

STATE OF NEW YORK

S. 7508--C

A. 9508--C

SENATE - ASSEMBLY

January 18, 2018

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

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

AN ACT to amend the vehicle and traffic law, in relation to enhancing the ability of the state to enforce state and federal law relating to motor carriers, commercial drivers and bus operators (Part A); intentionally omitted (Part B); to amend the transportation law, in relation to enhancing the ability of the state to enforce state and federal law relating to the safety of rail fixed guideway public transportation systems under the oversight of the public transportation safety board (Part C); intentionally omitted (Part D); intentionally omitted (Part E); intentionally omitted (Part F); intentionally omitted (Part G); 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 submission of reports; and in relation to extending the effectiveness thereof (Part H); to amend the vehicle and traffic law and the state finance law, in relation to certain fines in the city of New York (Part I); intentionally omitted (Part J); intentionally omitted (Part K); intentionally omitted (Part L); intentionally omitted (Part M); intentionally omitted (Part N); to amend the New York state urban development corporation act, in relation to extending certain provisions relating to the empire state economic development fund (Part O); to amend the chapter 393 of the

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

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laws of 1994, amending the New York state urban development corporation act, relating to the powers of the New York state urban development corporation to make loans, in relation to the effectiveness thereof (Part P); intentionally omitted (Part Q); intentionally omitted (Part R); to amend chapter 21 of the laws of 2003, amending the executive law relating to permitting the secretary of state to provide special handling for all documents filed or issued by the division of corporations and to permit additional levels of such expedited service, in relation to extending the expiration date thereof (Part S); intentionally omitted (Part T); to amend the general municipal law, in relation to brownfield opportunity areas (Part U); to repeal section 159-j of the executive law, relating to the local share requirement for providers under the federal community services block grant program (Part V); prohibiting the denial, suspension or revocation of professional licenses for failure to pay student loans (Part W); to amend chapter 584 of the laws of 2011, amending the public authorities law relating to the powers and duties of the dormitory authority of the state of New York relative to the establishment of subsidiaries for certain purposes, in relation to the effectiveness thereof (Part X); to amend part S of chapter 58 of the laws of 2016, amending the New York state urban development corporation act 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 Y); intentionally omitted (Part Z); to amend the state finance law and the environmental conservation law, in relation to the environmental protection fund, the hazardous waste remedial fund and the mitigation and remediation of solid waste sites; and to repeal certain provisions of the state finance law and the environmental conservation law relating thereto (Part AA); intentionally omitted (Part BB); to amend the environmental conservation law and the real property tax law, in relation to the Central Pine Barrens area and core preservation area (Part CC); authorizing utility and cable television assessments to provide funds to the department of health from cable television assessment revenues and to the departments of agriculture and markets, environmental conservation, office of parks, recreation and historic preservation, and state from utility assessment revenues; and providing for the repeal of such provisions upon expiration thereof (Part DD); authorizing the New York state energy research and development authority to finance a portion of its research, development and demonstration, policy and planning, and Fuel NY programs, as well as the department of environmental conservation's climate change program and the department of agriculture and markets' Fuel NY program, from an assessment on gas and electric corporations (Part EE); intentionally omitted (Part FF); intentionally omitted (Part GG); to amend the real property actions and proceedings law and the civil practice law and rules, in relation to foreclosure upon a reverse mortgage (Part HH); intentionally omitted (Part II); to amend the public buildings law, in relation to requiring the establishment of lactation rooms in certain public buildings (Part JJ); directing the department of state to analyze and report on the feasibility of installing adult changing stations in public buildings (Part KK); to amend the executive law, in relation to standards requiring assembly group A occupancies and mercantile group M occupancies to have diaper changing stations available for use by both male and female occupants (Part LL); to amend the soil and water conservation districts law, in



relation to state aid to districts (Part MM); to amend the environmental conservation law, in relation to retrofit technology for diesel-fueled vehicles (Part NN); to amend the environmental conservation law, in relation to fees for certification of pesticide applicators; and to repeal certain provisions of such law relating thereto (Part OO); to amend the environmental conservation law, in relation to beverage container requirements (Part PP); to amend chapter 495 of the laws of 2004, amending the insurance law and the public health law relating to the New York state health insurance continuation assistance demonstration project, in relation to the effectiveness thereof (Part QQ); to amend the New York state urban development corporation act, in relation to creating the small business innovation research/small business technology transfer technical assistance program; and repealing section 3102-c of the public authorities law relating thereto (Part RR); to amend the New York state urban development corporation act, in relation to creating the community development revolving loan program (Part SS); to amend the public authorities law, in relation to the financing and construction of facilities by the dormitory authority for Cerebral Palsy Associations of New York State and any of its not-for-profit members (Part TT); relating to capital expenses relating to projects necessary for the completion of Hudson River Park (Part UU); and to amend the real property tax law, in relation to the taxation of certain lands in Bowman Lake State Park (Part VV)

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 which are necessary to implement the state fiscal plan for the 2018-2019
3 state fiscal year. Each component is wholly contained within a Part
4 identified as Parts A through VV. The effective date for each particular
5 provision contained within such Part is set forth in the last section of
6 such Part. Any provision in any section contained within a Part,
7 including the effective date of the Part, which makes a reference to a
8 section "of this act", when used in connection with that particular
9 component, shall be deemed to mean and refer to the corresponding
10 section of the Part in which it is found. Section three of this act sets
11 forth the general effective date of this act.

