STATE OF NEW YORK

S. 8005--C A. 9005--C

SENATE - ASSEMBLY

January 19, 2022

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); to repeal subdivision 9 of section 201 of the correction law relating to the parole supervision fee (Part D); to amend the correction law and the public health law, in relation to authorizing the department of corrections and community supervision access to certain records (Part E); to amend the executive law, in relation to requiring members of the state parole board to devote their full time to the duties of their office (Part F); to amend the tax law, in relation to suspending the transfer of monies into the emergency services revolving loan fund from the public safety communications account (Part G); intentionally omitted (Part H); to amend the executive law, in relation to awarding reimbursement for certain items of essential personal property (Part I); to amend chapter 674 of the laws of 1993, amending the public buildings law relating to value limitations on contracts, in relation to extending the effectiveness thereof (Part J); to amend the alcoholic beverage control law, in relation to allowing a municipality or community board to elect to receive notice by email (Part K); intentionally omitted (Part L); to amend chapter 396 of the laws of 2010 amending the alcoholic beverage control law relating to liquidator's permits and temporary retail

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

LBD12670-05-2

permits, in relation to the effectiveness thereof (Part M); intentionally omitted (Part N); to amend the election law, in relation to the boundaries of election districts and the designation of polling places (Part O); to amend the alcoholic beverage control law, in relation to authorizing retail licensees for on-premises consumption to sell and/or deliver alcoholic beverages for off-premises consumption; and providing for the repeal of such provisions upon expiration thereof (Part P); intentionally omitted (Part Q); intentionally omitted (Part R); intentionally omitted (Part S); intentionally omitted (Part T); to amend the civil service law, in relation to eligibility for shift pay differentials (Part U); intentionally omitted (Part V); intentionally omitted (Part W); to amend the state finance law, the tax law, and the public authorities law, in relation to providing aid and incentives for municipalities to towns and villages; and to repeal certain provisions of the tax law relating thereto (Part X); intentionally omitted (Part Y); intentionally omitted (Part Z); intentionally omitted (Part AA); intentionally omitted (Part BB); in relation to financing of a certain litigation liability by the city of Long Beach (Part CC); to amend the alcoholic beverage control law, in relation to operation of another business on a licensed farm manufacturing premises (Part DD); to amend the alcoholic beverage control law, in relation to allowing for the sale of liquor and/or wine for off-premises consumption on Christmas day (Part EE); to amend the alcoholic beverage control law, in relation to authorizing the issuance of on-premises licenses or permits to certain veterans' organizations with a police officer serving as an officer of such organization (Part FF); creating a temporary state commission to examine reforms to the alcoholic beverage control law in order to modernize the alcohol industry in New York state; and providing for the repeal of such provisions upon expiration thereof (Part GG); to amend the election law, in relation to postage paid for absentee ballots (Part HH); to amend chapter 141 of the laws of 1994, amending the legislative law and the state finance law relating to the operation and administration of the legislature, in relation to extending such provisions (Part II); to amend the legislative law, in relation to establishing a legislative commission on the future of the Long Island Power Authority (Part JJ); to amend the general municipal law and the town law, in relation to authorizing fees and charges for emergency medical services; and providing for the repeal of such provisions upon the expiration thereof (Part KK); and to amend the public authorities law, in relation to transparency and accountability in Nassau county (Part LL)

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 public protection and general government budget for the 2022-2023 state fiscal year. Each component is wholly contained within a Part identified as Parts A through LL. 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

Section 1. Subdivision 9 of section 201 of the correction law is REPEALED.

§ 2. This act shall take effect immediately.

PART E

Section 1. Subdivision (a) of section 601 of the correction law, as amended by section 209 of chapter 322 of the laws of 2021, is amended to read as follows:

(a) Whenever an incarcerated individual shall be delivered to the superintendent of a state correctional facility pursuant to an indeterminate or determinate sentence, the officer so delivering such incarcerated individual shall deliver to such superintendent, the sentence and commitment or certificate of conviction, or a certified copy thereof, and a copy of any order of protection pursuant to section 380.65 of the criminal procedure law received by such officer from the clerk of the court by which such incarcerated individual shall have been sentenced, a copy of the report of the probation officer's investigation and report or a detailed statement covering the facts relative to the crime and previous history certified by the district attorney, a copy of the incarcerated individual's fingerprint records, a detailed summary of available medical records, psychiatric records and reports relating to assaults, or other violent acts, attempts at suicide or escape by the incarcerated individual while in the custody of the local correctional facility; any such medical or psychiatric records in the possession of a health care provider other than the local correctional facility shall be summarized in detail and forwarded by such health care provider to the medical director of the appropriate state correctional facility upon request; the superintendent shall present to such officer a certificate of the delivery of such incarcerated individual, and the fees of such officer for transporting such incarcerated individual shall be paid from the treasury upon the audit and warrant of the comptroller. **The sentence and commitment or certificate of conviction shall be deemed to grant authorization to the department of corrections and community supervision to request a certified copy or certified transcript of birth on behalf of an incarcerated individual, when such request is made**

pursuant to subdivision four of section four thousand one hundred seventy-four of the public health law or section four thousand one hundred seventy-nine of such law. Whenever an incarcerated individual of the state is delivered to a local facility, the superintendent shall forward summaries of such records to the local facility with the incarcerated individual. **The department of corrections and community supervision shall notify the incarcerated individual when a birth certificate has been ordered and received. Upon such individual's release from a correctional facility, the certified copy or certified transcript of birth shall be provided to the individual.**

§ 2. Subdivision 4 of section 4174 of the public health law, as amended by chapter 322 of the laws of 2021, is amended to read as follows:

4. No fee shall be charged for a search, certification, certificate, certified copy or certified transcript of a record to be used for school entrance, employment certificate or for purposes of public relief or when required by the veterans administration to be used in determining the eligibility of any person to participate in the benefits made available by the veterans administration or when required by a board of elections for the purposes of determining voter eligibility or when requested by the department of corrections and community supervision or a local correctional facility as defined in subdivision sixteen of section two of the correction law for the purpose of providing a certified copy or certified transcript of birth to an incarcerated individual in anticipation of such incarcerated individual's release from custody or to obtain a death certificate to be used for administrative purposes for an incarcerated individual who has died under custody or when requested by the office of children and family services or an authorized agency for the purpose of providing a certified copy or certified transcript of birth to a youth placed in the care and custody or custody and guardianship of the local commissioner of social services or the care and custody or custody and guardianship of the office of children and family services in anticipation of such youth's discharge from placement or foster care. **Whenever a request is made by the department of corrections and community supervision for a certified copy or certified transcript of birth on behalf of an incarcerated individual pursuant to this section, a certified copy of the sentence and commitment or certificate of conviction shall be deemed to grant authorization by the incarcerated individual to the department to submit such request on their behalf, and no other authorization shall be required.**

