

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.

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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:

1 Section 1. This act enacts into law major components of legislation
2 necessary to implement the state transportation, economic development
3 and environmental conservation budget for the 2021-2022 state fiscal
4 year. Each component is wholly contained within a Part identified as
5 Parts A through WW. The effective date for each particular provision
6 contained within such Part is set forth in the last section of such
7 Part. Any provision in any section contained within a Part, including

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

6 PART A
7 Intentionally Omitted

8 PART B
9 Intentionally Omitted

10 PART C
11 Intentionally Omitted

12 PART D
13 Intentionally Omitted

14 PART E
15 Intentionally Omitted

16 PART F
17 Intentionally Omitted

18 PART G
19 Intentionally Omitted

20 PART H
21 Intentionally Omitted

22 PART I
23 Intentionally Omitted

24 PART J

25 Section 1. Section 2 of chapter 393 of the laws of 1994, amending the
26 New York state urban development corporation act, relating to the powers
27 of the New York state urban development corporation to make loans, as
28 amended by section 1 of part FF of chapter 58 of the laws of 2020, is
29 amended to read as follows:

30 § 2. This act shall take effect immediately provided, however, that
31 section one of this act shall expire on July 1, [~~2021~~ 2022, at which
32 time the provisions of subdivision 26 of section 5 of the New York state

1 urban development corporation act shall be deemed repealed; provided,
2 however, that neither the expiration nor the repeal of such subdivision
3 as provided for herein shall be deemed to affect or impair in any manner
4 any loan made pursuant to the authority of such subdivision prior to
5 such expiration and repeal.

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

8 PART K

9 Section 1. Subdivision 3 of section 16-m of section 1 of chapter 174
10 of the laws of 1968 constituting the New York state urban development
11 corporation act, as amended by section 1 of part EE of chapter 58 of the
12 laws of 2020, is amended to read as follows:

13 3. The provisions of this section shall expire, notwithstanding any
14 inconsistent provision of subdivision 4 of section 469 of chapter 309 of
15 the laws of 1996 or of any other law, on July 1, [~~2021~~] 2022.

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

18 PART L

19 Intentionally Omitted

20 PART M

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

26 § 3. This act shall take effect on the ninetieth day after it shall
27 have become a law and shall expire and be deemed repealed July 31,
28 [~~2021~~] 2026; provided, however, that any assessment due and payable
29 under such marketing orders shall be remitted to the urban development
30 corporation starting 30 days after such effective date.

31 § 2. This act shall take effect immediately.

32 PART N

33 Section 1. Section 2 of chapter 21 of the laws of 2003, amending the
34 executive law relating to permitting the secretary of state to provide
35 special handling for all documents filed or issued by the division of
36 corporations and to permit additional levels of such expedited service,
37 as amended by section 1 of part R of chapter 58 of the laws of 2020, is
38 amended to read as follows:

39 § 2. This act shall take effect immediately, provided however, that
40 section one of this act shall be deemed to have been in full force and
41 effect on and after April 1, 2003 [~~and shall expire March 31, 2021~~].

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

44 PART O

45 Intentionally Omitted

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PART P

PART Q

PART R

PART S

PART T

PART U

PART V

PART W

Intentionally Omitted

Intentionally Omitted

Intentionally Omitted

Intentionally Omitted

Intentionally Omitted

Intentionally Omitted

Intentionally Omitted

16 Section 1. Expenditures of moneys by the New York state energy
17 research and development authority for services and expenses of the
18 energy research, development and demonstration program, including
19 grants, the energy policy and planning program, the zero emissions vehi-
20 cle and electric vehicle rebate program, and the Fuel NY program shall
21 be subject to the provisions of this section. Notwithstanding the
22 provisions of subdivision 4-a of section 18-a of the public service law,
23 all moneys committed or expended in an amount not to exceed \$22,700,000
24 shall be reimbursed by assessment against gas corporations, as defined
25 in subdivision 11 of section 2 of the public service law and electric
26 corporations as defined in subdivision 13 of section 2 of the public
27 service law, where such gas corporations and electric corporations have
28 gross revenues from intrastate utility operations in excess of \$500,000
29 in the preceding calendar year, and the total amount assessed shall be
30 allocated to each electric corporation and gas corporation in proportion
31 to its intrastate electricity and gas revenues in the calendar year
32 2019. Such amounts shall be excluded from the general assessment
33 provisions of subdivision 2 of section 18-a of the public service law.
34 The chair of the public service commission shall bill such gas and/or
35 electric corporations for such amounts on or before August 10, 2021 and
36 such amounts shall be paid to the New York state energy research and
37 development authority on or before September 10, 2021. Upon receipt, the
38 New York state energy research and development authority shall deposit
39 such funds in the energy research and development operating fund estab-
40 lished pursuant to section 1859 of the public authorities law. The New
41 York state energy research and development authority is authorized and

1 directed to: (1) transfer up to \$4 million to the state general fund for
 2 climate change related services and expenses of the department of envi-
 3 ronmental conservation, \$150,000 to the state general fund for services
 4 and expenses of the department of agriculture and markets, and \$825,000
 5 to the University of Rochester laboratory for laser energetics from the
 6 funds received; and (2) commencing in 2016, provide to the chair of the
 7 public service commission and the director of the budget and the chairs
 8 and secretaries of the legislative fiscal committees, on or before
 9 August first of each year, an itemized record, certified by the presi-
 10 dent and chief executive officer of the authority, or his or her desig-
 11 nee, detailing any and all expenditures and commitments ascribable to
 12 moneys received as a result of this assessment by the chair of the
 13 department of public service pursuant to section 18-a of the public
 14 service law. This itemized record shall include an itemized breakdown
 15 of the programs being funded by this section and the amount committed to
 16 each program. The authority shall not commit for any expenditure, any
 17 moneys derived from the assessment provided for in this section, until
 18 the chair of such authority shall have submitted, and the director of
 19 the budget shall have approved, a comprehensive financial plan encom-
 20 passing all moneys available to and all anticipated commitments and
 21 expenditures by such authority from any source for the operations of
 22 such authority. Copies of the approved comprehensive financial plan
 23 shall be immediately submitted by the chair to the chairs and secre-
 24 taries of the legislative fiscal committees. Any such amount not commit-
 25 ted by such authority to contracts or contracts to be awarded or other-
 26 wise expended by the authority during the fiscal year shall be refunded
 27 by such authority on a pro-rata basis to such gas and/or electric corpo-
 28 rations, in a manner to be determined by the department of public
 29 service, and any refund amounts must be explicitly lined out in the
 30 itemized record described above.

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

33 PART X

34 Intentionally Omitted

35 PART Y

36 Intentionally Omitted

37 PART Z

38 Section 1. Part UU of chapter 58 of the laws of 2020, authorizing the
 39 county of Nassau, to permanently and temporarily convey certain ease-
 40 ments and to temporarily alienate certain parklands, is amended to read
 41 as follows:

42 PART UU

43 Section 1. This act enacts into law components of legislation which
 44 are necessary to implement legislation relating to the Bay Park Convey-
 45 ance Project. Each component is wholly contained within a Subpart iden-
 46 tified as Subparts A through C. The effective date for each particular
 47 provision contained within such Subpart is set forth in the last section
 48 of such Subpart. Any provision in any section contained within a

1 Subpart, including the effective date of the Subpart, which makes a
 2 reference to a section "of this act", when used in connection with that
 3 particular component, shall be deemed to mean and refer to the corre-
 4 sponding section of the Subpart in which it is found. Section three of
 5 this act sets forth the general effective date of this act.