12

PART A

13 Section 1. Subparagraph (iii) of paragraph b of subdivision 2 of
14 section 510 of the vehicle and traffic law, as amended by chapter 349 of
15 the laws of 1993, is amended to read as follows:

16 (iii) such registrations shall be suspended when necessary to comply
17 with subdivision nine of section one hundred forty or subdivision four
18 of section one hundred forty-five of the transportation law or with an
19 out of service order issued by the United States department of transpor-
20 tation. The commissioner shall have the authority to deny a registration
21 or renewal application to any other person for the same vehicle and may
22 deny a registration or renewal application for any other motor vehicle
23 registered in the name of the applicant where it has been determined
24 that such registrant's intent has been to evade the purposes of this
25 subdivision and where the commissioner has reasonable grounds to believe

1 that such registration or renewal will have the effect of defeating the
 2 purposes of this subdivision. Any suspension issued pursuant to this
 3 subdivision by reason of an out of service order issued by the United
 4 States department of transportation shall remain in effect until such
 5 time as the commissioner is notified by the United States department of
 6 transportation or the commissioner of transportation that the order
 7 resulting in the suspension is no longer in effect.

8 § 2. This act shall take effect immediately.

9 PART B

10 Intentionally Omitted

11 PART C

12 Section 1. Section 217 of the transportation law is amended by adding
 13 a new subdivision 9 to read as follows:

14 9. To enforce the requirements of section five thousand three hundred
 15 twenty-nine of title forty-nine of the United States Code, as amended
 16 from time to time, as it pertains to oversight of rail fixed guideway
 17 public transportation systems.

18 § 2. This act shall take effect immediately.

19 PART D

20 Intentionally Omitted

21 PART E

22 Intentionally Omitted

23 PART F

24 Intentionally Omitted

25 PART G

26 Intentionally Omitted

27 PART H

28 Section 1. Subdivision a of section 1 of part FF of chapter 55 of the
 29 laws of 2017, relating to motor vehicles equipped with autonomous vehi-
 30 cle technology, is amended to read as follows:

31 a. Notwithstanding the provisions of section 1226 of the vehicle and
 32 traffic law, the New York state commissioner of motor vehicles may
 33 approve demonstrations and tests consisting of the operation of a motor
 34 vehicle equipped with autonomous vehicle technology while such motor
 35 vehicle is engaged in the use of such technology on public highways
 36 within this state for the purposes of demonstrating and assessing the
 37 current development of autonomous vehicle technology and to begin iden-
 38 tifying potential impacts of such technology on safety, traffic control,
 39 traffic enforcement, emergency services, and such other areas as may be
 40 identified by such commissioner. Provided, however, that such demon-
 41 strations and tests shall only take place under the direct supervision
 42 of the New York state police, in a form and manner prescribed by the

1 superintendent of the New York state police. Additionally, a law
2 enforcement interaction plan shall be included as part of the demon-
3 stration and test application that includes information for law enforce-
4 ment and first responders regarding how to interact with such a vehicle
5 in emergency and traffic enforcement situations. Such demonstrations
6 and tests shall take place in a manner and form prescribed by the
7 commissioner of motor vehicles including, but not limited to: a require-
8 ment that a natural person holding a valid license for the operation of
9 the motor vehicle's class be present within such vehicle for the dura-
10 tion of the time it is operated on public highways; a requirement that
11 the motor vehicle utilized in such demonstrations and tests complies
12 with all applicable federal motor vehicle safety standards and New York
13 state motor vehicle inspection standards; and a requirement that the
14 motor vehicle utilized in such demonstrations and tests has in place, at
15 a minimum, financial security in the amount of five million dollars.
16 Nothing in this act shall authorize the motor vehicle utilized in such
17 demonstrations and tests to operate in violation of article 22 or title
18 7 of the vehicle and traffic law, excluding section 1226 of such law.

19 § 2. Section 2 of part FF of chapter 55 of the laws of 2017, relating
20 to motor vehicles equipped with autonomous vehicle technology, is
21 amended to read as follows:

22 § 2. The commissioner of motor vehicles shall, in consultation with
23 the superintendent of state police, submit a report to the governor, the
24 temporary president of the senate, the speaker of the assembly, and the
25 chairs of the senate and assembly transportation committees on the
26 demonstrations and tests authorized by section one of this act. Such
27 report shall include, but not be limited to, a description of the param-
28 eters and purpose of such demonstrations and tests, the location or
29 locations where demonstrations and tests were conducted, the demon-
30 strations' and tests' impacts on safety, traffic control, traffic
31 enforcement, emergency services, and such other areas as may be identi-
32 fied by such commissioner. Such commissioner shall submit such report on
33 or before June 1, 2018 and June 1, 2019.