§ 3. Section 4179 of the public health law, as amended by chapter 322 of the laws of 2021, is amended to read as follows:

§ 4179. Vital records; fees; city of New York. Notwithstanding the provisions of paragraph one of subdivision a of section 207.13 of the health code of the city of New York, the department of health shall charge, and the applicant shall pay, for a search of two consecutive calendar years under one name and the issuance of a certificate of birth, death or termination of pregnancy, or a certification of birth or death, or a certification that the record cannot be found, a fee of fifteen dollars for each copy. Provided, however, that no such fee shall be charged when the department of corrections and community supervision or a local correctional facility as defined in subdivision sixteen of section two of the correction law requests a certificate of birth or certification of birth for the purpose of providing such certificate of birth or certification of birth to an incarcerated individual in anticipation of such incarcerated individual's release from custody or to

obtain a death certificate to be used for administrative purposes for an incarcerated individual who has died under custody or when the office of children and family services or an authorized agency requests a certified copy or certified transcript of birth for a youth placed in the custody of the local commissioner of social services or the custody of the office of children and family services pursuant to article three of the family court act for the purpose of providing such certified copy or certified transcript of birth to such youth in anticipation of discharge from placement. **Whenever a request is made by the department of corrections and community supervision for a certified copy or certified transcript of birth on behalf of an incarcerated individual pursuant to this section, a certified copy of the sentence and commitment or certificate of conviction shall be deemed to grant authorization by the incarcerated individual to the department to submit such request on their behalf, and no other authorization shall be required.**

§ 4. This act shall take effect on September 1, 2022; provided, however, that the amendments to subdivision (a) of section 601 of the correction law made by section one of this act shall not affect the expiration of such subdivision and shall be deemed to expire therewith.

PART F

Section 1. Section 259-b of the executive law is amended by adding a new subdivision 8 to read as follows:

8. Members of the board shall devote their full time to their duties and shall hold no other salaried public position.

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

PART G

Section 1. Paragraph (b) of subdivision 6 of section 186-f of the tax law, as amended by section 1 of part I of chapter 55 of the laws of 2020, is amended to read as follows:

(b) The sum of one million five hundred thousand dollars must be deposited into the New York state emergency services revolving loan fund annually; provided, however, that such sums shall not be deposited for state fiscal years two thousand eleven--two thousand twelve, two thousand twelve--two thousand thirteen, two thousand fourteen--two thousand fifteen, two thousand fifteen--two thousand sixteen, two thousand sixteen--two thousand seventeen, two thousand seventeen--two thousand eighteen, two thousand eighteen--two thousand nineteen, two thousand nineteen--two thousand twenty, two thousand twenty--two thousand twenty-one [~~and~~], two thousand twenty-one--two thousand twenty-two**, two thousand twenty-two--two thousand twenty-three, and two thousand twenty-three--two thousand twenty-four**;

§ 2. This act shall take effect April 1, 2022.

PART H

Intentionally Omitted

PART I

Section 1. Subdivision 9 of section 631 of the executive law, as amended by chapter 487 of the laws of 2014, is amended to read as follows:

9. Any award made for the cost of repair or replacement of essential personal property, including cash losses of essential personal property, shall be limited to an amount of [~~five~~] twenty-five hundred dollars, except that all cash losses of essential personal property shall be limited to the amount of one hundred dollars. In the case of medically necessary life-sustaining equipment which was lost or damaged as the direct result of a crime, the award shall be limited to the amount of ten thousand dollars.

§ 2. Subdivision 3 of section 623 of the executive law, as amended by section 8 of part A1 of chapter 56 of the laws of 2010, is amended to read as follows:

3. To adopt, promulgate, amend and rescind suitable rules and regulations to carry out the provisions and purposes of this article, including rules for the determination of claims, rules for the approval of attorneys' fees for representation before the office and/or before the appellate division upon judicial review as provided for in section six hundred twenty-nine of this article, rules for the definition and reasonable reimbursement of individual items of essential personal property considered essential and necessary for the victim's welfare pursuant to section six hundred thirty-one of this article, and rules for the authorization of qualified persons to assist claimants in the preparation of claims for presentation to the office.

§ 3. This act shall take effect on the one hundred eightieth day after it shall have become a law and apply to all claims filed on or after such effective date.

PART J

Section 1. Section 3 of chapter 674 of the laws of 1993, amending the public buildings law relating to value limitations on contracts, as amended by section 2 of part HH of chapter 55 of the laws of 2019, is amended to read as follows:

§ 3. This act shall take effect immediately and shall remain in full force and effect only until June 30, [~~2022~~] 2025.

§ 2. This act shall take effect immediately.

PART K

Section 1. Section 110-b of the alcoholic beverage control law is amended by adding a new subdivision 6-a to read as follows:

6-a. Such notification may be made by email, provided the municipality or community board in which the premises is located elects to take service in such form. Such an election shall be in a writing signed by the authorized agent or clerk of the municipality or community board. Proof of email service shall be provided to the authority in the form of an email from the municipality or community board that reasonably identifies the applicant, or by other such forms of proof as determined by the authority.

§ 2. This act shall take effect immediately.

PART L

Intentionally Omitted

PART M

Section 1. Section 5 of chapter 396 of the laws of 2010 amending the alcoholic beverage control law relating to liquidator's permits and temporary retail permits, as amended by chapter 375 of the laws of 2021, is amended to read as follows:

§ 5. This act shall take effect on the sixtieth day after it shall have become a law, provided that paragraph (b) of subdivision 1 of section 97-a of the alcoholic beverage control law as added by section two of this act shall expire and be deemed repealed October 12, [~~2022~~] **2023**.

§ 2. This act shall take effect immediately.

PART N

Intentionally Omitted

PART O

Section 1. Section 4-104 of the election law is amended by adding a new subdivision 5-a to read as follows:

5-a. Whenever a contiguous property of a college or university contains three hundred or more registrants who are registered to vote at any address on such contiguous property, the polling place designated for such registrants shall be on such contiguous property or at a nearby location recommended by the college or university and agreed to by the board of elections.

§ 2. Paragraph a of subdivision 3 of section 4-100 of the election law, as amended by chapter 260 of the laws of 2021, is amended to read as follows:

a. Each election district shall be in compact form and may not be partly within and partly without a ward, town, city, a village which has five thousand or more inhabitants and is wholly within one town, **the contiguous property of a college or university which contains three hundred or more registrants who are registered to vote at any address on such contiguous property,** or a county legislative, assembly, senatorial or congressional district. Except as provided in paragraph b of this subdivision, election district boundaries, other than those boundaries which are coterminous with the boundaries of those political subdivisions **and college or university properties** mentioned in this paragraph, must be streets, rivers, railroad lines or other permanent characteristics of the landscape which are clearly visible to any person without the need to use any technical or mechanical device. An election district shall contain not more than nine hundred fifty registrants (excluding registrants in inactive status) or, with the approval of the county board of elections, not more than two thousand registrants (excluding registrants in inactive status), but any election district may be divided for the convenience of the voters.