6

SUBPART A

7 Section 1. Subject to the provisions of this act, the county of
 8 Nassau, acting by and through the county legislature of such county, is
 9 hereby authorized to (a) discontinue permanently the use as parkland the
 10 [~~subsurface~~] lands described in sections [~~four~~] five, seven, eight,
 11 [~~ten~~] and eleven of this act and establish permanent easements on such
 12 lands for the purpose of constructing, operating, maintaining and
 13 repairing a subsurface sewer main, and (b) discontinue temporarily the
 14 use as parkland the lands described in sections three, four, six [~~and~~],
 15 nine, and ten of this act and establish temporary easements on such
 16 lands for the purpose of constructing a subsurface sewer main. Authori-
 17 zation for the temporary easements described in sections three, four,
 18 six, [~~and~~] nine, and ten of this act shall cease upon the completion of
 19 the construction of such sewer main, at which time the department of
 20 environmental conservation shall restore the surface of the parklands
 21 disturbed and the parklands shall continue to be used for park purposes
 22 as they were prior to the establishment of such temporary easements.
 23 Authorization for the permanent easements described in sections [~~four~~]
 24 five, seven, eight, [~~ten~~] and eleven of this act shall require that the
 25 department of environmental conservation restore the surface of the
 26 parklands disturbed and the parklands shall continue to be used for park
 27 purposes as they were prior to the establishment of the permanent ease-
 28 ments.

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

34 § 3. TEMPORARY EASEMENT - Force main shaft construction area. Park-
 35 land upon and under which a temporary easement may be established pursu-
 36 ant to subdivision (b) of section one of this act is described as all
 37 that certain plot, piece or parcel of land with buildings and improve-
 38 ments thereon erected, situate, lying and being located at Bay Park,
 39 Town of Hempstead, County of Nassau and State of New York being more
 40 particularly bounded and described as follows: beginning at a point on
 41 the northerly line of the Nassau County Sewage Treatment Plant property,
 42 said Point of Beginning being South [~~68°00'~~] 68°06'12" East, as measured
 43 along northerly line of said sewage treatment plant, [~~543~~] 535.50 feet
 44 plus or minus, from the intersection of the northerly line Nassau County
 45 Sewage Treatment Plant with the westerly side of Compton Street; running
 46 thence South [~~68°00'~~] 68°06'12" East, along the northerly line of said
 47 sewage treatment plant, [~~247~~] 249.60 feet plus or minus; thence South
 48 [~~07°04'~~] 07°20'58" West [~~196~~] 198.58 feet plus or minus; thence North
 49 [~~78°37'~~] 78°30'32" West [~~33~~] 35.88 feet plus or minus; thence North
 50 [~~06°10'~~] 06°10'23" East [~~105~~] 89.20 feet plus or minus; thence North
 51 [~~30°53'~~] 33°17'21" West [~~56~~] 78.28 feet plus or minus; thence North
 52 [~~64°27'~~] 66°13'52" West [~~190~~] 173.72 feet plus or minus; thence North
 53 [~~20°21'~~] 19°56'50" East [~~49~~] 62.50 feet plus or minus, to the northerly
 54 line of the Nassau County Sewage Treatment Plant, at the Point of Begin-

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

7 § 4. [~~PERMANENT-SUBSURFACE~~] TEMPORARY EASEMENT - Access shaft. Park-
8 land upon and under which a [~~permanent~~] temporary easement may be estab-
9 lished pursuant to subdivision [~~(a)~~] (b) of section one of this act is
10 described as all that certain plot, piece or parcel of land with build-
11 ings and improvements thereon erected, situate, lying and being located
12 at Bay Park, Town of Hempstead, County of Nassau and State of New York
13 being more particularly bounded and described as follows: a circular
14 easement with a radius of [~~15~~] 25 feet, the center of said circle being
15 the following three (3) courses from the intersection of the northerly
16 line of the Nassau County Sewage Treatment Plant with the westerly side
17 of Compton Street: [~~running thence~~] South [~~68°00'~~] 68°06'12" East, along
18 the northerly line of said sewage treatment plant, [~~581~~] 573.10 feet
19 plus or minus to the centerline of the permanent easement for a force
20 main described in section five of this act; thence South [~~21°34'~~] 22°24'56"
21 West, along said centerline, [~~17~~] 19.74 feet plus or minus;
22 thence South [~~14°28'~~] 22°24'56" West, [~~continuing~~] along the production
23 of said centerline, [~~1,439~~] 5.25 feet [~~plus or minus~~], to the center of
24 the herein described circular easement. Containing within said bound
25 [~~707~~] 1,963 square feet plus or minus. Said [~~permanent~~] temporary ease-
26 ment is for the construction of an access shaft that extends from the
27 surface of the ground to an approximate depth of 70 feet. [~~Any permanent~~
28 ~~surface improvements for cathodic protection, if necessary, would be~~
29 ~~flush with the ground surface or integrated into site landscaping.~~] Said
30 parcel being part of property designated as Section: 42 Block: A Lots:
31 50, 57 on the Nassau County Land and Tax Map.

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

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

3 § 6. TEMPORARY EASEMENT - Force main shaft construction area. Park-
4 land upon and under which a temporary easement may be established pursu-
5 ant to subdivision (b) of section one of this act is described as all
6 that certain plot, piece or parcel of land with buildings and improve-
7 ments thereon erected, situate, lying and being located at the hamlet of
8 Wantagh, Town of Hempstead, County of Nassau and State of New York being
9 more particularly bounded and described as follows: beginning at a point
10 on the northwesterly line of the herein described temporary easement for
11 the force main shaft construction area, said Point of Beginning being
12 [~~more particularly described as commencing at the~~] North 44°03'41" East
13 50.26 feet plus or minus, from the intersection of the [~~southerly side~~
14 ~~of Sunrise Highway Street~~] northerly line of lands licensed to the Coun-
15 ty of Nassau, as described in deed dated December 5, 1977, recorded on
16 January 13, 1978, at the Nassau County Clerk's Office in Liber 9088 of
17 Deeds at page 567, and as shown on map entitled Department of Public
18 Works Nassau County, N.Y., Map Showing Lands under the Jurisdiction of
19 the Long Island State Park Commission in Wantagh State Park to be
20 Licensed to the County of Nassau for Park and Recreational Purposes in
21 the Vicinity of Wantagh, Town of Hempstead, dated September 1976, and on
22 file at the New York State Office of Parks, Recreation and Historic
23 Preservation as Map No. 21R-1860-1, with the southeasterly side of Lake-
24 view Road, formerly known as Old Mill Road; running thence [~~southerly~~
25 along the southeasterly side of Lakeview Road [~~243 feet plus or minus,~~
26 ~~to the centerline of the~~], North 44°03'41" East 237.63 feet plus or
27 minus; thence South 50°48'50" East 70.10 feet plus or minus; thence
28 partly through the aforementioned lands licensed to the County of Nassau
29 by the State of New York (Long Island State Park Commission), South
30 43°39'59" West 239.51 feet; thence partially through a permanent
31 [~~subsurface~~] drainage easement [~~for force main described in section~~
32 ~~eight of this act; thence South 60°06' East, along said centerline, 25~~
33 ~~feet plus or minus, to the northwesterly line of the temporary easement~~]
34 granted from the City of New York to the County of Nassau, as shown on
35 Map of Real Property to be Acquired for the [~~force main shaft~~
36 ~~construction area~~] Improvement of Bellmore Creek from Wilson Avenue to
37 Lakeview Road, Filed February 8, 1979, at the Nassau County Clerk's
38 Office as Map No. H-1841, and also through the aforementioned licensed
39 lands, North 49°12'28" West 71.62 feet plus or minus; to the southeast-
40 erly side of Lakeview Road, at the Point of Beginning. [Running thence
41 ~~North 39°06' East 111 feet plus or minus; thence South 55°47' East 70~~
42 ~~feet plus or minus; thence South 38°42' West 240 feet plus or minus;~~
43 ~~thence North 54°11' West 72 feet plus or minus; thence North 39°06' East~~
44 ~~127 feet plus or minus, to the Point of Beginning.]~~ Containing within
45 said bounds [~~16,900~~] 16,864 square feet plus or minus. The above
46 described temporary easement is for the construction of a [~~thirty-foot~~
47 forty-four-foot diameter permanent access shaft. The location of said
48 permanent access shaft is more particularly described in section seven
49 of this act. Said parcel being part of property designated as Section:
50 56 Block: Y Lot: 259 on the Nassau County Land and Tax Map.