34 § 3. Section 3 of part FF of chapter 55 of the laws of 2017, relating
35 to motor vehicles equipped with autonomous vehicle technology, is
36 amended to read as follows:

37 § 3. This act shall take effect April 1, 2017; provided, however, that
38 section one of this act shall expire and be deemed repealed April 1,
39 [2018] 2019.

40 § 4. This act shall take effect immediately.

41

PART I

42 Section 1. Subdivision 5 of section 227 of the vehicle and traffic
43 law, as amended by section 1 of part GG of chapter 55 of the laws of
44 2017, is amended to read as follows:

45 5. All penalties and forfeited security collected pursuant to the
46 provisions of this article shall be paid to the department of audit and
47 control to the credit of the justice court fund and shall be subject to
48 the applicable provisions of section eighteen hundred three of this
49 chapter. After such audit as shall reasonably be required by the comp-
50 troller, such penalties and forfeited security shall be paid quarterly
51 or, in the discretion of the comptroller, monthly, to the appropriate
52 jurisdiction in which the violation occurred in accordance with the
53 provisions of section ninety-nine-a of the state finance law, except
54 that the sum of four dollars for each violation occurring in such juris-

1 diction for which a complaint has been filed with the administrative
2 tribunal established pursuant to this article shall be retained by the
3 state. Notwithstanding any law to the contrary an additional annual sum
4 of three million dollars collected from fines and assessed to the city
5 of New York, shall be deposited into the general fund [in accordance
6 with the provisions of section ninety-nine-a of the state finance law].
7 The amount distributed during the first three quarters to the city of
8 Rochester in any given fiscal year shall not exceed seventy percent of
9 the amount which will be otherwise payable. Provided, however, that if
10 the full costs of administering this article shall exceed the amounts
11 received and retained by the state for any period specified by the
12 commissioner, then such additional sums as shall be required to offset
13 such costs shall be retained by the state out of the penalties and
14 forfeited security collected pursuant to this article.

15 § 2. Subdivision 5 of section 227 of the vehicle and traffic law, as
16 amended by section 3 of chapter 157 of the laws of 2017, is amended to
17 read as follows:

18 5. All penalties and forfeited security collected pursuant to the
19 provisions of this article shall be paid to the department of audit and
20 control to the credit of the justice court fund and shall be subject to
21 the applicable provisions of section eighteen hundred three of this
22 chapter. After such audit as shall reasonably be required by the comp-
23 troller, such penalties and forfeited security shall be paid quarterly
24 or, in the discretion of the comptroller, monthly, to the appropriate
25 jurisdiction in which the violation occurred in accordance with the
26 provisions of section ninety-nine-a of the state finance law, except
27 that the sum of four dollars for each violation occurring in such juris-
28 diction for which a complaint has been filed with the administrative
29 tribunal established pursuant to this article shall be retained by the
30 state. Notwithstanding any law to the contrary an additional annual sum
31 of three million dollars collected from fines and assessed to the city
32 of New York, shall be deposited into the general fund [in accordance
33 with the provisions of section ninety-nine-a of the state finance law].
34 Provided, however, that if the full costs of administering this article
35 shall exceed the amounts received and retained by the state for any
36 period specified by the commissioner, then such additional sums as shall
37 be required to offset such costs shall be retained by the state out of
38 the penalties and forfeited security collected pursuant to this article.

39 § 3. Subdivision 3 of section 99-a of the state finance law, as
40 amended by section 3 of part GG of chapter 55 of the laws of 2017, is
41 amended to read as follows:

42 3. The comptroller is hereby authorized to implement alternative
43 procedures, including guidelines in conjunction therewith, relating to
44 the remittance of fines, penalties, forfeitures and other moneys by town
45 and village justice courts, and by the Nassau and Suffolk counties traf-
46 fic and parking violations agencies, and by the city of Buffalo traffic
47 violations agency, [and by the city of New York pursuant to article
48 two-A of the vehicle and traffic law,] to the justice court fund and for
49 the distribution of such moneys by the justice court fund. Notwith-
50 standing any law to the contrary, the alternative procedures utilized
51 may include:

52 a. electronic funds transfer;

53 b. remittance of funds by the justice court to the chief fiscal office
54 of the town or village, or, in the case of the Nassau and Suffolk coun-
55 ties traffic and parking violations agencies, to the county treasurer,
56 or, in the case of the Buffalo traffic violations agency, to the city of

1 Buffalo comptroller, for distribution in accordance with instructions by
2 the comptroller [or, in the case of the city of New York, pursuant to
3 article two-A of the vehicle and traffic law to the city comptroller];
4 and/or

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

6 The comptroller may require such reporting and record keeping as he or
7 she deems necessary to ensure the proper distribution of moneys in
8 accordance with applicable laws. A justice court or the Nassau and
9 Suffolk counties traffic and parking violations agencies or the city of
10 Buffalo traffic violations agency [or the city of New York pursuant to
11 article two-A of the vehicle and traffic law] may utilize these proce-
12 dures only when permitted by the comptroller, and such permission, once
13 given, may subsequently be withdrawn by the comptroller on due notice.