§ 3. This act shall take effect on the ninetieth day after it shall have become a law; provided, however, that the deadline for boards of elections to designate polling places pursuant to this act shall be extended to August 1, 2022; provided, further, that section two of this act shall take effect January 1, 2023.

PART P

Section 1. Section 106 of the alcoholic beverage control law is amended by adding a new subdivision 2-a to read as follows:

2-a. (a) Notwithstanding any provision of law to the contrary, in addition to any other privilege provided under this chapter, any retail license that allows for liquor and/or wine sale for on-premises consumption shall also include the privilege to sell for take-out and delivery, any product it may otherwise sell at retail, subject to the following conditions:

(i) any purchase for take-out or delivery must be accompanied by a purchase of a substantial food item;

(ii) the alcoholic beverages are packaged in a container with a secure lid or cap sealed in a manner designed to prevent consumption without removal of the lid or cap by breaking the seal;

(iii) beverages purchased for take-out or delivery are subject to any applicable state and municipal open container laws, rules, regulations, or ordinances;

(iv) takeout and delivery of alcoholic beverages may only occur during licensed hours of operation of on premises retailers in the county in which the licensed premises are located or, if different, the hours of operation set forth in the licensee's method of operation with the authority;

(v) the price per serving shall be the same as if consumed on premises and shall not be sold as part of any promotion or special unless such promotion or special is also available for consumption on premises; and further provided each serving shall be available only in the same manner as available on premises;

(vi) the licensee shall not sell for take-out, or deliver, any bottles of liquor or bottles of wine;

(vii) the licensee shall not advertise or promote the sale of full bottles of wine or liquor for off-premises consumption; and

(viii) the licensee shall not display full bottles of wine or liquor for the purpose of promoting the sale of such products for off-premises consumption.

(b) Deliveries made via motor vehicle shall only be made in (i) a vehicle permitted by the authority pursuant to section ninety-four of this chapter, or (ii) in a vehicle owned and operated, or hired and operated, by the licensee or its employee pursuant to section one hundred sixteen of this article; provided deliveries may be made utilizing the vehicle of an employee of the licensee, and provided further that a copy of the permit or license must be present in any vehicle while making deliveries. Delivery must be to a residential address, and may not be delivered except to a person twenty-one years of age or older at that residence who is not at the time of delivery intoxicated. Delivery drivers shall require a recipient, at the delivery address, upon delivery, to demonstrate that the recipient is at least twenty-one years of age by providing a valid form of photographic identification authorized by section sixty-five-b of this chapter.

(c) Nothing in this subdivision shall be construed to change the existing privilege of a retail licensee for on-premises consumption to sell beer, cider, or mead for consumption off the premises as currently provided for in this chapter. Provided, further, that nothing contained in this subdivision shall be deemed to supersede the provisions of section one thousand two hundred twenty-seven of the vehicle and traffic law.

(d) The authority may promulgate guidance, rules and regulations necessary to implement the provisions of this subdivision.

(e) The authority may, on its own initiative or on complaint of any person, institute proceedings to suspend or revoke a licensee's ability to sell alcoholic beverages for takeout or delivery pursuant to this subdivision after a hearing, in accordance with section one hundred nineteen of this article, at which such licensee shall be given an opportunity to be heard. Such proceedings and such hearing shall be held in such manner and upon such notice as may be prescribed by the rules of the authority.

§ 2. This act shall take effect immediately and shall expire and be deemed repealed three years after such date.

PART Q

Intentionally Omitted

PART R

Intentionally Omitted

PART S

Intentionally Omitted

PART T

Intentionally Omitted

PART U

Section 1. Subdivision 6 of section 130 of the civil service law, as amended by chapter 307 of the laws of 1979, is amended to read as follows:

6. Shift pay differentials. Whenever the director finds that under prevailing wage practices in private or other public employment in the state, employees in a given occupation receive a higher rate of pay or wage differential for a work shift other [~~than a normal day shift~~] than that which is paid to employees in the same occupation [~~for a normal day shift~~], [~~he~~] **the director** may, subject to the approval of the director of the budget, authorize a pay differential to be paid to those employees in positions in the same or related occupations in the state service and who are [~~regularly~~] assigned to an equivalent or substantially equivalent work shift, on a statewide basis, provided however, where the director finds that in a particular geographical area or areas wage practices would warrant a shift differential for employees in a particular occupation then the director may grant a work shift pay differential for such employees, subject to the approval of the director of the budget. In determining whether to authorize a pay differential the director shall consider the various duties on each shift, [~~other than the normal day shift,~~] in relation to the normal day shift. A pay differential under this subdivision shall be a percentage of basic salary**, an hourly rate, an annual rate,** or a fixed dollar amount per pay period, as prescribed in each case by the director of the classification

and compensation division subject to approval of the director of the budget. Such differential shall be paid in addition to and shall not be part of an employee's basic annual salary, and shall not affect or impair any performance advancement payments, performance awards, longevity payments or other rights or benefits to which an employee may be entitled under the provisions of this chapter, provided, however, that any differential payable pursuant to this subdivision shall be included as compensation for retirement purposes. A pay differential shall be terminated for any employee when [~~he~~] **the employee** ceases to be employed in the work shift or position for which such pay differential was authorized. A pay differential shall remain in effect until terminated by the director of the classification and compensation division with the consent of the director of the budget or until a new pay differential is authorized pursuant to this subdivision. The director of the budget may adopt such regulations as [~~he may deem~~] necessary to carry out the provisions of this subdivision.

§ 2. This act shall take effect immediately.

PART V

Intentionally Omitted

PART W

Intentionally Omitted

PART X

Section 1. Paragraph b of subdivision 10 of section 54 of the state finance law is amended by adding a new subparagraph (vii) to read as follows:

(vii) Notwithstanding subparagraph (i) of this paragraph, within amounts appropriated in the state fiscal year commencing April first, two thousand twenty-two, and annually thereafter, there shall be apportioned and paid to each municipality as of April first, two thousand twenty-two a base level grant in an amount equal to the aid received by such municipality in the state fiscal year commencing April first, two thousand twenty-one; provided, however, and notwithstanding any law to the contrary, for each municipality that did not receive a base level grant in the state fiscal year commencing April first, two thousand twenty-one, there shall be apportioned and paid to each municipality a base level grant in an amount equal to the aid received by such municipality in the fiscal year commencing April first, two thousand eighteen.