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

1 ly bounded and described as follows: [~~a circular easement with a radius~~
2 ~~of 15 feet,~~] Beginning at a point on the [center] of southeasterly side
3 of Lakeview Road, said [circle] Point of Beginning being [the following
4 ~~two (2) courses]~~ North 44°03'41" East 170.39 feet plus or minus, from
5 the intersection of the [southerly side of Sunrise Highway] northerly
6 line of lands licensed to the County of Nassau, as described in deed
7 dated December 5, 1977, recorded on January 13, 1978, at the Nassau
8 County Clerk's Office in Liber 9088 of Deeds at page 567, and as shown
9 on map entitled Department of Public Works Nassau County, N.Y., Map
10 Showing Lands under the Jurisdiction of the Long Island State Park
11 Commission in Wantagh State Park to be Licensed to the County of Nassau
12 for Park and Recreational Purposes in the Vicinity of Wantagh, Town of
13 Hempstead, dated September 1976, and on file at the New York State
14 Office of Parks, Recreation and Historic Preservation as Map No.
15 21R-1860-1, with the southeasterly side of Lakeview Road[~~+~~ Southerly],
16 formerly known as Old Mill Road; running thence, along the southeasterly
17 side of Lakeview Road [~~243 feet plus or minus, to the centerline of the~~
18 permanent subsurface easement for force main, described in section eight
19 of this act; South 60°06' East, along said centerline, 51], North
20 44°03'41" East 25.04 feet plus or minus, to the [center of the herein
21 ~~described circular easement,~~] beginning of a non-tangent curve; thence
22 111.59 feet plus or minus along said non-tangent circular curve to the
23 right that has a radius of 22.00 feet, subtends an angle of 290°37'31",
24 and has a chord that bears South 44°03'41" West 25.04 feet, to the Point
25 of Beginning. Containing within said bounds a surface area of [~~707~~]
26 1,454 square feet plus or minus. Said permanent easement is for an
27 access shaft that extends from the surface of the ground to an approxi-
28 mate depth of 70 feet. The permanent easement allows vehicular and
29 personnel access to the shaft and within the shaft for inspection, main-
30 tenance, repair and reconstruction. Any permanent surface improvements
31 for a manhole or for cathodic protection, if necessary, would be flush
32 with the ground surface or integrated into site landscaping. Said parcel
33 being part of property designated as Section: 56 Block: Y Lot: 259 on
34 the Nassau County Land and Tax Map.

35 § 8. PERMANENT SUBSURFACE EASEMENT - Force main. Parkland upon and
36 under which a permanent easement may be established pursuant to subdivi-
37 sion (a) of section one of this act is described as all that certain
38 plot, piece or parcel of land with buildings and improvements thereon
39 erected, situate, lying and being located at the Hamlet of Wantagh, Town
40 of Hempstead, County of Nassau and State of New York being a 20-foot
41 wide strip of land more particularly bounded and described as follows:
42 [~~beginning at a point on the southeasterly side of Lakeview Road, said~~
43 ~~Point of Beginning being southwesterly 222 feet plus or minus, as meas-~~
44 ~~ured along the southeasterly side of Lakeview Road from the intersection~~
45 ~~of the southerly side of Sunrise Highway with the southeasterly side of~~
46 ~~Lakeview Road; thence South 60°06' East 49 feet plus or minus; thence~~
47 ~~South 32°15' East 1,759 feet plus or minus; thence South 16°16' West 53~~
48 ~~feet plus or minus; thence North 32°15' West 1,785 feet plus or minus;~~
49 ~~thence North 60°06' West 53 feet plus or minus, to the southeasterly~~
50 ~~side of Lakeview Road; thence North 48°13' East, along the southeasterly~~
51 ~~side of Lakeview Road, 42 feet plus or minus, to the Point of Beginning.~~
52 ~~Containing within said bounds 72,900 square feet plus or minus.] Begin-
53 ning at the intersection of the southerly side of the Wantagh State
54 Parkway, also being the same as the southerly line of a permanent ease-
55 ment granted by the State of New York (Long Island State Park Commis-
56 sion) to the Town of Hempstead for Highway purposes shown as Parcel E on~~

1 Map No. 21R-1651, dated September 30, 1935 and on file at the New York
 2 State Office of Parks, Recreation and Historic Preservation, with the
 3 easterly side of Linden Street, also being the westerly side of Wantagh
 4 State Parkway; running thence South 87°54'31" West 16.42 feet plus or
 5 minus, along the southerly side of the Wantagh State Parkway; thence
 6 through the aforementioned easement, North 49°40'30" West 172.07 feet
 7 plus or minus; thence partially through lands licensed to the County of
 8 Nassau by the State of New York (Long Island State Park Commission), as
 9 described in deed dated December 5, 1977, recorded on January 13, 1978,
 10 at the Nassau County Clerk's Office in Liber 9088 of Deeds at page 567,
 11 also as shown on map entitled Department of Public Works Nassau County,
 12 N.Y., Map Showing Lands under the Jurisdiction of the Long Island State
 13 Park Commission in Wantagh State Park to be Licensed to the County of
 14 Nassau for Park and Recreational Purposes in the Vicinity of Wantagh,
 15 Town of Hempstead, dated September 1976, and on file at the New York
 16 State Office of Parks, Recreation and Historic Preservation as Map No.
 17 21R-1860-1, North 32°14'44" West 1,935.06 feet; thence North 60°00'15"
 18 West 18.68 feet plus or minus, to the southeasterly side of Lakeview
 19 Road; thence along the southeasterly side of Lakeview Road, North
 20 44°03'41" East 20.62 feet plus or minus; thence South 60°00'15" East
 21 18.61 feet plus or minus; thence through the aforementioned licensed
 22 lands, South 32°14'44" East 1,936.94 feet; thence South 49°40'30" East
 23 294.48 feet plus or minus, to the westerly side of the Wantagh State
 24 Parkway, also being the same as the easterly side of Linden Street;
 25 thence northwesterly along the westerly side of the Wantagh State Park-
 26 way, being also the easterly side of Linden Street, 113.74 feet plus or
 27 minus along the arc of a non-tangent curve, bearing to the left, having
 28 a radius of 1,233.00', a chord that bears North 54°10'34" West 113.70
 29 feet plus or minus, to the southerly side of the Wantagh State Parkway,
 30 at the Point of Beginning. Containing within said bounds 43,088 square
 31 feet plus or minus. The above described permanent easement is for the
 32 construction and operation of a six-foot diameter force main at a mini-
 33 mum depth of fifteen feet below the ground surface. Said parcel being
 34 part of property designated as Section: 56 Block: Y Lots: 259 on the
 35 Nassau County Land and Tax Map.

