of this act shall not occur until the county of Nassau has complied with any applicable federal requirements pertaining to the alienation or conversion of parklands, including satisfying the secretary of the interior that the alienation or conversion complies with all conditions which the secretary of the interior deems necessary to assure the substitution of other lands shall be equivalent in fair market value and usefulness to the lands being alienated or converted.

§ 14. This act shall take effect immediately.

SUBPART B

Section 1. Subject to the provisions of this act, the village of East Rockaway, in the county of Nassau, acting by and through the village board of such village, is hereby authorized to (a) discontinue permanently the use as parkland the subsurface lands described in sections four and five of this act and to grant permanent easements on such lands to the State of New York or county of Nassau for the purpose of constructing, operating, maintaining and repairing a subsurface sewer main, and (b) discontinue temporarily the use as parkland the lands described in section three this act and grant temporary easements on such lands to the county of Nassau for the purpose of constructing a subsurface sewer main. Authorization for the temporary easement described in section three of this act shall cease upon the completion of the construction of the sewer main, at which time the department of environmental conservation shall restore the surface of the parklands disturbed and the parklands shall continue to be used for park purposes as they were prior to the grant of the temporary easement. Authorization for the permanent easements described in sections four and five of this act shall require that the department of environmental conservation restore the surface of the parklands disturbed and the parklands shall continue to be used for park purposes as they were prior to the establishment of the permanent easements.

§ 2. The authorization provided in section one of this act shall be effective only upon the condition that the village of East Rockaway dedicate an amount equal to or greater than the fair market value of the

parklands being discontinued to the acquisition of new parklands and/or capital improvements to existing park and recreational facilities.

§ 3. TEMPORARY EASEMENT - Force Main Shaft Construction Area. Parkland upon and under which a temporary easement may be granted pursuant to subdivision (b) of section one of this act is described as follows: all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at Incorporated Village of East Rockaway, and the Hamlet of Oceanside, Town of Hempstead, County of Nassau and State of New York being more particularly bounded and described as follows: [~~beginning~~] **Beginning** at a point on the westerly line of the herein described temporary easement for the force main shaft construction area, said Point of Beginning being more particularly described as commencing at the [~~intersection of the northeasterly side of Long Island Railroad right-of-way with the easterly side of Ocean Avenue; running thence North 12°34' East, along the easterly side of Ocean Avenue, 92 feet plus or minus, to the northerly line~~] **northeast corner** of property [~~designated as Section 38 Block E Lot 14, on the~~] **described in deed dated September 16, 1964 from Mary T. Caretto to The Incorporated Village of East Rockaway, recorded September 18, 1964 at the** Nassau County [~~Land and Tax Map;~~] **Clerk's Office in Liber 7317 of Deeds at page 494, running** thence South [~~74°46'~~] **76°23'40"** East, [~~partly along said northerly line, 206~~] **on the northerly property line produced, of property described in the aforesaid Liber 7317 page 494, a distance of 53.41** feet plus or minus, to the westerly line of the **herein described** temporary easement[~~,~~] at the Point of Beginning. Running thence North [~~15°34'~~] **14°03'08"** East [~~40~~] **42.21** feet plus or minus; thence South [~~67°33'~~] **67°25'43"** East [~~238~~] **237.47** feet plus or minus; thence South [~~07°07'~~] **04°13'09"** West [~~31~~] **35.58** feet plus or minus; thence South [~~86°06'~~] **86°58'21"** West [~~161~~] **165.83** feet plus or minus; thence South [~~64°59'~~] **64°59'21"** West [~~117~~] **106.15** feet [~~plus or minus~~]; thence North [~~15°34'~~] **14°03'08"** East [~~140~~] **143.63** feet plus or minus, to the Point of Beginning. Containing within said bounds [~~23,000~~] **23,103** square feet plus or minus. The above described temporary easement is for the construction of a [~~thirty-foot~~] **forty-four-foot** diameter access shaft. The location of said **permanent** access shaft is more particularly described in section four of this act. Said parcel being part of property designated as Section: 38, Block: E, Lots: 12, 14, 21A, 21B on the Nassau County Land and Tax Map.