§ 2. Paragraph 3 of subdivision c of section 1261 of the tax law, as amended by section 1 of part NN of chapter 55 of the laws of 2020, is amended to read as follows:

(3) However, the taxes, penalties and interest which (i) the county of Nassau, (ii) the county of Erie, to the extent the county of Erie is contractually or statutorily obligated to allocate and apply or pay net collections to the city of Buffalo and to the extent that such county has set aside net collections for educational purposes attributable to the Buffalo school district, or the city of Buffalo or (iii) the county of Erie is authorized to impose pursuant to section twelve hundred ten

of this article, other than such taxes in the amounts described, respectively, in subdivisions one and two of section one thousand two hundred sixty-two-e of this part, during the period that such section authorizes Nassau county to establish special or local assistance programs thereunder, together with any penalties and interest related thereto, and after the comptroller has reserved such refund fund and such costs, shall, commencing on the next payment date after the effective date of this sentence and of each month thereafter, until such date as (i) the Nassau county interim finance authority shall have no obligations outstanding, or (ii) the Buffalo fiscal stability authority shall cease to exist, or (iii) the Erie county fiscal stability authority shall cease to exist, be paid by the comptroller, respectively, to (i) the Nassau county interim finance authority to be applied by the Nassau county interim finance authority, or (ii) to the Buffalo fiscal stability authority to be applied by the Buffalo fiscal stability authority, or (iii) to the Erie county fiscal stability authority to be applied by the Erie county fiscal stability authority, as the case may be, in the following order of priority: first pursuant to the Nassau county interim finance authority's contracts with bondholders or the Buffalo fiscal stability authority's contracts with bondholders or the Erie county fiscal stability authority's contracts with bondholders, respectively, then to pay the Nassau county interim finance authority's operating expenses not otherwise provided for or the Buffalo fiscal stability authority's operating expenses not otherwise provided for or the Erie county fiscal stability authority's operating expenses not otherwise provided for, respectively, [~~then (i) for the Nassau county interim finance authority to pay to the state as soon as practicable in the months of May and December each year, the amount necessary to fulfill the town and village distribution requirement on behalf of Nassau county pursuant to paragraph five-a of this subdivision, or (ii) for the Buffalo fiscal stability authority to pay to the state as soon as practicable in the months of May and December each year, the percentage of the amount necessary to fulfill the town and village distribution requirement on behalf of Erie county pursuant to paragraph five-a of this subdivision that equates to the percentage of the county not collections that the city of Buffalo and the Buffalo city school district, together, are due in the months of May and December each year, or (iii) for the Erie county fiscal stability authority to pay to the state as soon as practicable in the months of May and December each year, the amount necessary to fulfill the town and village distribution requirement on behalf of Erie county pursuant to paragraph five-a of this subdivision, less the amount being paid to the state by the Buffalo fiscal stability authority in each respective month,~~] and then (i) pursuant to the Nassau county interim finance authority's agreements with the county of Nassau, which agreements shall require the Nassau county interim finance authority to transfer such taxes, penalties and interest remaining after providing for contractual or other obligations of the Nassau county interim finance authority, and subject to any agreement between such authority and the county of Nassau, to the county of Nassau as frequently as practicable; or (ii) pursuant to the Buffalo fiscal stability authority's agreements with the city of Buffalo, which agreements shall require the Buffalo fiscal stability authority to transfer such taxes, penalties and interest remaining after providing for contractual or other obligations of the Buffalo fiscal stability authority, and subject to any agreement between such authority and the city of Buffalo, to the city of Buffalo or the city of Buffalo school

district, as the case may be, as frequently as practicable; or (iii) pursuant to the Erie county fiscal stability authority's agreements with the county of Erie, which agreements shall require the Erie county fiscal stability authority to transfer such taxes, penalties and interest remaining after providing for contractual or other obligations of the Erie county fiscal stability authority, and subject to any agreement between such authority and the county of Erie, to the county of Erie as frequently as practicable. During the period that the comptroller is required to make payments to the Nassau county interim finance authority described in the previous sentence, the county of Nassau shall have no right, title or interest in or to such taxes, penalties and interest required to be paid to the Nassau county interim finance authority, except as provided in such authority's agreements with the county of Nassau. During the period that the comptroller is required to make payments to the Buffalo fiscal stability authority described in the second previous sentence, the city of Buffalo and such school district shall have no right, title or interest in or to such taxes, penalties and interest required to be paid to the Buffalo fiscal stability authority, except as provided in such authority's agreements with the city of Buffalo. During the period that the comptroller is required to make payments to the Erie county fiscal stability authority described in the third previous sentence, the county of Erie shall have no right, title or interest in or to such taxes, penalties and interest required to be paid to the Erie county fiscal stability authority, except as provided in such authority's agreements with the county of Erie.

§ 3. Paragraph 5-a of subdivision c of section 1261 of the tax law is REPEALED.

§ 4. Subdivision 5 of section 3657 of the public authorities law, as amended by section 3 of part NN of chapter 55 of the laws of 2020, is amended to read as follows:

5. Tax revenues received by the authority pursuant to section twelve hundred sixty-one of the tax law, together with any other revenues received by the authority, shall be applied in the following order of priority: first pursuant to the authority's contracts with bondholders, then to pay the authority's operating expenses not otherwise provided for, [~~then to pay to the state pursuant to paragraph three of subdivision (c) of section twelve hundred sixty-one of the tax law,~~] and then, subject to the authority's agreements with the county, to transfer the balance of such tax revenues not required to meet contractual or other obligations of the authority to the county as frequently as practicable.

§ 5. Subdivision 5 of section 3965 of the public authorities law, as amended by section 5 of part NN of chapter 55 of the laws of 2020, is amended to read as follows:

5. Revenues of the authority shall be applied in the following order of priority: first to pay debt service or for set asides to pay debt service on the authority's bonds, notes, or other obligations and to replenish any reserve funds securing such bonds, notes or other obligations of the authority in accordance with the provision of indenture or bond resolution of the authority; then to pay the authority's operating expenses not otherwise provided for; [~~then to pay to the state pursuant to paragraph three of subdivision (c) of section twelve hundred sixty-one of the tax law;~~] and then, subject to the authority's agreements with the county for itself or on behalf of any covered organization to transfer as frequently as practicable the balance of revenues not required to meet contractual or other obligations of the authority to the county as provided in subdivision seven of this section.

§ 6. Subdivision 5 of section 3865 of the public authorities law, as amended by section 4 of part NN of chapter 55 of the laws of 2020, is amended to read as follows:

5. Revenues of the authority shall be applied in the following order of priority: first to pay debt service or for set asides to pay debt service on the authority's bonds, notes, or other obligations and to replenish any reserve funds securing such bonds, notes or other obligations of the authority, in accordance with the provision of any indenture or bond resolution of the authority; then to pay the authority's operating expenses not otherwise provided for; [~~then to pay to the state pursuant to paragraph three of subdivision (c) of section twelve hundred sixty-one of the tax law;~~] and then, subject to the authority's agreement with the city, for itself or on behalf of the city's dependent school district and any other covered organization, to transfer as frequently as practicable the balance of revenues not required to meet contractual or other obligations of the authority to the city or the city's dependent school district as provided in subdivision seven of this section.