36 § 9. TEMPORARY EASEMENT - Force main shaft construction area. Park-
 37 land upon and under which a temporary easement may be established pursu-
 38 ant to subdivision (b) of section one of this act is described as all
 39 that certain plot, piece or parcel of land with buildings and improve-
 40 ments thereon erected, situate, lying and being located at the hamlet of
 41 Wantagh, Town of Hempstead, County of Nassau and State of New York being
 42 more particularly bounded and described as follows: [~~beginning~~] Begin-
 43 ning at a point on the northerly line of the herein described temporary
 44 easement for [~~the force main shaft~~] construction [~~area~~] staging, said
 45 Point of Beginning being more particularly described as commencing at
 46 the intersection of the southerly side of Byron Street with the easterly
 47 side of Wantagh Parkway; running thence [~~southerly~~] South 02°05'40"
 48 East, along the easterly side of Wantagh Parkway [~~319~~], 392.77 feet plus
 49 or minus, to the centerline of the permanent subsurface easement for
 50 force main, described in section eleven of this act; thence South
 51 [~~19°15'~~] 19°14'42" East, along said centerline, [~~257~~] 166.40 feet plus
 52 or minus, to the northerly line of the temporary easement for [~~the force~~
 53 ~~main shaft~~] construction [~~area~~] staging, at the Point of Beginning.
 54 Running thence North [~~87°25'~~] 87°24'47" East 122.41 feet plus or minus;
 55 thence [~~south 33°56'~~] South 33°56'04" East [~~68~~] 67.89 feet plus or
 56 minus; thence South [~~04°43'~~] 04°43'16" East [~~54~~] 53.69 feet plus or

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

14 § 10. [~~PERMANENT SUBSURFACE~~] TEMPORARY EASEMENT - Access shaft. Park-
 15 land upon and under which a [~~permanent~~] temporary easement may be estab-
 16 lished pursuant to subdivision [~~(a)~~] (b) of section one of this act is
 17 described as all that certain plot, piece or parcel of land with build-
 18 ings and improvements thereon erected, situate, lying and being located
 19 at Hamlet of Wantagh, Town of Hempstead, County of Nassau and State of
 20 New York being more particularly bounded and described as follows: a
 21 circular easement with a radius of [~~15~~] 22 feet, the center of said
 22 circle being the following two (2) courses from the intersection of the
 23 southerly side of Byron Street with the easterly side of Wantagh Park-
 24 way: [~~Southerly~~] South 02°05'40" East along the easterly side of Wantagh
 25 Parkway [~~319~~], 392.77 feet plus or minus, to the centerline of the
 26 permanent subsurface easement for force main, described in section elev-
 27 en of this act; thence South [~~19°15'~~] 19°14'42" East, along said center-
 28 line, [~~315~~] 224.60 feet plus or minus, to the center of the herein
 29 described circular easement. Containing within said bounds a surface
 30 area of [~~707~~] 1,521 square feet plus or minus. Said [~~permanent~~] tempo-
 31 rary easement is for the construction of an access shaft that extends
 32 from the surface of the ground to an approximate depth of 70 feet. [~~Any~~
 33 ~~permanent surface improvements for cathodic protection, if necessary,~~
 34 ~~would be flush with the ground surface or integrated into site landscap-~~
 35 ~~ing.~~] Said parcel being part of property designated as Section: 63
 36 Block: 261 Lots: 765G, 765H, 818A (Part of Cedar Creek Park) on the
 37 Nassau County Land and Tax Map.

38 § 11. PERMANENT SUBSURFACE EASEMENT - Force main. Parkland upon and
 39 under which a permanent easement may be established pursuant to subdivi-
 40 sion (a) of section one of this act is described as all that certain
 41 plot, piece or parcel of land with buildings and improvements thereon
 42 erected, situate, lying and being located at the Hamlet of Wantagh, Town
 43 of Hempstead, County of Nassau and State of New York being a 20-foot
 44 wide strip of land more particularly bounded and described as follows:
 45 beginning at a point on the easterly side of the Wantagh State Parkway,
 46 said Point of Beginning being [~~southerly 285~~] South 02°05'40" East
 47 358.86 feet plus or minus[~~, as measured along the easterly side of~~
 48 ~~Wantagh Parkway~~] from the intersection of the southerly side of Byron
 49 Street with the easterly side of Wantagh Parkway; running thence South
 50 [~~19°15'~~] 19°14'42" East [~~349~~] 258.49 feet plus or minus; thence South
 51 [~~02°17'~~] 02°16'58" East [~~1,882~~] 1,725.93 feet plus or minus; thence
 52 [~~South 09°25' East 1,202~~] southwesterly 43.40 feet plus or minus[~~+~~
 53 ~~thence South 80°35'~~] along the arc of a curve to the left having a radi-
 54 us of 1,075.00 feet and a chord that bears South 25°09'48" West [~~20 feet~~
 55 ~~plus or minus; thence North 09°25' West 1,203~~] 43.39 feet plus or minus;
 56 thence North [~~02°17'~~] 02°16'58" West [~~1,880~~] 1,761.45 feet plus or

1 minus; thence North [~~19°15'~~ 19°14'42" West [~~281~~ 190.70 feet plus or
2 minus, to the easterly side of Wantagh Parkway; thence North [~~02°09'~~
3 02°05'40" West, along the easterly side of Wantagh Parkway, [~~68~~ 67.82
4 feet plus or minus, to the Point of Beginning. Containing within said
5 bounds [~~68,000~~ 39,359 square feet plus or minus. The above described
6 permanent easement is for the construction and operation of a six-foot
7 diameter force main at a minimum depth of fifteen feet below the ground
8 surface. Said parcel being part of property designated as Section: 63
9 Block: 261 Lots: 765G, 818A (Part of Cedar Creek Park) on the Nassau
10 County Land and Tax Map.

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

16 § 13. In the event that the county of Nassau received any funding
17 support or assistance from the federal government for the purchase,
18 maintenance, or improvement of the parklands set forth in sections three
19 through eleven of this act, the discontinuance and alienation of such
20 parklands authorized by the provisions of this act shall not occur until
21 the county of Nassau has complied with any applicable federal require-
22 ments pertaining to the alienation or conversion of parklands, including
23 satisfying the secretary of the interior that the alienation or conver-
24 sion complies with all conditions which the secretary of the interior
25 deems necessary to assure the substitution of other lands shall be
26 equivalent in fair market value and usefulness to the lands being alien-
27 ated or converted.

28 § 14. This act shall take effect immediately.

29

SUBPART B

30 Section 1. Subject to the provisions of this act, the village of East
31 Rockaway, in the county of Nassau, acting by and through the village
32 board of such village, is hereby authorized to (a) discontinue perma-
33 nently the use as parkland the subsurface lands described in sections
34 four and five of this act and to grant permanent easements on such lands
35 to the State of New York or county of Nassau for the purpose of
36 constructing, operating, maintaining and repairing a subsurface sewer
37 main, and (b) discontinue temporarily the use as parkland the lands
38 described in section three this act and grant temporary easements on
39 such lands to the county of Nassau for the purpose of constructing a
40 subsurface sewer main. Authorization for the temporary easement
41 described in section three of this act shall cease upon the completion
42 of the construction of the sewer main, at which time the department of
43 environmental conservation shall restore the surface of the parklands
44 disturbed and the parklands shall continue to be used for park purposes
45 as they were prior to the grant of the temporary easement. Authorization
46 for the permanent easements described in sections four and five of this
47 act shall require that the department of environmental conservation
48 restore the surface of the parklands disturbed and the parklands shall
49 continue to be used for park purposes as they were prior to the estab-
50 lishment of the permanent easements.