§ 4. PERMANENT [~~SUBSURFACE~~] EASEMENT - Access Shaft. Parkland upon and under which a permanent easement may be granted pursuant to subdivision (a) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at Incorporated Village of East Rockaway, and the Hamlet of Oceanside, Town of Hempstead, County of Nassau and State of New York being more particularly bounded and described as follows: a circular easement with a radius of [~~15~~] **22** feet, the center of said circle being the following [~~three (3)~~] **two (2)** courses from the [~~intersection of the northeasterly side of Long Island Railroad right-of-way with the easterly side of Ocean Avenue; North 12°34' East, along the easterly side of Ocean Avenue, 92 feet plus or minus, to the northerly line~~] **northeast corner** of property [~~designated as Section 38 Block E Lot 14 on the~~] **described in deed dated September 16, 1964 from Mary T. Caretto to The Incorporated Village of East Rockaway, recorded September 18, 1964 at the** Nassau County [~~Land and Tax Map~~] **Clerk's Office in Liber 7317 of Deeds at page 494**; South [~~74°46'~~] **76°23'40"** East, [~~partly along~~] **on** the [~~said~~] northerly **property** line[~~, 333~~] **produced, of property**

described in the aforesaid Liber 7317 page 494, a distance of 185.51 feet plus or minus[~~,~~]; to the centerline of the permanent subsurface easement for force main, described in section five this act; thence [~~South 19°04' West,~~] along said easement centerline[~~, 16~~] South 19°04'18" West 22.47 feet plus or minus, to the center of the herein described circular easement. Containing within said bounds a surface area of [~~707~~] 1,521 square feet plus or minus. Said permanent easement is for an access shaft that extends from the surface of the ground to an approximate depth of 70 feet. The permanent easement allows vehicular and personnel access to the shaft and within the shaft for inspection, maintenance, repair and reconstruction. Any permanent surface improvements for a manhole or for cathodic protection, if necessary, would be flush with the ground surface or integrated into site landscaping. Said parcel being part of property designated as Section: 38, Block: E, Lots: 12, 14, 21A, 21B on the Nassau County Land and Tax Map.

§ 5. PERMANENT SUBSURFACE EASEMENT - Force Main. Parkland upon and under which a permanent easement may be granted pursuant to subdivision (a) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at Incorporated Village of East Rockaway, and the Hamlet of Oceanside, County of Nassau and State of New York being a 20-foot wide strip of land more particularly bounded and described as follows: [~~beginning~~] Beginning at a point on the westerly line of the herein described permanent subsurface easement, said Point of Beginning being more particularly described as commencing at the [~~intersection of the northeasterly side of Long Island Railroad right-of-way with the easterly side of Ocean Avenue; running thence North 12°34' East, along the easterly side of Ocean Avenue, 92 feet plus or minus, to the northerly line~~] northeast corner of property [~~designated as Section 38 Block E Lot 14 on the~~] described in deed dated September 16, 1964 from Mary T. Caretto to The Incorporated Village of East Rockaway, recorded September 18, 1964 at the Nassau County [~~Land and Tax Map; thence~~] Clerk's Office in Liber 7317 of Deeds at page 494; running thence South [~~74°46'~~] 76°23'40" East, [~~partly along~~] on the [~~said~~] northerly property line[~~, 323~~] produced, of property described in the aforesaid Liber 7317 page 494, a distance of 175.47 feet plus or minus, to the westerly line of the herein described permanent easement, at the Point of Beginning. Running thence North [~~19°04'~~] 19°04'18" East [~~73~~] 31.11 feet plus or minus, to the [~~northerly line of property designated as Section 38 Block E Lot 21A on the Nassau County Land and Tax Map~~] southerly side of Mill River; thence South [~~60°10'~~] 67°42'35" East, along [~~said northerly line~~] the southerly side of Mill River, [~~20~~] 20.03 feet plus or minus; thence South [~~19°04'~~] 19°04'18" West [~~82~~] 48.37 feet plus or minus; thence South [~~15°40'~~] 15°40'03" East [~~116~~] 55.00 feet plus or minus, to the [~~south line~~] northerly side of [~~property designated as Section 38 Block E Lot 21A on the Nassau County Land and Tax Map~~] Mill River; thence North [~~88°09'~~] 84°40'35" West [~~21~~], along the northerly side of Mill River, 20.33 feet plus or minus; thence North [~~15°40'~~] 15°40'03" West [~~116~~] 57.60 feet plus or minus; thence North [~~19°04'~~] 19°04'18" East [~~19~~] 24.64 feet plus or minus, to the Point of Beginning. Containing within said bounds [~~4,100~~] 2,167 square feet plus or minus. The above described permanent easement is for the construction and operation of a six-foot diameter force main at a minimum depth of fifteen feet below the ground surface. Said parcel being part of property designated as Section: 38, Block: E, Lots: 12, 14, 21A, 21B on the Nassau County Land and Tax Map.