§ 7. This act shall take effect July 1, 2022.

PART Y

Intentionally Omitted

PART Z

Intentionally Omitted

PART AA

Intentionally Omitted

PART BB

Intentionally Omitted

PART CC

Section 1. Notwithstanding any limitations on private sales of bonds provided by law and the provisions of paragraph 33 of subdivision a of section 11.00 of the local finance law to the contrary, a period of probable usefulness not to exceed 30 years shall apply to the specific object or purpose of payment of a final judgment or a compromised or settled claim against the city of Long Beach in the case of Matter of Haberman v. Zoning Board of Appeals of City of Long Beach decided in the Nassau County Supreme Court (Index # 001138/04) on January 11, 2021, provided however, that such bonds shall not exceed an aggregate amount of seventy-seven million dollars. To facilitate the marketing of any issue of bonds to finance such object or purpose, the city of Long Beach may, notwithstanding any limitations on private sales of bonds provided by law, and subject to approval by the state comptroller of the terms and conditions of such sale:

1. arrange for the underwriting of such bonds at private sale through negotiated agreement, compensation for such underwriting to be provided by negotiated fee or by sale of such bonds to an underwriter at a price less than the sum of par value of, and the accrued interest on, such obligations; or

2. arrange for the private sale of its bonds through negotiated agreement, compensation for such sale to be provided by negotiated fee, if required. The cost of such underwriting or private placement shall be deemed a preliminary cost for purposes of this section.

§ 2. This act shall take effect immediately.

PART DD

Section 1. Section 31 of the alcoholic beverage control law is amended by adding a new subdivision 14 to read as follows:

14. Notwithstanding any provision of law to the contrary, another business or other businesses may operate on the licensed premises subject to such rules and regulations as the liquor authority may prescribe. Such rules and regulations shall determine which businesses will be compatible with the policy and purposes of this chapter and shall consider the effect of particular businesses on the community and area in the vicinity of the farm meadery premises, provided however that a retailer business licensed under this chapter shall not be permitted to operate at a licensed manufacturing premises.

§ 2. Section 51-a of the alcoholic beverage control law is amended by adding a new subdivision 16 to read as follows:

16. Notwithstanding any provision of law to the contrary, another business or other businesses may operate on the licensed premises subject to such rules and regulations as the liquor authority may prescribe. Such rules and regulations shall determine which businesses will be compatible with the policy and purposes of this chapter and shall consider the effect of particular businesses on the community and area in the vicinity of the farm brewery premises, provided however that a retailer business licensed under this chapter shall not be permitted to operate at a licensed manufacturing premises.

§ 3. Section 58-c of the alcoholic beverage control law is amended by adding a new subdivision 15 to read as follows:

15. Notwithstanding any provision of law to the contrary, another business or other businesses may operate on the licensed premises subject to such rules and regulations as the liquor authority may prescribe. Such rules and regulations shall determine which businesses will be compatible with the policy and purposes of this chapter and shall consider the effect of particular businesses on the community and area in the vicinity of the farm cidery premises, provided however that a retailer business licensed under this chapter shall not be permitted to operate at a licensed manufacturing premises.

§ 4. Subdivision 2-c of section 61 of the alcoholic beverage control law is amended by adding a new paragraph (i) to read as follows:

(i) Notwithstanding any provision of law to the contrary, another business or other businesses may operate on the licensed premises subject to such rules and regulations as the liquor authority may prescribe. Such rules and regulations shall determine which businesses will be compatible with the policy and purposes of this chapter and shall consider the effect of particular businesses on the community and area in the vicinity of the farm distillery premises, provided however

that a retailer business licensed under this chapter shall not be permitted to operate at a licensed manufacturing premises.

§ 5. Section 76-a of the alcoholic beverage control law is amended by adding a new subdivision 11 to read as follows:

11. Notwithstanding any provision of law to the contrary, another business or other businesses may operate on the licensed premises subject to such rules and regulations as the liquor authority may prescribe. Such rules and regulations shall determine which businesses will be compatible with the policy and purposes of this chapter and shall consider the effect of particular businesses on the community and area in the vicinity of the farm winery premises, provided however that a retail business licensed under this chapter shall not be permitted to operate at a licensed manufacturing premises.

§ 6. This act shall take effect immediately.

PART EE

Section 1. Paragraph (a) of subdivision 14 of section 105 of the alcoholic beverage control law, as amended by section 1 of part U of chapter 63 of the laws of 2003, is amended to read as follows:

(a) No premises licensed to sell liquor and/or wine for off-premises consumption shall be permitted to remain open:

(i) On Sunday before twelve o'clock post meridian and after nine o'clock post meridian.

(ii) On any day between midnight and eight o'clock antemeridian.

[~~(iii) On the twenty-fifth day of December, known as Christmas day.~~]

In any community where daylight saving time is in effect, such time shall be deemed the standard time for the purpose of this subdivision.

§ 2. This act shall take effect immediately.

PART FF

Section 1. The alcoholic beverage control law is amended by adding a new section 128-c to read as follows:

§ 128-c. Police officers allowed to serve as an officer of veterans' organization. Notwithstanding any inconsistent provision of law to the contrary, a veterans' organization, including, but not limited to the Veterans of Foreign Wars, the American Legion, or any other "veterans club" identified in subdivision nine of section three of this chapter, shall not be precluded from applying for an on-premises license or permit under the provisions of this chapter due to the presence of a police officer serving as an officer of such organization and the state liquor authority shall be authorized to issue such license or permit.

§ 2. This act shall take effect immediately.

PART GG

Section 1. A temporary state commission, to be known as the Commission to Study Reform of the Alcoholic Beverage Control Law (hereinafter "commission"), is hereby created to study and make recommendations on issues including but not limited to:

(a) The current state of the market for alcoholic beverages in New York, including but not limited to: (i) the amount of alcoholic beverages being sold in the state; (ii) the distribution of sales of alcoholic beverages in the state to consumers by both on and off premises retailers; (iii) the levels of production of alcoholic beverages by manufac-

turers in the state and how much of that production is sold in the state versus how much is exported; (iv) the amount of alcoholic beverages imported into the state; and (v) the revenues earned by the state and localities from excise taxes on alcohol as well as sales taxes on the sale of alcoholic beverages;

(b) The relative health of the various sectors of the alcoholic beverage market in New York, including but not limited to: (i) the general financial state of the on and off premises retailers, including package stores, restaurants, bars and taverns, convenience stores, bodegas, grocery stores, or other licensed retail entities; (ii) the general financial state of beer and wine and liquor distributors; (iii) the general financial state of manufacturers and farm manufacturers in the state; and (iv) an examination of tax credits associated with production and tastings for parity between alcoholic beverage types;

(c) Amendments to the law, increases in resources available for administering existing laws and rules, and new state liquor authority practices that would lessen processing times for the issuance of licenses, license renewals, and permit applications; review of laws against underage consumption of alcohol and the enforcement mechanisms utilized; the overall impact of laws and corresponding state liquor authority regulations on the numerous sectors of the industry; and whether New York should consider adopting a "control state" model or other regulatory model; and

(d) Specific privileges to sell different types of alcoholic beverages and other items granted to retail licensees and the effect changing such privileges would have on the various types of retailers; the number of off premises retail licenses an individual may be granted for beer, wine, or liquor; the ability of licensees to form purchasing cooperatives, and the effects such cooperatives would have on the rest of the market; the authorization of direct sales to consumers by manufacturers, and the effect direct sales would have on the rest of the market; a review of the hours and manner in which retailers can operate or sell different types of beverages; potential barriers to market entry for new businesses by sector; and any other issues deemed necessary and appropriate to include by members of this commission.