14 § 4. Subdivision 3 of section 99-a of the state finance law, as
15 amended by section 10 of chapter 157 of the laws of 2017, is amended to
16 read as follows:

17 3. The comptroller is hereby authorized to implement alternative
18 procedures, including guidelines in conjunction therewith, relating to
19 the remittance of fines, penalties, forfeitures and other moneys by town
20 and village justice courts, and by the Nassau and Suffolk counties traf-
21 fic and parking violations agencies, and by the city of Buffalo traffic
22 violations agency, and by the city of Rochester traffic violations agen-
23 cy, [and by the city of New York pursuant to article two-A of the vehi-
24 cle and traffic law,] to the justice court fund and for the distribution
25 of such moneys by the justice court fund. Notwithstanding any law to the
26 contrary, the alternative procedures utilized may include:

27 a. electronic funds transfer;

28 b. remittance of funds by the justice court to the chief fiscal office
29 of the town or village, or, in the case of the Nassau and Suffolk coun-
30 ties traffic and parking violations agencies, to the county treasurer,
31 or, in the case of the Buffalo traffic violations agency, to the city of
32 Buffalo comptroller, or in the case of the Rochester traffic violations
33 agency, to the city of Rochester treasurer for distribution in accord-
34 ance with instructions by the comptroller [or, in the case of the city
35 of New York, pursuant to article two-A of the vehicle and traffic law to
36 the city comptroller]; and/or

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

38 The comptroller may require such reporting and record keeping as he or
39 she deems necessary to ensure the proper distribution of moneys in
40 accordance with applicable laws. A justice court or the Nassau and
41 Suffolk counties traffic and parking violations agencies or the city of
42 Buffalo traffic violations agency or the city of Rochester traffic
43 violations agency [or the city of New York pursuant to article two-A of
44 the vehicle and traffic law] may utilize these procedures only when
45 permitted by the comptroller, and such permission, once given, may
46 subsequently be withdrawn by the comptroller on due notice.

47 § 5. This act shall take effect immediately, provided, however that

48 (a) the amendments to subdivision 5 of section 227 of the vehicle and
49 traffic law as made by section two of this act shall take effect on the
50 same date and in the same manner as section 3 of chapter 157 of the laws
51 of 2017 takes effect, and shall be subject to the expiration of such
52 subdivision pursuant to section 4 of part GG of chapter 55 of the laws
53 of 2017, as amended, and shall be deemed expired therewith; and

54 (b) the amendments to subdivision 3 of section 99-a of the state
55 finance law as made by section four of this act shall take effect on the
56 same date and in the same manner as section 10 of chapter 157 of the

1 laws of 2017 takes effect, and shall be subject to the expiration of
2 such subdivision pursuant to section 4 of part GG of chapter 55 of the
3 laws of 2017, as amended, and shall be deemed expired therewith.

4 PART J

5 Intentionally Omitted

6 PART K

7 Intentionally Omitted

8 PART L

9 Intentionally Omitted

10 PART M

11 Intentionally Omitted

12 PART N

13 Intentionally Omitted

14 PART O

15 Section 1. Subdivision 3 of section 16-m of section 1 of chapter 174
16 of the laws of 1968 constituting the New York state urban development
17 corporation act, as amended by section 1 of part M of chapter 58 of the
18 laws of 2017, is amended to read as follows:

19 3. The provisions of this section shall expire, notwithstanding any
20 inconsistent provision of subdivision 4 of section 469 of chapter 309 of
21 the laws of 1996 or of any other law, on July 1, [2018] 2019.

22 § 2. This act shall take effect immediately and shall be deemed to
23 have been in full force and effect on and after July 1, 2018.

24 PART P

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 N of chapter 58 of the laws of 2017, 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, [2018] 2019, at which
32 time the provisions of subdivision 26 of section 5 of the New York state
33 urban development corporation act shall be deemed repealed; provided,
34 however, that neither the expiration nor the repeal of such subdivision
35 as provided for herein shall be deemed to affect or impair in any manner
36 any loan made pursuant to the authority of such subdivision prior to
37 such expiration and repeal.

38 § 2. This act shall take effect immediately and shall be deemed to
39 have been in full force and effect on and after April 1, 2018.