§ 6. Should the lands described in sections four and five of this act cease to be used for the purposes described in section one of this act, the permanent easements established pursuant to section one of this act shall cease and such lands shall be restored and dedicated as parklands.

§ 7. In the event that the village of East Rockaway received any funding support or assistance from the federal government for the purchase, maintenance, or improvement of the parklands set forth in sections three through five of this act, the discontinuance and alienation of such parklands authorized by the provisions of this act shall not occur until the village of East Rockaway has complied with any applicable federal requirements pertaining to the alienation or conversion of parklands, including satisfying the secretary of the interior that the alienation or conversion complies with all conditions which the secretary of the interior deems necessary to assure the substitution of other lands shall be equivalent in fair market value and usefulness to the lands being alienated or converted.

§ 8. This act shall take effect immediately.

SUBPART C

Section 1. Subject to the provisions of this act, the village of Rockville Centre, in the county of Nassau, acting by and through the village board of such village, is hereby authorized to (a) discontinue permanently the use as parkland the [~~subsurface~~] lands described in sections three[~~, four~~] and six of this act and to grant permanent easements on such lands to the State of New York or county of Nassau for the purpose of constructing, operating, maintaining and repairing a subsurface sewer main, and (b) discontinue temporarily the use as parkland the lands described in sections **four,** five**,** and seven of this act and grant temporary easements on such lands to the county of Nassau for the purpose of constructing a subsurface sewer main. Authorization for the temporary easements described in sections **four,** five**,** and seven of this act shall cease upon the completion of the construction of the sewer main, at which time the department of environmental conservation shall restore the surface of the parklands disturbed and the parklands shall continue to be used for park purposes as they were prior to the grant of the temporary easements. Authorization for the permanent easements described in sections three[~~, four~~] and six of this act shall require that the department of environmental conservation restore the surface of the parklands disturbed and the parklands shall continue to be used for park purposes as they were prior to the establishment of the permanent easements.

§ 2. The authorization provided in section one of this act shall be effective only upon the condition that the village of Rockville Centre dedicate an amount equal to or greater than the fair market value of the parklands being discontinued to the acquisition of new parklands and/or capital improvements to existing park and recreational facilities.

§ 3. PERMANENT SUBSURFACE EASEMENT - Force Main. Parkland upon and under which a permanent easement may be established pursuant to subdivision (a) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at Incorporated Village of East Rockaway, and the Incorporated Village of Rockville Centre, Town of Hempstead, County of Nassau and State of New York, being a 20-foot wide strip of land more particularly bounded and described as follows: [~~the~~] **Beginning at a point on the northerly side of Mill River Avenue, said**