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

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

3 § 3. TEMPORARY EASEMENT - Force Main Shaft Construction Area. Park-
4 land upon and under which a temporary easement may be granted pursuant
5 to subdivision (b) of section one of this act is described as follows:
6 all that certain plot, piece or parcel of land with buildings and
7 improvements thereon erected, situate, lying and being located at Incor-
8 porated Village of East Rockaway, and the Hamlet of Oceanside, Town of
9 Hempstead, County of Nassau and State of New York being more particular-
10 ly bounded and described as follows: [~~beginning~~ Beginning at a point
11 on the westerly line of the herein described temporary easement for the
12 force main shaft construction area, said Point of Beginning being more
13 particularly described as commencing at the [~~intersection of the~~
14 ~~northeasterly side of Long Island Railroad right-of-way with the easterly~~
15 ~~side of Ocean Avenue, running thence North 12°34' East, along the~~
16 ~~easterly side of Ocean Avenue, 92 feet plus or minus, to the northerly~~
17 ~~line~~] northeast corner of property [~~designated as Section 38 Block E Lot~~
18 ~~14, on the~~] described in deed dated September 16, 1964 from Mary T.
19 Caretto to The Incorporated Village of East Rockaway, recorded September
20 18, 1964 at the Nassau County [Land and Tax Map,] Clerk's Office in
21 Liber 7317 of Deeds at page 494, running thence South [74°46'] 76°23'40"
22 East, [partly along said northerly line, 206] on the northerly property
23 line produced, of property described in the aforesaid Liber 7317 page
24 494, a distance of 53.41 feet plus or minus, to the westerly line of the
25 herein described temporary easement[7] at the Point of Beginning.
26 Running thence North [~~15°34'~~] 14°03'08" East [~~49~~] 42.21 feet plus or
27 minus; thence South [~~67°33'~~] 67°25'43" East [~~238~~] 237.47 feet plus or
28 minus; thence South [~~07°07'~~] 04°13'09" West [~~31~~] 35.58 feet plus or
29 minus; thence South [~~86°06'~~] 86°58'21" West [~~161~~] 165.83 feet plus or
30 minus; thence South [~~64°59'~~] 64°59'21" West [~~117~~] 106.15 feet [~~plus or~~
31 ~~minus~~]; thence North [~~15°34'~~] 14°03'08" East [~~140~~] 143.63 feet plus or
32 minus, to the Point of Beginning. Containing within said bounds
33 [~~23,000~~] 23,103 square feet plus or minus. The above described temporary
34 easement is for the construction of a [~~thirty-foot~~] forty-four-foot
35 diameter access shaft. The location of said permanent access shaft is
36 more particularly described in section four of this act. Said parcel
37 being part of property designated as Section: 38, Block: E, Lots: 12,
38 14, 21A, 21B on the Nassau County Land and Tax Map.

39 § 4. PERMANENT [~~SUBSURFACE~~] EASEMENT - Access Shaft. Parkland upon and
40 under which a permanent easement may be granted pursuant to subdivision
41 (a) of section one of this act is described as all that certain plot,
42 piece or parcel of land with buildings and improvements thereon erected,
43 situate, lying and being located at Incorporated Village of East Rocka-
44 way, and the Hamlet of Oceanside, Town of Hempstead, County of Nassau
45 and State of New York being more particularly bounded and described as
46 follows: a circular easement with a radius of [~~15~~] 22 feet, the center
47 of said circle being the following [~~three (3)~~] two (2) courses from the
48 [~~intersection of the northeasterly side of Long Island Railroad right-~~
49 ~~of-way with the easterly side of Ocean Avenue, North 12°34' East, along~~
50 ~~the easterly side of Ocean Avenue, 92 feet plus or minus, to the north-~~
51 ~~erly line~~] northeast corner of property [~~designated as Section 38 Block~~
52 ~~E Lot 14 on the~~] described in deed dated September 16, 1964 from Mary T.
53 Caretto to The Incorporated Village of East Rockaway, recorded September
54 18, 1964 at the Nassau County [Land and Tax Map] Clerk's Office in Liber
55 7317 of Deeds at page 494; South [74°46'] 76°23'40" East, [~~partly along~~
56 ~~on~~ the [~~said~~] northerly property line[~~7, 333~~] produced, of property

1 described in the aforesaid Liber 7317 page 494, a distance of 185.51
 2 feet plus or minus[~~7~~]; to the centerline of the permanent subsurface
 3 easement for force main, described in section five this act; thence
 4 [~~South 19°04' West,~~] along said easement centerline[~~, 16~~] South
 5 19°04'18" West 22.47 feet plus or minus, to the center of the herein
 6 described circular easement. Containing within said bounds a surface
 7 area of [~~707~~] 1,521 square feet plus or minus. Said permanent easement
 8 is for an access shaft that extends from the surface of the ground to an
 9 approximate depth of 70 feet. The permanent easement allows vehicular
 10 and personnel access to the shaft and within the shaft for inspection,
 11 maintenance, repair and reconstruction. Any permanent surface improve-
 12 ments for a manhole or for cathodic protection, if necessary, would be
 13 flush with the ground surface or integrated into site landscaping. Said
 14 parcel being part of property designated as Section: 38, Block: E, Lots:
 15 12, 14, 21A, 21B on the Nassau County Land and Tax Map.

16 § 5. PERMANENT SUBSURFACE EASEMENT - Force Main. Parkland upon and
 17 under which a permanent easement may be granted pursuant to subdivision
 18 (a) of section one of this act is described as all that certain plot,
 19 piece or parcel of land with buildings and improvements thereon erected,
 20 situate, lying and being located at Incorporated Village of East Rocka-
 21 way, and the Hamlet of Oceanside, County of Nassau and State of New York
 22 being a 20-foot wide strip of land more particularly bounded and
 23 described as follows: [~~beginning~~] Beginning at a point on the westerly
 24 line of the herein described permanent subsurface easement, said Point
 25 of Beginning being more particularly described as commencing at the
 26 [~~intersection of the northeasterly side of Long Island Railroad right-~~
 27 ~~of way with the easterly side of Ocean Avenue, running thence North~~
 28 ~~12°34' East, along the easterly side of Ocean Avenue, 92 feet plus or~~
 29 ~~minus, to the northerly line~~] northeast corner of property [~~designated~~
 30 ~~as Section 38 Block E Lot 14 on the~~] described in deed dated September
 31 16, 1964 from Mary T. Caretto to The Incorporated Village of East Rocka-
 32 way, recorded September 18, 1964 at the Nassau County [Land and Tax Map,
 33 ~~thence~~] Clerk's Office in Liber 7317 of Deeds at page 494; running
 34 thence South [~~74°46'~~] 76°23'40" East, [~~partly along~~] on the [~~said~~
 35 northerly property line[~~, 323~~] produced, of property described in the
 36 aforesaid Liber 7317 page 494, a distance of 175.47 feet plus or minus,
 37 to the westerly line of the herein described permanent easement, at the
 38 Point of Beginning. Running thence North [~~19°04'~~] 19°04'18" East [~~73~~]
 39 31.11 feet plus or minus, to the [~~northerly line of property designated~~
 40 ~~as Section 38 Block E Lot 21A on the Nassau County Land and Tax Map~~]
 41 southerly side of Mill River; thence South [~~60°10'~~] 67°42'35" East,
 42 along [~~said northerly line~~] the southerly side of Mill River, [~~20~~] 20.03
 43 feet plus or minus; thence South [~~19°04'~~] 19°04'18" West [~~82~~] 48.37 feet
 44 plus or minus; thence South [~~15°40'~~] 15°40'03" East [~~116~~] 55.00 feet
 45 plus or minus, to the [~~south line~~] northerly side of [~~property desig-~~
 46 ~~nated as Section 38 Block E Lot 21A on the Nassau County Land and Tax~~
 47 ~~Map~~] Mill River; thence North [~~88°09'~~] 84°40'35" West [~~21~~], along the
 48 northerly side of Mill River, 20.33 feet plus or minus; thence North
 49 [~~15°40'~~] 15°40'03" West [~~116~~] 57.60 feet plus or minus; thence North
 50 [~~19°04'~~] 19°04'18" East [~~19~~] 24.64 feet plus or minus, to the Point of
 51 Beginning. Containing within said bounds [~~4,100~~] 2,167 square feet plus
 52 or minus. The above described permanent easement is for the construction
 53 and operation of a six-foot diameter force main at a minimum depth of
 54 fifteen feet below the ground surface. Said parcel being part of proper-
 55 ty designated as Section: 38, Block: E, Lots: 12, 14, 21A, 21B on the
 56 Nassau County Land and Tax Map.