40 PART Q

1

Intentionally Omitted

2

PART R

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Intentionally Omitted

4

PART S

5 Section 1. Section 2 of chapter 21 of the laws of 2003, amending the
6 executive law relating to permitting the secretary of state to provide
7 special handling for all documents filed or issued by the division of
8 corporations and to permit additional levels of such expedited service,
9 as amended by section 1 of part Q of chapter 58 of the laws of 2017, is
10 amended to read as follows:

11 § 2. This act shall take effect immediately, provided however, that
12 section one of this act shall be deemed to have been in full force and
13 effect on and after April 1, 2003 and shall expire March 31, [2018]
14 2019.

15 § 2. This act shall take effect immediately and shall be deemed to
16 have been in full force and effect on and after March 31, 2018.

17

PART T

18

Intentionally Omitted

19

PART U

20 Section 1. Section 970-r of the general municipal law, as added by
21 section 1 of part F of chapter 1 of the laws of 2003, subdivision 1,
22 paragraph f of subdivision 3 and paragraph h of subdivision 6 as amended
23 by section 1 of part F of chapter 577 of the laws of 2004, paragraph a
24 of subdivision 1 as amended and paragraph h of subdivision 1 as added by
25 chapter 386 of the laws of 2007, paragraph i of subdivision 1 as added
26 and paragraph e of subdivision 1, paragraph a of subdivision 2, para-
27 graph d of subdivision 2, the opening paragraph of paragraph e of subdi-
28 vision 2, subparagraph 6 of paragraph e of subdivision 2, paragraph f of
29 subdivision 2, paragraph g of subdivision 2, paragraph b of subdivision
30 3, the opening paragraph of paragraph f of subdivision 3, subparagraph 6
31 of paragraph f of subdivision 3, paragraph g of subdivision 3, paragraph
32 h of subdivision 3, paragraph i of subdivision 3, and subdivisions 7 and
33 9 as amended by chapter 390 of the laws of 2008, paragraph b of subdivi-
34 sion 2 as amended by section 26 and subparagraphs 2 and 5 of paragraph c
35 of subdivision 2 as amended by section 27, paragraph a of subdivision 3
36 as amended by section 28, subparagraphs 2 and 5 of paragraph e of subdivi-
37 sion 3 and subdivision 4 as amended by section 29, paragraph a and
38 subparagraphs 2 and 5 of paragraph e of subdivision 6 as amended by
39 section 30 and subdivision 10 as added by section 31 of part BB of chap-
40 ter 56 of the laws of 2015, is amended to read as follows:

41 § 970-r. State assistance for brownfield opportunity areas. 1. Defi-
42 nitions. a. "Applicant" shall mean the municipality, community board
43 and/or community based organization submitting an application for state
44 assistance or a nomination for designation in the manner authorized by
45 this section.

46 b. "Commissioner" shall mean the commissioner of the department of
47 environmental conservation.

1 c. "Community based organization" shall mean a not-for-profit corpo-
2 ration exempt from taxation under section 501(c)(3) of the internal
3 revenue code whose stated mission is promoting reuse of brownfield sites
4 or community revitalization within a specified geographic area in which
5 the community based organization is located; which has twenty-five
6 percent or more of its board of directors residing in the community in
7 such area; and represents a community with a demonstrated financial
8 need. "Community based organization" shall not include any not-for-pro-
9 fit corporation that has caused or contributed to the release or threat-
10 ened release of a contaminant from or onto the brownfield site, or any
11 not-for-profit corporation that generated, transported, or disposed of,
12 or that arranged for, or caused, the generation, transportation, or
13 disposal of contamination from or onto the brownfield site. This defi-
14 nition shall not apply if more than twenty-five percent of the members,
15 officers or directors of the not-for-profit corporation are or were
16 employed or receiving compensation from any person responsible for a
17 site under title thirteen or title fourteen of article twenty-seven of
18 the environmental conservation law, article twelve of the navigation law
19 or under applicable principles of statutory or common law liability.

20 d. "Brownfield site" shall have the same meaning as set forth in
21 section 27-1405 of the environmental conservation law.

22 e. "Department" shall mean the department of state.

23 f. "Contamination" or "contaminated" shall have the same meaning as
24 provided in section 27-1405 of the environmental conservation law.

25 g. "Municipality" shall have the same meaning as set forth in subdivi-
26 sion fifteen of section 56-0101 of the environmental conservation law.

27 h. "Community board" shall have the same meaning as set forth in
28 section twenty-eight hundred of the New York city charter.

29 i. "Secretary" shall mean the secretary of state.

30 j. "Nomination" shall mean a written plan for redevelopment and revi-
31 talization of any area (i) wherein one or more known or suspected brown-
32 field sites are located and (ii) that contains the elements required for
33 brownfield opportunity area designation as determined in accordance with
34 subdivision three of this section. It is not necessary that all, or any,
35 of the services used to identify, prepare, create, or develop the
36 elements required for designation be funded through this section.