Point of Beginning being [~~at~~] South 74°20'24" East, as measured along the northerly side of Mill River Avenue, 60.73 feet plus or minus from the intersection of the northerly side of Mill River Avenue with the easterly side of Riverside Road; running thence [~~northerly along the easterly side of Riverside Road 346 feet plus or minus; thence South 13°01' West 346~~] North 10°26'55" East 461.31 feet plus or minus, to the [~~northerly~~] southerly side of [~~Mill River~~] South Park Avenue; thence [~~westerly~~] along the [~~northerly~~] southerly side of [~~Mill River~~] South Park Avenue, [~~17~~] South 79°11'54" East 20.00 feet plus or minus, thence South 10°26'55" West 463.01 feet plus or minus, to the [~~easterly side of Riverside Road, at~~] northerly side of Mill River Avenue, thence along the northerly side of Mill River Avenue, North 74°20'24" West 20.08 feet plus or minus, to the Point of Beginning. Containing within said bounds [~~3,100~~] 9,243 square feet plus or minus. The above described permanent easement is for the construction and operation of a six-foot diameter force main at a minimum depth of fifteen feet below the ground surface. Said parcel being part of property designated as Section: 38 Block: 136 Lots: 231 on the Nassau County Land and Tax Map.

§ 4.[~~PERMANENT SUBSURFACE~~] TEMPORARY EASEMENT - Access Shaft. Parkland upon and under which a [~~permanent~~] temporary easement may be established pursuant to subdivision [~~(a)~~] (b) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at Incorporated Village of Rockville Centre, Incorporated Village of East Rockaway, and Incorporated Village of Lynbrook, Town of Hempstead, County of Nassau and State of New York being more particularly bounded and described as a circular easement with a radius of [~~15~~] 22 feet, the center of said circle being the following two (2) courses from the intersection of the northerly side of South Park Avenue with the easterly side of [~~Oxford~~] Chester Road: [~~Easterly~~] South 79°24'16" East, along the northerly side of South Park Avenue, [~~203~~] 247.33 feet plus or minus, to the centerline of the permanent subsurface easement for force main described in section six of this act; North [~~13°01'~~] 10°26'55" East, along said centerline, [~~953~~] 953.71 feet plus or minus, to the center of the herein described circular easement. Containing within said bounds a surface area of [~~707~~] 1,521 square feet plus or minus. Said [~~permanent~~] temporary easement is for the construction of an access shaft that extends from the surface of the ground to an approximate depth of 70 feet. [~~Any permanent surface improvements for cathodic protection, if necessary, would be flush with the ground surface or integrated into site landscaping.~~] Said parcel being part of property designated as Section: 38 Block: F [~~Lots: 39-42, 50C,~~] Lot: 50F [~~and Section: 38, Block: T, Lots: 50A, 50B, 50C~~] on the Nassau County Land and Tax Map.

§ 5. TEMPORARY EASEMENT - Force Main Shaft Construction Area. Parkland upon and under which a temporary easement may be established pursuant to subdivision (b) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at Incorporated Village of Rockville Centre, Incorporated Village of East Rockaway, and Incorporated Village of Lynbrook, Town of Hempstead, County of Nassau and State of New York being more particularly bounded and described as follows: Beginning at a point on the southerly side of the herein described temporary easement for [~~the force main shaft~~] construction [~~area~~] staging, said Point of Beginning being more particularly described as commencing at the intersection of the northerly side of

South Park Avenue with the easterly side of [~~Oxford~~] Chester Road; running thence [~~easterly~~] South 79°24'16" East, along the northerly side of South Park Avenue, [~~203~~] 247.33 feet plus or minus, to the centerline of the permanent subsurface easement for force main described in section six of this act; thence North [~~13°01'~~] 10°26'55" East, along said centerline, [~~920~~] 920.41 feet plus or minus, to the southerly line of the temporary easement, at the Point of Beginning. Running thence North [~~76°19'~~] 76°19'09" West [~~136 feet plus or minus, to the easterly terminus of Merton Avenue (unopened); thence North 76°19' West, through the unopened part of Merton Avenue, 48~~] 185.92 feet plus or minus; thence North [~~14°49'~~] 14°49'03" East [~~5' feet plus or minus, to the northerly side of Merton Avenue; thence North 14°49' East 27'~~] 31.83 feet plus or minus; thence South [~~76°29'~~] 76°28'34" East [~~66~~] 65.98 feet plus or minus; thence North [~~36°47'~~] 36°46'43" East [~~61~~] 60.84 feet plus or minus; thence North [~~78°41'~~] 78°41'29" East [~~145~~] 145.19 feet plus or minus; thence South [~~65°54'~~] 65°54'19" East [~~46~~] 45.62 feet plus or minus; thence South [~~29°39'~~] 29°38'55" West 146.71 feet plus or minus; thence North 76°19'09" West [~~147 feet plus or minus; thence North 76°19' West 42~~] 40.66 feet plus or minus, to the Point of Beginning. Containing within said bounds [~~22,800~~] 22,827 square feet plus or minus. The above described temporary easement is for the construction of a [~~thirty-foot~~] forty-four-foot diameter access shaft. The location of said temporary access shaft is more particularly described in section four of this act. Said parcel being part of property designated as Section: 38 Block: F [~~Lots: 39-42, 50C,~~] Lot: 50F and [~~Section: 38, Block: T, Lots: 50A, 50B, 50C~~] part of Merton Avenue (not open) on the Nassau County Land and Tax Map.