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

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

17 § 8. This act shall take effect immediately.

18

SUBPART C

19 Section 1. Subject to the provisions of this act, the village of Rock-
20 ville Centre, in the county of Nassau, acting by and through the village
21 board of such village, is hereby authorized to (a) discontinue perma-
22 nently the use as parkland the [~~subsurface~~] lands described in sections
23 three[~~, four~~] and six of this act and to grant permanent easements on
24 such lands to the State of New York or county of Nassau for the purpose
25 of constructing, operating, maintaining and repairing a subsurface sewer
26 main, and (b) discontinue temporarily the use as parkland the lands
27 described in sections four, five, and seven of this act and grant tempo-
28 rary easements on such lands to the county of Nassau for the purpose of
29 constructing a subsurface sewer main. Authorization for the temporary
30 easements described in sections four, five, and seven of this act shall
31 cease upon the completion of the construction of the sewer main, at
32 which time the department of environmental conservation shall restore
33 the surface of the parklands disturbed and the parklands shall continue
34 to be used for park purposes as they were prior to the grant of the
35 temporary easements. Authorization for the permanent easements described
36 in sections three[~~, four~~] and six of this act shall require that the
37 department of environmental conservation restore the surface of the
38 parklands disturbed and the parklands shall continue to be used for park
39 purposes as they were prior to the establishment of the permanent ease-
40 ments.

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

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

1 Point of Beginning being [~~at~~] South 74°20'24" East, as measured along
 2 the northerly side of Mill River Avenue, 60.73 feet plus or minus from
 3 the intersection of the northerly side of Mill River Avenue with the
 4 easterly side of Riverside Road; running thence [~~northerly along the~~
 5 ~~easterly side of Riverside Road 346 feet plus or minus, thence South~~
 6 ~~13°01' West 346~~] North 10°26'55" East 461.31 feet plus or minus, to the
 7 [~~northerly~~] southerly side of [~~Mill River~~] South Park Avenue; thence
 8 [~~westerly~~] along the [~~northerly~~] southerly side of [~~Mill River~~] South
 9 Park Avenue, [~~17~~] South 79°11'54" East 20.00 feet plus or minus, thence
 10 South 10°26'55" West 463.01 feet plus or minus, to the [~~easterly side of~~
 11 ~~Riverside Road, at~~] northerly side of Mill River Avenue, thence along
 12 the northerly side of Mill River Avenue, North 74°20'24" West 20.08 feet
 13 plus or minus, to the Point of Beginning. Containing within said bounds
 14 [~~3,100~~] 9,243 square feet plus or minus. The above described permanent
 15 easement is for the construction and operation of a six-foot diameter
 16 force main at a minimum depth of fifteen feet below the ground surface.
 17 Said parcel being part of property designated as Section: 38 Block: 136
 18 Lots: 231 on the Nassau County Land and Tax Map.

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

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

1 South Park Avenue with the easterly side of [~~Oxford~~] Chester Road;
 2 running thence [~~easterly~~] South 79°24'16" East, along the northerly side
 3 of South Park Avenue, [~~203~~] 247.33 feet plus or minus, to the centerline
 4 of the permanent subsurface easement for force main described in section
 5 six of this act; thence North [~~13°01'~~] 10°26'55" East, along said
 6 centerline, [~~920~~] 920.41 feet plus or minus, to the southerly line of
 7 the temporary easement, at the Point of Beginning. Running thence North
 8 [~~76°19'~~] 76°19'09" West [~~136 feet plus or minus, to the easterly termi-~~
 9 ~~nus of Merton Avenue (unopened); thence North 76°19' West, through the~~
 10 ~~unopened part of Merton Avenue, 48~~] 185.92 feet plus or minus; thence
 11 North [~~14°49'~~] 14°49'03" East [~~5' feet plus or minus, to the northerly~~
 12 ~~side of Merton Avenue; thence North 14°49' East 27'~~] 31.83 feet plus or
 13 minus; thence South [~~76°29'~~] 76°28'34" East [~~66~~] 65.98 feet plus or
 14 minus; thence North [~~36°47'~~] 36°46'43" East [~~61~~] 60.84 feet plus or
 15 minus; thence North [~~78°41'~~] 78°41'29" East [~~145~~] 145.19 feet plus or
 16 minus; thence South [~~65°54'~~] 65°54'19" East [~~46~~] 45.62 feet plus or
 17 minus; thence South [~~29°39'~~] 29°38'55" West 146.71 feet plus or minus;
 18 thence North 76°19'09" West [~~147 feet plus or minus; thence North 76°19'~~
 19 ~~West 42~~] 40.66 feet plus or minus, to the Point of Beginning. Containing
 20 within said bounds [~~22,800~~] 22,827 square feet plus or minus. The above
 21 described temporary easement is for the construction of a [~~thirty-foot~~]
 22 forty-four-foot diameter access shaft. The location of said temporary
 23 access shaft is more particularly described in section four of this act.
 24 Said parcel being part of property designated as Section: 38 Block: F
 25 [~~Lots: 39-42, 50C,~~] Lot: 50F and [~~Section: 38, Block: T, Lots: 50A, 50B,~~
 26 ~~50C~~] part of Merton Avenue (not open) on the Nassau County Land and Tax
 27 Map.

28 § 6. PERMANENT SUBSURFACE EASEMENT - Force Main. Parkland upon and
 29 under which a permanent easement may be established pursuant to subdivi-
 30 sion (a) of section one of this act is described as all that certain
 31 plot, piece or parcel of land with buildings and improvements thereon
 32 erected, situate, lying and being located at Incorporated Village of
 33 Rockville Centre, Incorporated Village of East Rockaway, and Incorporated
 34 Village of Lynbrook, Town of Hempstead, County of Nassau and State
 35 of New York being a 20-foot wide strip of land more particularly bounded
 36 and described as follows: [~~beginning~~] Beginning at a point on the
 37 northerly side of South Park Avenue, said [~~Point of Beginning 193 feet~~
 38 ~~plus or minus easterly, as measured~~] point being South 79°24'16" East,
 39 along the northerly side of South Park Avenue, 237.33 feet plus or
 40 minus, from the intersection of the northerly side of South Park Avenue
 41 with the easterly side of [~~Oxford~~] Chester Road; running thence North
 42 [~~13°01'~~] 10°26'55" East [~~956~~] 956.35 feet plus or minus; thence North
 43 [~~44°00'~~] 40°12'27" East [~~446~~] 464.95 feet plus or minus, to the
 44 [~~northeasterly line of property designated as Section 38 Block F Lot~~
 45 ~~50F, on the Nassau County Land and Tax Map~~] westerly side of Mill River;
 46 thence [~~South 53°10' East,~~] along [~~said northeasterly line, 20~~] the
 47 westerly side of Mill River the following five (5) courses South
 48 10°54'32" East 4.49 feet plus or minus; South 08°32'16" West 6.44 feet
 49 plus or minus; South 17°55'44" West 8.24 feet plus or minus; South
 50 10°55'50" West 4.90 feet plus or minus; South 07°44'20" West 14.16 feet
 51 plus or minus; thence South [~~44°00'~~] 40°12'27" West [~~443~~] 427.49 feet
 52 plus or minus; thence South [~~13°01'~~] 10°26'55" West [~~950~~] 951.08 feet
 53 plus or minus[~~7~~] to the northerly side of South Park Avenue; thence
 54 North [~~79°36'~~] 79°24'16" West, along [~~said~~] the northerly side of South
 55 Park Avenue, [~~20~~] 20.00 feet plus or minus, to the Point of Beginning[~~+~~
 56 containing]. Containing within said bounds [~~28,000~~] 28,014 square feet