§ 2. (a) The commission shall consist of twenty-one members. The members shall consist of the chairman of the state liquor authority who shall serve as the chair of the commission, the commissioner of taxation and finance or their representative, the superintendent of the state police or their representative, the director of the division of the budget or their representative, the chief executive officer of the empire state development corporation or their representative, ten members appointed by the governor, two members appointed by the temporary president of the senate, two members appointed by the speaker of the assembly, one member appointed by the minority leader of the senate, and one member appointed by the minority leader of the assembly. Of the members appointed by the governor and legislature, to the extent practicable, there shall be a diverse representation of the following sectors of the alcoholic beverage market from throughout the state: restaurants, package stores, bars and taverns, convenience stores, grocery stores, beer wholesalers, wine and liquor wholesalers, breweries including farm breweries, wineries including farm wineries, distilleries including farm distilleries, and cideries including farm cideries.

(b) The members of the commission shall serve at the pleasure of their appointing authority. Vacancies in the membership of the commission shall be filled in the same manner as the original appointments. Member-

ship on the commission shall not constitute a public office. Appointments shall be made within 60 days of the effective date of this act. The chairman may call for a meeting of the commission before all members are appointed, but no sooner than 60 days after the effective date of this act.

§ 3. The commission shall make recommendations on amendments to the alcoholic beverage control law and state liquor authority regulations, which will be included in the final report issued by the commission. Recommendations shall be made based on a majority vote of the members of the commission. The report shall include the reasons for each recommendation, as well as any dissenting comments by those who voted against a specific recommendation.

§ 4. The members of the commission shall receive no compensation for their services, but shall be allowed their actual, necessary expenses incurred in the performance of their duties hereunder.

§ 5. The commission may employ and at pleasure remove such personnel as it may deem necessary for the performance of its functions. Such commission may meet and hold public and/or private hearings within or without the state, and shall have all the powers of a legislative committee pursuant to the legislative law. The commission shall not be deemed an agency or public body for purposes of the public officers law. The members of the commission shall not be required to file a financial disclosure statement under section 73-a of the public officers law.

§ 6. For the accomplishment of its purposes, the commission shall be authorized and empowered to undertake any studies, inquiries, surveys or analyses it may deem relevant in cooperation with, or by agreement with, any other public or private agency or entity.

§ 7. The commission shall issue a final report no later than May 1, 2023. The report shall include recommendations by the commission for amendments to the alcoholic beverage control law and state liquor authority regulations. The commission shall issue its report to the governor, the speaker of the assembly, the minority leader of the assembly, the temporary president of the senate, the minority leader of the senate, the chair of the senate investigations and government operations committee, the chair of the assembly economic development committee, and the chair of the senate commerce, economic development, and small business committee.

§ 8. This act shall take effect immediately and shall expire and be deemed repealed May 2, 2023.

PART HH

Section 1. Subdivision 2 of section 8-400 of the election law is amended by adding a new paragraph (e) to read as follows:

(e) When mailing an absentee ballot application to a voter the board of elections shall provide a domestic postage paid return envelope. When providing an absentee ballot application to a voter in-person, the board of elections shall offer the voter a domestic postage paid return envelope and provide one if requested.

§ 2. Section 8-406 of the election law, as amended by chapter 296 of the laws of 1988, is amended to read as follows:

§ 8-406. Absentee ballots, delivery of. **1.** If the board shall find that the applicant is a qualified voter of the election district containing his residence as stated in his statement and that his statement is sufficient, it shall, as soon as practicable after it shall have determined his right thereto, mail to him at an address designated by

him, or deliver to him, or to any person designated for such purpose in writing by him, at the office of the board, such an absentee voter's ballot or set of ballots and an envelope therefor. If the ballot or ballots are to be sent outside of the United States to a country other than Canada or Mexico, such ballot or ballots shall be sent by air mail. However, if an applicant who is eligible for an absentee ballot is a resident of a facility operated or licensed by, or under the jurisdiction of, the department of mental hygiene, or a resident of a facility defined as a nursing home or residential health care facility pursuant to subdivisions two and three of section two thousand eight hundred one of the public health law, or a resident of a hospital or other facility operated by the Veteran's Administration of the United States, such absentee ballot need not be so mailed or delivered to any such applicant but, may be delivered to the voter in the manner prescribed by section 8-407 of this chapter if such facility is located in the county or city in which such voter is eligible to vote.

2. When mailing an absentee ballot to a voter the board of elections shall provide a domestic postage paid return envelope. When providing an absentee ballot to a voter in-person, the board of elections shall offer the voter a domestic postage paid return envelope and provide one if requested.

§ 3. This act shall take effect July 1, 2022.

PART II

Section 1. Section 13 of chapter 141 of the laws of 1994, amending the legislative law and the state finance law relating to the operation and administration of the legislature, as amended by section 1 of part MMM of chapter 59 of the laws of 2021, is amended to read as follows:

§ 13. This act shall take effect immediately and shall be deemed to have been in full force and effect as of April 1, 1994, provided that, the provisions of section 5-a of the legislative law as amended by sections two and two-a of this act shall take effect on January 1, 1995, and provided further that, the provisions of article 5-A of the legislative law as added by section eight of this act shall expire June 30, [~~2022~~] **2023** when upon such date the provisions of such article shall be deemed repealed; and provided further that section twelve of this act shall be deemed to have been in full force and effect on and after April 10, 1994.

§ 2. This act shall not supersede the findings and determinations made by the compensation committee as authorized pursuant to part HHH of chapter 59 of the laws of 2018 unless a court of competent jurisdiction determines that such findings and determinations are invalid or otherwise not applicable or in force.

§ 3. This act shall take effect immediately, provided, however, if this act shall take effect on or after June 30, 2022, this act shall be deemed to have been in full force and effect on and after June 30, 2022.