§ 6. PERMANENT SUBSURFACE EASEMENT - Force Main. Parkland upon and under which a permanent easement may be established pursuant to subdivision (a) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at Incorporated Village of Rockville Centre, Incorporated Village of East Rockaway, and Incorporated Village of Lynbrook, Town of Hempstead, County of Nassau and State of New York being a 20-foot wide strip of land more particularly bounded and described as follows: [~~beginning~~] Beginning at a point on the northerly side of South Park Avenue, said [~~Point of Beginning 193 feet plus or minus easterly, as measured~~] point being South 79°24'16" East, along the northerly side of South Park Avenue, 237.33 feet plus or minus, from the intersection of the northerly side of South Park Avenue with the easterly side of [~~Oxford~~] Chester Road; running thence North [~~13°01'~~] 10°26'55" East [~~956~~] 956.35 feet plus or minus; thence North [~~44°00'~~] 40°12'27" East [~~446~~] 464.95 feet plus or minus, to the [~~northeasterly line of property designated as Section 38 Block F Lot 50F, on the Nassau County Land and Tax Map~~] westerly side of Mill River; thence [~~South 53°10' East,~~] along [~~said northeasterly line, 20~~] the westerly side of Mill River the following five (5) courses South 10°54'32" East 4.49 feet plus or minus; South 08°32'16" West 6.44 feet plus or minus; South 17°55'44 West 8.24 feet plus or minus; South 10°55'50" West 4.90 feet plus or minus; South 07°44'20" West 14.16 feet plus or minus; thence South [~~44°00'~~] 40°12'27" West [~~443~~] 427.49 feet plus or minus; thence South [~~13°01'~~] 10°26'55" West [~~950~~] 951.08 feet plus or minus[~~,~~] to the northerly side of South Park Avenue; thence North [~~79°36'~~] 79°24'16" West, along [~~said~~] the northerly side of South Park Avenue, [~~20~~] 20.00 feet plus or minus, to the Point of Beginning[~~, containing~~]. Containing within said bounds [~~28,000~~] 28,014 square feet

plus or minus. The above described permanent easement is for the construction and operation of a six-foot diameter force main at a minimum depth of fifteen feet below the ground surface. Said parcel being part of property designated as Section: 38 Block: F [~~Lots: 39-42, 50C,~~] Lot: 50F and Section: 38, Block: T, [~~Lots~~] Lot: 50A[~~, 50B, 50C~~] on the Nassau County Land and Tax Map.