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

7 § 7. TEMPORARY EASEMENT - Force Main Shaft Construction Area. Park-
8 land upon and under which a temporary easement may be established pursu-
9 ant to subdivision (b) of section one of this act is described as all
10 that certain plot, piece or parcel of land with buildings and improve-
11 ments thereon erected, situate, lying and being located at Incorporated
12 Village of Rockville Centre, Town of Hempstead, County of Nassau and
13 State of New York being more particularly bounded and described as
14 follows: [~~beginning~~ ~~Beginning~~ at a point on the northerly side of
15 Sunrise Highway (New York State Route [~~27A~~ ~~27~~), said [~~Point-of-Begin-~~
16 ~~ning~~ ~~point~~ being distant [~~254~~ ~~82.57~~ feet [~~plus-or-minus~~] westerly [~~as~~
17 ~~measured~~] along the northerly side of Sunrise Highway from the [~~inter-~~
18 ~~section-of~~] ~~extreme westerly and of an arc of a curve connecting~~ the
19 northerly side of Sunrise Highway with the westerly side of ~~North~~ Forest
20 Avenue[~~, -running~~]. ~~Running~~ thence [~~North 86°15' West,~~] along the north-
21 erly side of Sunrise Highway ~~the following three (3) courses: Southwes-~~
22 ~~terly 250.24 feet plus or minus along the arc of a curve bearing to the~~
23 ~~left having a radius of 862.00 feet and a chord that bears South~~
24 ~~77°03'07" West 249.36 feet plus or minus, [~~175 feet plus or minus,~~~~
25 ~~thence~~] South [~~68°26'~~ ~~68°43'30"~~ West[~~, -continuing along the northerly~~
26 ~~side of Sunrise Highway, 111~~] ~~161.85 feet plus or minus; Southwesterly~~
27 ~~20.44 feet plus or minus along the arc of a curve bearing to the right~~
28 ~~having a radius of 592.00 feet and a chord that bears South 69°00'05"~~
29 ~~West 20.44 feet plus or minus; thence North [~~14°47'~~ ~~14°30'46"~~ West~~
30 [~~162~~] ~~215.45 feet plus or minus, to the southerly side of [~~the~~] Long~~
31 Island Rail Road [~~right-of-way~~]; thence [~~South 86°59' East,~~] along the
32 southerly side of the Long Island Rail Road, [~~479~~] ~~South 87°41'41" East~~
33 ~~469.93 feet plus or minus; thence South [~~01°59'~~ ~~02°13'26"~~ West [~~75~~~~
34 ~~67.80 feet plus or minus, to the northerly side of [~~the travelled way~~~~
35 ~~of~~] Sunrise Highway, [~~then 160 feet plus or minus along the arc or a~~
36 ~~circular curve to the left that has a radius of 850 feet and a chord~~
37 ~~that bears South 80°03' West 160 feet plus or minus to~~] at the Point of
38 Beginning. Containing within said bounds [~~50,300~~] ~~57,506~~ square feet
39 plus or minus. The above described temporary easement is necessary for
40 the construction of temporary access to the aqueduct below Sunrise High-
41 way area. Said parcel being part of property designated as Section: 38
42 Block: 291 Lot: 17 on the Nassau County Land and Tax Map.

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

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

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

4 § 10. This act shall take effect immediately.

5 § 2. Severability clause. If any clause, sentence, paragraph, subdivi-
6 sion, section, subpart or part of this act shall be adjudged by a court
7 of competent jurisdiction to be invalid, such judgment shall not affect,
8 impair, or invalidate the remainder thereof, but shall be confined in
9 its operation to the clause, sentence, paragraph, subdivision, section,
10 subpart or part thereof directly involved in the controversy in which
11 such judgment shall have been rendered. It is hereby declared to be the
12 intent of the legislature that this act would have been enacted even if
13 such invalid provisions had not been included herein.

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

17 § 2. This act shall take effect immediately.

18

PART AA

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

22 (i) The tangible property credit component shall be equal to the
23 applicable percentage of the cost or other basis for federal income tax
24 purposes of tangible personal property and other tangible property,
25 including buildings and structural components of buildings, which
26 constitute qualified tangible property and may include any related party
27 service fee paid; provided that in determining the cost or other basis
28 of such property, the taxpayer shall exclude the acquisition cost of any
29 item of property with respect to which a credit under this section was
30 allowable to another taxpayer. A related party service fee shall be
31 allowed only in the calculation of the tangible property credit compo-
32 nent and shall not be allowed in the calculation of the site preparation
33 credit component or the on-site groundwater remediation credit compo-
34 nent. The portion of the tangible property credit component which is
35 attributable to related party service fees shall be allowed only as
36 follows: (A) in the taxable year in which the qualified tangible proper-
37 ty described in subparagraph (iii) of this paragraph is placed in
38 service, for that portion of the related party service fees which have
39 been earned and actually paid to the related party on or before the last
40 day of such taxable year; and (B) with respect to any other taxable year
41 for which the tangible property credit component may be claimed under
42 this subparagraph and in which the amount of any additional related
43 party service fees are actually paid by the taxpayer to the related
44 party, the tangible property credit component for such amount shall be
45 allowed in such taxable year. The credit component amount so determined
46 shall be allowed for the taxable year in which such qualified tangible
47 property is first placed in service on a qualified site with respect to
48 which a certificate of completion has been issued to the taxpayer, or
49 for the taxable year in which the certificate of completion is issued if
50 the qualified tangible property is placed in service prior to the issu-
51 ance of the certificate of completion. This credit component shall only
52 be allowed for up to one hundred twenty months after the date of the
53 issuance of such certificate of completion, provided, however, that for
54 qualified sites to which a certificate of completion is issued on or

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

10 § 2. This act shall take effect immediately.

11 PART BB

12 Intentionally Omitted

13 PART CC

14 Section 1. Section 12 of part F of chapter 58 of the laws of 2013
 15 amending the environmental conservation law and the state finance law
 16 relating to the "Cleaner, Greener NY Act of 2013", as amended by chapter
 17 65 of the laws of 2019, is amended to read as follows:

18 § 12. This act shall take effect immediately and shall be deemed to
 19 have been in full force and effect on and after April 1, 2013; provided,
 20 however, that the amendments to subdivision 5-a of section 27-1015 of
 21 the environmental conservation law, as added by section nine of this
 22 act, shall expire and be deemed repealed on April 1, [~~2021~~] 2026.

23 § 2. This act shall take effect immediately.

24 PART DD

25 Intentionally Omitted

26 PART EE

27 Intentionally Omitted

28 PART FF

29 Intentionally Omitted

30 PART GG

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

35 § 3. This act shall take effect April 1, 2017; provided, however, that
 36 section one of this act shall expire and be deemed repealed April 1,
 37 [~~2021~~] 2023.

38 § 2. This act shall take effect immediately.