37 2. State assistance for pre-nomination study for brownfield opportu-
38 nity areas. a. Within the limits of appropriations therefor, the secre-
39 tary is authorized to provide, on a competitive basis, financial assist-
40 ance to municipalities, to community based organizations, to community
41 boards, or to municipalities and community based organizations acting in
42 cooperation to prepare a pre-nomination study for a brownfield opportu-
43 nity area designation. Such financial assistance shall not exceed ninety
44 percent of the costs of such pre-nomination study for any such area.

45 b. Activities eligible to receive such assistance shall include, but
46 are not limited to, the assembly and development of basic information
47 about:

- 48 (1) the borders of the proposed brownfield opportunity area;
- 49 (2) the number and size of known or suspected brownfield sites;
- 50 (3) current and anticipated uses of the properties in the proposed
51 brownfield opportunity area;
- 52 (4) current and anticipated future conditions of groundwater in the
53 proposed brownfield opportunity area;
- 54 (5) known data about the environmental conditions of the properties in
55 the proposed brownfield opportunity area;

1 (6) ownership of the properties in the proposed brownfield opportunity
2 area and whether the owners are participating in the brownfield opportu-
3 nity area planning process; and

4 (7) preliminary descriptions of possible remediation strategies, reuse
5 opportunities, necessary infrastructure improvements and other public or
6 private measures needed to stimulate investment, promote revitalization,
7 and enhance community health and environmental conditions.

8 c. Funding preferences shall be given to applications for such assist-
9 ance that relate to areas having one or more of the following character-
10 istics:

11 (1) areas for which the application is a partnered application by a
12 municipality and a community based organization;

13 (2) areas with concentrations of known or suspected brownfield sites;

14 (3) areas for which the application demonstrates support from a muni-
15 cipality and a community based organization;

16 (4) areas showing indicators of economic distress including low resi-
17 dent incomes, high unemployment, high commercial vacancy rates,
18 depressed property values; and

19 (5) areas with known or suspected brownfield sites presenting strate-
20 gic opportunities to stimulate economic development, community revitali-
21 zation or the siting of public amenities.

22 d. The secretary, upon the receipt of an application for such assist-
23 ance from a community based organization not in cooperation with the
24 local government having jurisdiction over the proposed brownfield oppor-
25 tunity area, shall request the municipal government to review and state
26 the municipal government's support or lack of support; provided, howev-
27 er, in the city of New York, such statement shall be provided by the
28 community board or boards for the district or districts in which the
29 proposed area is located. The municipal government's or community
30 board's statement shall be considered a part of the application.

31 e. Each application for assistance shall be submitted to the secretary
32 in a format, and containing such information, as prescribed by the
33 secretary but shall include, at a minimum, the following:

34 (1) a statement of the rationale or relationship between the proposed
35 assistance and the criteria set forth in this subdivision for the evalu-
36 ation and ranking of assistance applications;

37 (2) the processes by which local participation in the development of
38 the application has been sought;

39 (3) the process to be carried out with the state assistance including,
40 but not limited to, the goals of and budget for the effort, the work
41 plan and timeline for the attainment of these goals, and the intended
42 process for community participation in the process;

43 (4) the manner and extent to which public or governmental agencies
44 with jurisdiction over issues that will be addressed in the data gather-
45 ing process will be involved in this process;

46 (5) other planning and development initiatives proposed or in progress
47 in the proposed brownfield opportunity area; and

48 (6) for each community based organization which is an applicant or a
49 co-applicant, a copy of its determination of tax exempt status issued by
50 the federal internal revenue service pursuant to section 501 of the
51 internal revenue code, a description of the relationship between the
52 community based organization and the area that is the subject of the
53 application, its financial and institutional accountability, its experi-
54 ence in conducting and completing planning initiatives and in working
55 with the local government associated with the proposed brownfield oppor-
56 tunity area.

1 f. Prior to making an award for assistance, the secretary shall notify
2 the temporary president of the senate and speaker of the assembly.

3 g. Following notification to the applicant that assistance has been
4 awarded, and prior to disbursement of funds, a contract shall be
5 executed between the department and the applicant or co-applicants. The
6 secretary shall establish terms and conditions for such contracts as the
7 secretary deems appropriate, including provisions to define: applicant's
8 work scope, work schedule, and deliverables; fiscal reports on budgeted
9 and actual use of funds expended; and requirements for submission of a
10 final fiscal report. The contract shall also require the distribution of
11 work products to the department, and, for community based organizations,
12 to the applicant's municipality. Applicants shall be required to make
13 the results publicly available.