§ 7. TEMPORARY EASEMENT - Force Main Shaft Construction Area. Parkland upon and under which a temporary easement may be established pursuant to subdivision (b) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at Incorporated Village of Rockville Centre, Town of Hempstead, County of Nassau and State of New York being more particularly bounded and described as follows: [~~beginning~~] Beginning at a point on the northerly side of Sunrise Highway (New York State Route [~~27A~~] 27), said [~~Point of Beginning~~] point being distant [~~254~~] 82.57 feet [~~plus or minus~~] westerly [~~as measured~~] along the northerly side of Sunrise Highway from the [~~intersection of~~] extreme westerly and of an arc of a curve connecting the northerly side of Sunrise Highway with the westerly side of North Forest Avenue[~~; running~~]. Running thence [~~North 86°15' West,~~] along the northerly side of Sunrise Highway the following three (3) courses: Southwesterly 250.24 feet plus or minus along the arc of a curve bearing to the left having a radius of 862.00 feet and a chord that bears South 77°03'07" West 249.36 feet plus or minus, [~~175 feet plus or minus; thence~~] South [~~68°26'~~] 68°43'30" West[~~, continuing along the northerly side of Sunrise Highway, 111~~] 161.85 feet plus or minus; Southwesterly 20.44 feet plus or minus along the arc of a curve bearing to the right having a radius of 592.00 feet and a chord that bears South 69°00'05" West 20.44 feet plus or minus; thence North [~~14°47'~~] 14°30'46" West [~~162~~] 215.45 feet plus or minus, to the southerly side of [~~the~~] Long Island Rail Road [~~right-of-way~~]; thence [~~South 86°59' East,~~] along the southerly side of the Long Island Rail Road, [~~479~~] South 87°41'41" East 469.93 feet plus or minus; thence South [~~01°59'~~] 02°13'26" West [~~75~~] 67.80 feet plus or minus, to the northerly side of [~~the travelled way of~~] Sunrise Highway, [~~then 160 feet plus or minus along the arc or a circular curve to the left that has a radius of 850 feet and a chord that bears South 80°03' West 160 feet plus or minus to~~] at the Point of Beginning. Containing within said bounds [~~50,300~~] 57,506 square feet plus or minus. The above described temporary easement is necessary for the construction of temporary access to the aqueduct below Sunrise Highway area. Said parcel being part of property designated as Section: 38 Block: 291 Lot: 17 on the Nassau County Land and Tax Map.

§ 8. Should the lands described in sections three[~~, four~~] and six of this act cease to be used for the purposes described in section one of this act, the permanent easements established pursuant to section one of this act shall cease and such lands shall be restored and dedicated as parklands.

§ 9. In the event that the village of Rockville Centre received any funding support or assistance from the federal government for the purchase, maintenance, or improvement of the parklands set forth in sections three through seven of this act, the discontinuance and alienation of such parklands authorized by the provisions of this act shall not occur until the village of Rockville Centre has complied with any applicable federal requirements pertaining to the alienation or conversion of parklands, including satisfying the secretary of the interior that the alienation or conversion complies with all conditions which the

secretary of the interior deems necessary to assure the substitution of other lands shall be equivalent in fair market value and usefulness to the lands being alienated or converted.

§ 10. This act shall take effect immediately.

§ 2. Severability clause. If any clause, sentence, paragraph, subdivision, section, subpart or part of this act shall be adjudged by a 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, subpart 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 Subparts A through C of this act shall be as specifically set forth in the last section of such Subparts.

§ 2. This act shall take effect immediately.

PART AA

Section 1. Subparagraph (i) of paragraph 3 of subdivision (a) of section 21 of the tax law, as amended by section 17 of part BB of chapter 56 of the laws of 2015, is amended to read as follows:

(i) The tangible property credit component shall be equal to the applicable percentage of the cost or other basis for federal income tax purposes of tangible personal property and other tangible property, including buildings and structural components of buildings, which constitute qualified tangible property and may include any related party service fee paid; provided that in determining the cost or other basis of such property, the taxpayer shall exclude the acquisition cost of any item of property with respect to which a credit under this section was allowable to another taxpayer. A related party service fee shall be allowed only in the calculation of the tangible property credit component and shall not be allowed in the calculation of the site preparation credit component or the on-site groundwater remediation credit component. The portion of the tangible property credit component which is attributable to related party service fees shall be allowed only as follows: (A) in the taxable year in which the qualified tangible property described in subparagraph (iii) of this paragraph is placed in service, for that portion of the related party service fees which have been earned and actually paid to the related party on or before the last day of such taxable year; and (B) with respect to any other taxable year for which the tangible property credit component may be claimed under this subparagraph and in which the amount of any additional related party service fees are actually paid by the taxpayer to the related party, the tangible property credit component for such amount shall be allowed in such taxable year. The credit component amount so determined shall be allowed for the taxable year in which such qualified tangible property is first placed in service on a qualified site with respect to which a certificate of completion has been issued to the taxpayer, or for the taxable year in which the certificate of completion is issued if the qualified tangible property is placed in service prior to the issuance of the certificate of completion. This credit component shall only be allowed for up to one hundred twenty months after the date of the issuance of such certificate of completion**, provided, however, that for qualified sites to which a certificate of completion is issued on or**