PART JJ

Section 1. The legislative law is amended by adding a new section 83-n to read as follows:

§ 83-n. Legislative commission on the future of the Long Island Power Authority. 1. The legislature hereby finds and declares that chapter 517 of the laws of 1986 created the Long Island Power Authority (LIPA). Said authority was created, in part, because the decisions by LILCO, the

private utility that provided electricity to Long Island and part of Queens, "to commence construction of the Shoreham nuclear power plant and thereafter to continue such construction were imprudent". Further, the legislature found in chapter 517 of the laws of 1986 that "a situation threatening the economy, health and safety exists in the service area". One of the two express purposes of the act was the closure of the Shoreham nuclear power plant. In 1992, LIPA bought the Shoreham nuclear power plant. The plant was fully decommissioned in 1994.

The second purpose of such chapter 517 was to replace LILCO with a publicly owned power authority. The legislature found that "There is a lack of confidence that the needs of the residents and of commerce and industry in the service area for electricity can be supplied in a reliable, efficient and economic manner by the Long Island lighting company (hereinafter referred to as "LILCO")" and "Such matters of state concern best can be dealt with by replacing such investor owned utility with a publicly owned power authority."

In 1995, LIPA replaced LILCO as the electric company for its service area. However, LIPA was never established as a true "publicly owned power authority" as originally envisioned by the State Legislature. Rather, since 1995, LIPA has opted for a third-party management model whereby LIPA contracts its responsibility to manage the utility to a private, investor owned utility company.

LIPA is the only utility in the nation that is operated under a third-party management model. This model has repeatedly failed its customers. There has been a lack of transparency, oversight, and accountability. This failure has been most dramatically evidenced in the unacceptable storm response by LIPA and its third-party contractors during Superstorm Sandy in 2012 and Tropical Storm Isaias in 2020.

After more than 25 years of unsatisfactory management under the third-party management model, a better alternative must be implemented. That inquiry must begin with the original intent of chapter 517 of the laws of 1986, whereby LIPA was to directly manage and operate the utility as a true public power utility. Initial investigations by LIPA after Tropical Storm Isaias in 2020-2021 indicate that both ratepayer savings and increased management efficiencies could be achieved through the public power model.

Consequently, it is the purpose of this section to implement the original vision for LIPA intended by chapter 517 of the laws of 1986, as a publicly owned power company. The legislature hereby creates a commission to provide the legislature with the specific actions, legislation, and timeline necessary to restructure LIPA into a true publicly owned power authority. The public must participate in that process so that the new LIPA becomes transparent with proper oversight and accountability. The legislative commission shall submit its final report to the legislature no later than April first, two thousand twenty-three.

2. A legislative commission is hereby established to investigate and report to the legislature on the establishment of a public power model for the operation of LIPA, whereby the authority would directly operate the utility as a true public power authority. The commission shall report to the legislature on the specific actions, legislation, and timeline necessary to restructure LIPA into a true publicly owned power authority. The commission shall consider: (a) the method of governance of the public authority; (b) improved transparency, accountability, and public involvement; (c) improved reliability of the system; (d) the impact on electric rates; (e) improved storm response; (f) the powers required by LIPA to more effectively operate the utility; (g) the over-

sight role of the department of public service and the public service commission over LIPA's operation; (h) the impact on existing bonded indebtedness; (i) improved long term energy planning; (j) compliance with the goals of the New York state climate leadership and community protection act; (k) increased reliance on renewable energy sources to produce electricity; (l) taxation and payments in lieu of taxes; (m) the special needs of communities that are or have been impacted by the siting of power generating facilities; and (n) any other matter relevant to the establishment of a public power model for the operation of LIPA. In its report to the legislature, the commission shall provide for the implementation of the public power model by LIPA no later than December thirty-first, two thousand twenty-five.

3. The commission shall consist of eight members to be appointed as follows: three members of the senate shall be appointed by the temporary president of the senate; three members of the assembly shall be appointed by the speaker of the assembly; one member of the senate shall be appointed by the minority leader of the senate; and one member of the assembly shall be appointed by the minority leader of the assembly. Any vacancy that occurs in the commission shall be filled in the same manner in which the original appointment was made. Co-chairs of the commission shall be designated by the temporary president of the senate and the speaker of the assembly, respectively. No member, officer, or employee of the commission shall be disqualified from holding any other public office or employment, nor shall he or she forfeit any such office or employment by reason of his or her appointment hereunder, notwithstanding the provisions of any general, special, or local law, ordinance, or city charter.

4. The commission shall establish an advisory committee to actively assist and advise the commission in the preparation of the public power report required to be prepared pursuant to this section. The committee shall consist of not more than fifteen members which shall include but not be limited to representatives of organizations and institutions representing business, labor, local government, Indian nations and tribes, economic development, environmental, energy, social justice, consumer, civic, school districts or higher education interests. The committee by a majority vote shall elect a chairperson. The commission shall meet periodically with the advisory committee, make available working draft and other documents, and shall provide services to the advisory committee as are necessary and appropriate to carry out its functions under this section. Members of the advisory committee shall be residents of the service area.

5. The commission may employ and at pleasure remove such personnel as it may deem necessary for the performance of the commission's functions and fix their compensation within the amount appropriated therefor. The commission may hold public and private hearings and otherwise have all of the powers of a legislative committee under this chapter. The members of the commission shall receive no compensation for their services, except as provided pursuant to section five-a of this chapter, but shall be allowed their actual and necessary expenses incurred in the performance of their duties hereunder.

6. Employees of the commission shall be considered to be employees of the legislature for all purposes.

7. The commission may request and shall receive from any subdivision, department, board, bureau, commission, office, agency or other instrumentality of the state or of any political subdivision thereof, including but not limited to the department of public service and the public

service commission, such facilities, assistance and data as it deems necessary or desirable for the proper execution of its powers and duties. The office of the state comptroller may, at its discretion, provide to the commission such facilities, assistance, and data as may be requested by the commission.

8. The commission is hereby authorized and empowered to make and sign any agreements, and to do and perform any acts that may be necessary, desirable or proper to carry out the purposes and objectives set forth in this section.

9. The commission shall hold at least one public hearing with a public comment period in each of the counties comprising the service area of the Long Island Power Authority on the establishment of public power by September thirtieth, two thousand twenty-two and before issuing a draft report.

10. No later than December thirty-first, two thousand twenty-two, the commission shall issue a draft report to the members of the legislature regarding the establishment of a public power model for the Long Island Power Authority. The commission shall hold at least one public hearing with a public comment period in each of the counties comprising the service area of the Long Island Power Authority on the draft report no later than February fifteenth, two thousand twenty-three and before issuing a final report.

11. No later than February first, two thousand twenty-three, the comptroller shall have the discretion to review the draft report and issue to the legislature any recommendations relative to the findings contained in the draft report which relates to the establishment of a public power model for the Long Island Power Authority.

12. No later than April first, two thousand twenty-three, the commission shall issue a final report to the members of the legislature regarding the establishment of a public power model for the Long Island Power Authority. Such report shall provide any legislation required to implement the public power model.

§ 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 amendments to article 5-A of the legislative law made by section one of this act shall survive the repeal of such article as provided in section 13 of chapter 141 of the laws of 1994, as amended.