14 3. State assistance for nominations to designate brownfield opportu-
15 nity areas. a. Within the limits of appropriations therefor, the secre-
16 tary is authorized to provide, on a competitive basis, financial assist-
17 ance to municipalities, to community based organizations, to community
18 boards, or to municipalities and community based organizations acting in
19 cooperation to prepare a nomination for designation of a brownfield
20 opportunity area. Such financial assistance shall not exceed ninety
21 percent of the costs of such nomination for any such area. A nomination
22 study must include sufficient information to designate the brownfield
23 opportunity area. The contents of the nomination study shall be devel-
24 oped based on pre-nomination study information, if conducted, which
25 shall principally consist of an area-wide study, documenting the histor-
26 ic brownfield uses in the area proposed for designation.

27 b. An application for such financial assistance shall include an indi-
28 cation of support from owners of brownfield sites in the proposed brown-
29 field opportunity area. All residents and property owners in the
30 proposed brownfield opportunity area shall receive notice in such form
31 and manner as the secretary shall prescribe.

32 c. No application for such financial assistance shall be considered
33 unless the applicant demonstrates that it has, to the maximum extent
34 practicable, solicited and considered the views of residents of the
35 proposed brownfield opportunity area, the views of state and local offi-
36 cials elected to represent such residents and the local organizations
37 representing such residents.

38 d. Activities eligible to receive such financial assistance shall
39 include the identification, preparation, creation, development and
40 assembly of information and elements to be included in a nomination for
41 designation of a brownfield opportunity area, including but not limited
42 to:

- 43 (1) the borders of the proposed brownfield opportunity area;
- 44 (2) the location and size of each known or suspected brownfield site
45 in the proposed brownfield opportunity area;
- 46 (3) the identification of strategic sites within the proposed brown-
47 field opportunity area;
- 48 (4) the type of potential developments anticipated for sites within
49 the proposed brownfield opportunity area proposed by either the current
50 or the prospective owners of such sites;
- 51 (5) local legislative or regulatory action which may be required to
52 implement a plan for the redevelopment of the proposed brownfield oppor-
53 tunity area;
- 54 (6) priorities for public and private investment in infrastructure,
55 open space, economic development, housing, or community facilities in
56 the proposed brownfield opportunity area;

1 (7) identification and mapping of current and anticipated uses of the
2 properties and groundwater in the proposed brownfield opportunity area;

3 (8) existing detailed assessments of individual brownfield sites and,
4 where the consent of the site owner has been obtained, the need for
5 conducting on-site assessments;

6 (9) known data about the environmental conditions of properties in the
7 proposed brownfield opportunity area;

8 (10) ownership of the known or suspected brownfield properties in the
9 proposed brownfield opportunity area to the extent such information is
10 publicly available;

11 (11) descriptions of possible remediation strategies, reuse opportu-
12 nities, brownfield redevelopment, necessary infrastructure improvements
13 and other public or private measures needed to stimulate investment,
14 promote revitalization, and enhance community health and environmental
15 conditions;

16 (12) the goals and objectives, both short term and long term, for the
17 economic revitalization of the proposed brownfield opportunity area;
18 [and]

19 (13) the publicly controlled and other developable lands and buildings
20 within the proposed brownfield opportunity area which are or could be
21 made available for residential, industrial and commercial
22 development[.]; and

23 (14) a community participation strategy to maximize public awareness
24 and to solicit and consider the views of residents, businesses and other
25 stakeholders of the proposed brownfield opportunity area.

26 e. Funding preferences shall be given to applications for such assist-
27 ance that relate to areas having one or more of the following character-
28 istics:

29 (1) areas for which the application is a partnered application by a
30 municipality and a community based organization;

31 (2) areas with concentrations of known or suspected brownfield sites;

32 (3) areas for which the application demonstrates support from a muni-
33 cipality and a community based organization;

34 (4) areas showing indicators of economic distress including low resi-
35 dent incomes, high unemployment, high commercial vacancy rates,
36 depressed property values; and

37 (5) areas with known or suspected brownfield sites presenting strate-
38 gic opportunities to stimulate economic development, community revitali-
39 zation or the siting of public amenities.

40 f. Each application for such assistance shall be submitted to the
41 secretary in a format, and containing such information, as prescribed by
42 the secretary but shall include, at a minimum, the following:

43 (1) a statement of the rationale or relationship between the proposed
44 assistance and the criteria set forth in this section for the evaluation
45 and ranking of assistance applications;

46 (2) the processes by which local participation in the development of
47 the application has been sought;

48 (3) the process to be carried out under the state assistance includ-
49 ing, but not limited to, the goals of and budget for the effort, the
50 work plan and timeline for the attainment of these goals, and the
51 intended process for public participation in the process;

52 (4) the manner and extent to which public or governmental agencies
53 with jurisdiction over issues that will be addressed in the data gather-
54 ing process will be involved in this process;

55 (5) other planning and development initiatives proposed or in progress
56 in the proposed brownfield opportunity area;

1 (6) for each community based organization which is an applicant or a
2 co-applicant, a copy of its determination of tax exempt status issued by
3 the federal internal revenue service pursuant to section 501 of the
4 internal revenue code, a description of the relationship between the
5 community based organization and the area that is the subject of the
6 application, its financial and institutional accountability, its experi-
7 ence in conducting and completing planning initiatives and in working
8 with the local government associated with the proposed brownfield oppor-
9 tunity area; and

10 (7) the financial commitments the applicant will make to the brown-
11 field opportunity area for activities including, but not limited to,
12 marketing of the area for business development, human resource services
13 for residents and businesses in the brownfield opportunity area, and
14 services for small and minority and women-owned businesses.