after March twentieth, two thousand ten, but prior to January first, two thousand twelve, the commissioner may extend the credit component for up to one hundred forty-four months after the date of such issuance, if the commissioner, in consultation with the commissioner of environmental conservation, determines that the requirements for the credit would have been met if not for the restrictions related to the state disaster emergency declared pursuant to executive order 202 of 2020 or any extension thereof or subsequent executive order issued in response to the novel coronavirus (COVID-19) pandemic.

§ 2. This act shall take effect immediately.

PART BB

Intentionally Omitted

PART CC

Section 1. 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 chapter 65 of the laws of 2019, 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, [~~2021~~] 2026.

§ 2. This act shall take effect immediately.

PART DD

Intentionally Omitted

PART EE

Intentionally Omitted

PART FF

Intentionally Omitted

PART GG

Section 1. Section 3 of part FF of chapter 55 of the laws of 2017, relating to motor vehicles equipped with autonomous vehicle technology, as amended by section 2 of part M of chapter 58 of the laws of 2019, is amended to read as follows:

§ 3. This act shall take effect April 1, 2017; provided, however, that section one of this act shall expire and be deemed repealed April 1, [~~2021~~] 2023.

§ 2. This act shall take effect immediately.

PART HH

Intentionally Omitted

PART II

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 B of chapter 58 of the laws of 2019, is amended to read as follows:

§ 2. This act shall take effect immediately and shall expire and be deemed repealed April 1, [~~2021~~] **2023**.

§ 2. 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 full force and effect on and after April 1, 2021.

PART JJ

Intentionally Omitted

PART KK

Intentionally Omitted

PART LL

Section 1. Paragraph (a) of subdivision 1 of section 9-x of the banking law, as amended by section 1 of part C of chapter 126 of the laws of 2020, is amended to read as follows:

(a) "Covered period" means March 7, 2020 until the **later of December 31, 2021 or the** date on which none of the provisions that closed or otherwise restricted public or private businesses or places of public accommodation, or required postponement or cancellation of all non-essential gatherings of individuals of any size for any reason in Executive Orders 202.3, 202.4, 202.5, 202.6, 202.7, 202.8, 202.10, 202.11, 202.13 or 202.14, as extended by Executive Orders 202.28 and 202.31 and as further extended by any future Executive Order, issued in response to the COVID-19 pandemic continue to apply in the county of the qualified mortgagor's residence;

§ 2. This act shall take effect immediately.

PART MM

Intentionally Omitted

PART NN

Intentionally Omitted

PART OO

Intentionally Omitted

PART PP

Intentionally Omitted

PART QQ

Intentionally Omitted

PART RR

Intentionally Omitted

PART SS

Intentionally Omitted

PART TT

Intentionally Omitted

PART UU

Intentionally Omitted

PART VV

Intentionally Omitted

PART WW

Section 1. Expenditures of moneys appropriated in a chapter of the laws of 2021 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, 2022, the commissioner of the department of agriculture and markets shall submit an accounting of such expenses, including, but not limited to, expenses in the 2021--2022 state 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 2021 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, and expenses related to the activities of the major renewable energy development program established by section 94-c of the executive 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, 2022, the secretary of state shall submit an accounting of such expenses, including, but not limited to, expenses in the 2021--2022 state 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 2021 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, 2022, 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 2021--2022 state 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 2021 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, 2022, the commissioner of the department of environmental conservation shall submit an accounting of such expenses, including, but not limited to, expenses in the 2021--2022 state 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, 2022, the commissioner of the department of health shall submit an accounting of expenses in the 2021--2022 state 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, 2021 and shall expire and be deemed repealed April 1, 2022.

§ 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 WW of this act shall be as specifically set forth in the last section of such Parts.