39 PART HH

40 Intentionally Omitted

41 PART II

1 Section 1. Section 2 of part BB of chapter 58 of the laws of 2012
2 amending the public authorities law, relating to authorizing the dormi-
3 tory authority to enter into certain design and construction management
4 agreements, as amended by section 1 of part B of chapter 58 of the laws
5 of 2019, is amended to read as follows:

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

8 § 2. The dormitory authority of the state of New York shall provide a
9 report providing information regarding any project undertaken pursuant
10 to a design and construction management agreement, as authorized by part
11 BB of chapter 58 of the laws of 2012, between the dormitory authority of
12 the state of New York and the department of environmental conservation
13 and/or the office of parks, recreation and historic preservation to the
14 governor, the temporary president of the senate and speaker of the
15 assembly. Such report shall include but not be limited to a description
16 of each such project, the project identification number of each such
17 project, if applicable, the projected date of completion, the status of
18 the project, the total cost or projected cost of each such project, and
19 the location, including the names of any county, town, village or city,
20 where each such project is located or proposed. In addition, such a
21 report shall be provided to the aforementioned parties by the first day
22 of March of each year that the authority to enter into such agreements
23 pursuant to part BB of chapter 58 of the laws of 2012 is in effect.

24 § 3. This act shall take effect immediately and shall be deemed to
25 have been in full force and effect on and after April 1, 2021.

26 PART JJ

27 Intentionally Omitted

28 PART KK

29 Intentionally Omitted

30 PART LL

31 Section 1. Paragraph (a) of subdivision 1 of section 9-x of the bank-
32 ing law, as amended by section 1 of part C of chapter 126 of the laws of
33 2020, is amended to read as follows:

34 (a) "Covered period" means March 7, 2020 until the later of December
35 31, 2021 or the date on which none of the provisions that closed or
36 otherwise restricted public or private businesses or places of public
37 accommodation, or required postponement or cancellation of all non-es-
38 sential gatherings of individuals of any size for any reason in Execu-
39 tive Orders 202.3, 202.4, 202.5, 202.6, 202.7, 202.8, 202.10, 202.11,
40 202.13 or 202.14, as extended by Executive Orders 202.28 and 202.31 and
41 as further extended by any future Executive Order, issued in response to
42 the COVID-19 pandemic continue to apply in the county of the qualified
43 mortgagor's residence;

44 § 2. This act shall take effect immediately.

45 PART MM

46 Intentionally Omitted

- 1 PART NN
- 2 Intentionally Omitted
- 3 PART OO
- 4 Intentionally Omitted
- 5 PART PP
- 6 Intentionally Omitted
- 7 PART QQ
- 8 Intentionally Omitted
- 9 PART RR
- 10 Intentionally Omitted
- 11 PART SS
- 12 Intentionally Omitted
- 13 PART TT
- 14 Intentionally Omitted
- 15 PART UU
- 16 Intentionally Omitted
- 17 PART VV
- 18 Intentionally Omitted
- 19 PART WW

20 Section 1. Expenditures of moneys appropriated in a chapter of the
 21 laws of 2021 to the department of agriculture and markets from the
 22 special revenue funds-other/state operations, miscellaneous special
 23 revenue fund-339, public service account shall be subject to the
 24 provisions of this section. Notwithstanding any other provision of law
 25 to the contrary, direct and indirect expenses relating to the department
 26 of agriculture and markets' participation in general ratemaking
 27 proceedings pursuant to section 65 of the public service law or certif-
 28 ication proceedings pursuant to article 7 or 10 of the public service
 29 law, shall be deemed expenses of the department of public service within
 30 the meaning of section 18-a of the public service law. No later than
 31 August 15, 2022, the commissioner of the department of agriculture and
 32 markets shall submit an accounting of such expenses, including, but not
 33 limited to, expenses in the 2021--2022 state fiscal year for personal
 34 and non-personal services and fringe benefits, to the chair of the
 35 public service commission for the chair's review pursuant to the
 36 provisions of section 18-a of the public service law.

1 § 2. Expenditures of moneys appropriated in a chapter of the laws of
2 2021 to the department of state from the special revenue funds-
3 other/state operations, miscellaneous special revenue fund-339, public
4 service account shall be subject to the provisions of this section.
5 Notwithstanding any other provision of law to the contrary, direct and
6 indirect expenses relating to the activities of the department of
7 state's utility intervention unit pursuant to subdivision 4 of section
8 94-a of the executive law, including, but not limited to participation
9 in general ratemaking proceedings pursuant to section 65 of the public
10 service law or certification proceedings pursuant to article 7 or 10 of
11 the public service law, and expenses related to the activities of the
12 major renewable energy development program established by section 94-c
13 of the executive law, shall be deemed expenses of the department of
14 public service within the meaning of section 18-a of the public service
15 law. No later than August 15, 2022, the secretary of state shall submit
16 an accounting of such expenses, including, but not limited to, expenses
17 in the 2021--2022 state fiscal year for personal and non-personal
18 services and fringe benefits, to the chair of the public service commis-
19 sion for the chair's review pursuant to the provisions of section 18-a
20 of the public service law.

21 § 3. Expenditures of moneys appropriated in a chapter of the laws of
22 2021 to the office of parks, recreation and historic preservation from
23 the special revenue funds-other/state operations, miscellaneous special
24 revenue fund-339, public service account shall be subject to the
25 provisions of this section. Notwithstanding any other provision of law
26 to the contrary, direct and indirect expenses relating to the office of
27 parks, recreation and historic preservation's participation in general
28 ratemaking proceedings pursuant to section 65 of the public service law
29 or certification proceedings pursuant to article 7 or 10 of the public
30 service law, shall be deemed expenses of the department of public
31 service within the meaning of section 18-a of the public service law. No
32 later than August 15, 2022, the commissioner of the office of parks,
33 recreation and historic preservation shall submit an accounting of such
34 expenses, including, but not limited to, expenses in the 2021--2022
35 state fiscal year for personal and non-personal services and fringe
36 benefits, to the chair of the public service commission for the chair's
37 review pursuant to the provisions of section 18-a of the public service
38 law.

39 § 4. Expenditures of moneys appropriated in a chapter of the laws of
40 2021 to the department of environmental conservation from the special
41 revenue funds-other/state operations, environmental conservation special
42 revenue fund-301, utility environmental regulation account shall be
43 subject to the provisions of this section. Notwithstanding any other
44 provision of law to the contrary, direct and indirect expenses relating
45 to the department of environmental conservation's participation in state
46 energy policy proceedings, or certification proceedings pursuant to
47 article 7 or 10 of the public service law, shall be deemed expenses of
48 the department of public service within the meaning of section 18-a of
49 the public service law. No later than August 15, 2022, the commissioner
50 of the department of environmental conservation shall submit an account-
51 ing of such expenses, including, but not limited to, expenses in the
52 2021--2022 state fiscal year for personal and non-personal services and
53 fringe benefits, to the chair of the public service commission for the
54 chair's review pursuant to the provisions of section 18-a of the public
55 service law.

1 § 5. Notwithstanding any other law, rule or regulation to the contra-
2 ry, expenses of the department of health public service education
3 program incurred pursuant to appropriations from the cable television
4 account of the state miscellaneous special revenue funds shall be deemed
5 expenses of the department of public service. No later than August 15,
6 2022, the commissioner of the department of health shall submit an
7 accounting of expenses in the 2021--2022 state fiscal year to the chair
8 of the public service commission for the chair's review pursuant to the
9 provisions of section 217 of the public service law.

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

14 § 7. This act shall take effect immediately and shall be deemed to
15 have been in full force and effect on and after April 1, 2021 and shall
16 expire and be deemed repealed April 1, 2022.

17 § 2. Severability clause. If any clause, sentence, paragraph, subdivi-
18 sion, section or part of this act shall be adjudged by any court of
19 competent jurisdiction to be invalid, such judgment shall not affect,
20 impair, or invalidate the remainder thereof, but shall be confined in
21 its operation to the clause, sentence, paragraph, subdivision, section
22 or part thereof directly involved in the controversy in which such judg-
23 ment shall have been rendered. It is hereby declared to be the intent of
24 the legislature that this act would have been enacted even if such
25 invalid provisions had not been included herein.

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