PART KK

Section 1. Subdivision 4 of section 209-b of the general municipal law, as amended by chapter 476 of the laws of 2018, is amended to read as follows:

4. Fees and charges [~~prohibited~~] authorized. [~~Emergency~~] (a) Subject to the restrictions set forth in paragraph (d) of this subdivision, emergency and general ambulance service, including emergency medical service as defined in section three thousand one of the public health law, authorized pursuant to this section [~~shall~~] may be furnished with-

out cost to the person served; provided, however, that the authorities having control of a fire department or fire company that have authorized such fire department or fire company to provide such service or services may fix a schedule of fees or charges to be paid by persons requesting such service or services. The authorities having control of a fire department or fire company may provide for the collection of fees and charges or may formulate rules and regulations for the collection thereof by the fire department or fire company. When fees and charges are authorized pursuant to this subdivision, the fees and charges collected shall be disbursed in accordance with a written contract entered into between the authority having control of a fire department or fire company and the fire department or fire company itself. If the authorities having control of a fire department or fire company have authorized such fire department or fire company to fix a schedule of fees or charges to be paid by persons requesting such service or services, and seek participation in and reimbursement from the medical assistance program, the authorities having control of a fire department or fire company shall adhere to any medical assistance enrollment and billing requirements applicable to such services prior to receiving reimbursement. The acceptance by any firefighter of any personal remuneration or gratuity, directly or indirectly, from a person served shall be a ground for his or her expulsion or suspension as a member of the fire department or fire company.

(b) Notwithstanding the provisions of paragraph (a) of this subdivision, a basic life support service which establishes a schedule of fees for service shall enter into a contract with a provider or providers of advanced life support services to provide such advanced life support services. Such contract shall at a minimum establish the fees for advanced life support services and the means by which said provider will be reimbursed when the ambulance service bills for emergency medical service.

(c) An emergency and general ambulance service, including emergency medical service as defined in section three thousand one of the public health law, authorized pursuant to this section which does not issue a bill for its services and which requests an Advanced Life Support (ALS) intercept from another ambulance service furnishing service in an area that is designated as a rural area by any law or regulation of the state, or that is located in a rural census tract of a metropolitan statistical area (as determined under the most recent Goldsmith Modification), shall pay the ambulance service providing the ALS intercept an ALS Rural Intercept Fee at rates negotiated between the providers of such services. In the absence of any agreed upon rates, the service receiving such ALS intercept shall pay the service providing the ALS intercept for such services at the usual and customary charge, which shall not be excessive or unreasonable.

(d) An emergency and general ambulance service, including emergency medical service as defined in section three thousand one of the public health law, authorized pursuant to this section to fix a schedule of fees or charges to be paid by persons requesting such service or services, may apply such fees and charges only within such service's primary response territory as assigned and evidenced by a valid ambulance service certificate issued by the commissioner of health pursuant to section three thousand five of the public health law, on or before January first, two thousand twenty-two.

(e) An emergency and general ambulance service, including emergency medical service as defined in section three thousand one of the public

health law, authorized pursuant to this section shall not directly issue a bill for its services to any uninsured recipient of such services.

§ 2. Paragraph (e) of subdivision 1 of section 122-b of the general municipal law, as amended by chapter 303 of the laws of 1980, is amended to read as follows:

(e) [No] A contract [shall] may be entered into pursuant to the provisions of this section for the services of an emergency rescue and first aid squad of a fire department or fire company which is subject to the provisions of section two hundred nine-b of [the general municipal law] this chapter;

§ 3. Subdivision 1 of section 184 of the town law, as amended by chapter 599 of the laws of 1994, is amended to read as follows:

1. Whenever the town board shall have established or extended a fire protection district pursuant to the provisions of this article, the town board shall provide for the furnishing of fire protection within the district and for that purpose may (a) contract with any city, village, fire district or incorporated fire company maintaining adequate and suitable apparatus and appliances for the furnishing of fire protection in such district or (b) may acquire by gift or purchase such apparatus and appliances for use in such district and may contract with any city, village, fire district or incorporated fire company for operation, maintenance, and repair of the same and for the furnishing of fire protection in such district, or both. The contract may also provide for the furnishing of (1) emergency service in case of accidents, calamities or other emergencies in connection with which the services of firefighters would be required and (2) general ambulance service subject, however, to the provisions of section two hundred nine-b of the general municipal law. In the event that the fire department or fire company furnishing fire protection within the district pursuant to contract does not maintain and operate an ambulance then a separate contract may be made for the furnishing within the district of emergency ambulance service or general ambulance service, or both, with any city, village or fire district the fire department of which, or with an incorporated fire company having its headquarters outside the district which, maintains and operates an ambulance subject, however, in the case of general ambulance service, to the provisions of section two hundred nine-b of the general municipal law, or with an ambulance service, certified or registered pursuant to article thirty of the public health law[, which is not organized under the provisions of section two hundred nine-b of the general municipal law]. Any such contract with any such ambulance service permitted herein shall be subject to the provisions of this section.

§ 4. This act shall take effect on the ninetieth day after it shall have become a law and shall apply to health care claims submitted on or after such date; provided, however, that this act shall expire and be deemed repealed four years after it shall have become a law.

PART LL

Section 1. This act shall be known and may be cited as the "Nassau county transparency and accountability act of 2022".

§ 2. Subdivision 7 of section 3653 of the public authorities law, as added by chapter 84 of the laws of 2000, is amended to read as follows:

7. At least annually, commencing no more than one year after the date on which authority bonds are first issued, the authority shall report to the county executive, county legislature, the county comptroller, the

director of the budget**, the speaker of the assembly, the temporary president of the senate** and the state comptroller on the costs financed by the authority and the amount of such financing for each such cost over the past year.

§ 3. Subdivisions 2, 3, 4, 5, 6 and 7 of section 3668 of the public authorities law are renumbered subdivisions 4, 5, 6, 7, 8 and 9 and two new subdivisions 2 and 3 are added to read as follows:

2. conduct audits of the Nassau county industrial development agency established pursuant to section nine hundred twenty-two of the general municipal law, the Nassau county off-track betting corporation established pursuant to article five of the racing, pari-mutuel wagering and breeding law, and the Nassau university medical center established pursuant to section three thousand four hundred two of this chapter; provided, however, that such audits shall to be completed no later than December thirty-first, two thousand twenty-two, and shall continue on a biennial basis for subsequent years thereafter. The authority shall make its audit findings publicly available on its website and provide copies of its respective reports to the governor, temporary president of the senate, speaker of the assembly, and authorities budget office;

3. investigate, within the county and covered organizations, potential violations of the provisions of this chapter, fiscal mismanagement or systemic negligence; provided further that the authority shall provide an annual report to the governor, temporary president of the senate, speaker of the assembly, and authorities budget office detailing such investigations;

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