15 g. [The secretary, upon the receipt of an] An application for such
16 assistance from a community based organization not in cooperation with
17 the local government having jurisdiction over the proposed brownfield
18 opportunity area, shall [request the municipal government to review and
19 state the municipal government's support or lack of support] include a
20 resolution from the city, town, or village with planning and land use
21 authority in which the brownfield opportunity area is proposed, stating
22 support or lack of support; provided, however, in the city of New York,
23 such resolution shall be provided by the community board or boards for
24 the district or districts in which the proposed area is located. The
25 [municipal government's statement] resolution from each city, town,
26 village, or community board shall be considered a part of the applica-
27 tion.

28 h. Prior to making an award for assistance, the secretary shall notify
29 the temporary president of the senate and speaker of the assembly.

30 i. Following notification to the applicant that assistance has been
31 awarded, and prior to disbursement of funds, a contract shall be
32 executed between the department and the applicant or co-applicants. The
33 secretary shall establish terms and conditions for such contracts as the
34 secretary deems appropriate, including provisions to define: applicant's
35 work scope, work schedule, and deliverables; fiscal reports on budgeted
36 and actual use of funds expended; and requirements for submission of a
37 final fiscal report. The contract shall also require the distribution of
38 work products to the department, and, for community based organizations,
39 to the applicant's municipality. Applicants shall be required to make
40 the results publicly available. Such contract shall further include a
41 provision providing that if any responsible party payments become avail-
42 able to the applicant, the amount of such payments attributable to
43 expenses paid by the award shall be paid to the department by the appli-
44 cant; provided that the applicant may first apply such responsible party
45 payments toward any actual project costs incurred by the applicant.

46 3-a. State assistance for activities to advance brownfield opportunity
47 area revitalization. a. Within amounts appropriated therefor, the
48 secretary is authorized to provide, on a competitive basis, financial
49 assistance to municipalities, to community based organizations, to
50 community boards, or to community based organizations acting in cooper-
51 ation with a municipality, to conduct predevelopment activities within a
52 designated brownfield opportunity area to advance the goals and priori-
53 ties of the brownfield opportunity area program set forth in the nomi-
54 nation of such area. Such financial assistance shall not exceed ninety
55 percent of the costs of such activities. Activities eligible to receive
56 such assistance shall include: development and implementation of market-



1 ing strategies; development of plans and specifications; real estate
2 services; building condition studies; infrastructure analyses; zoning
3 and regulatory updates; environmental, housing and economic studies,
4 analyses and reports; and public outreach.

5 b. Funding preferences shall be given to applications for such assist-
6 ance that relate to areas having one or more of the following character-
7 istics:

8 (1) areas showing indicators of economic distress including low resi-
9 dent incomes, high unemployment, high commercial vacancy rates,
10 depressed property values; and

11 (2) areas with known or suspected brownfield sites presenting strate-
12 gic opportunities to stimulate economic development, community revitali-
13 zation or the siting of public amenities.

14 c. Prior to making an award for assistance, the secretary shall notify
15 the temporary president of the senate and speaker of the assembly.

16 d. Following notification to the applicant that assistance has been
17 awarded, and prior to disbursement of funds, a contract shall be
18 executed between the department and the applicant or co-applicants. The
19 secretary shall establish terms and conditions for such contracts as the
20 secretary deems appropriate, including provisions to define: applicant's
21 work scope, work schedule, and deliverables; fiscal reports on budgeted
22 and actual use of funds expended; and requirements for submission of a
23 final fiscal report. The contract shall also require the distribution of
24 work products to the department, and, for community based organizations,
25 to the applicant's municipality. Applicants shall be required to make
26 the results publicly available. Such contract shall further include a
27 provision providing that if any responsible party payments become avail-
28 able to the applicant, the amount of such payments attributable to
29 expenses paid by the award shall be paid to the department by the appli-
30 cant; provided that the applicant may first apply such responsible party
31 payments toward any actual project costs incurred by the applicant.

32 4. Designation of brownfield opportunity area. Upon completion of a
33 nomination for designation of a brownfield opportunity area, it shall be
34 forwarded by the applicant to the secretary, who shall determine whether
35 it is consistent with the provisions of this section. The secretary may
36 review and approve a nomination for designation of a brownfield opportu-
37 nity area at any time. If the secretary determines that the nomination
38 is consistent with the provisions of this section, the brownfield oppor-
39 tunity area shall be designated. If the secretary determines that the
40 nomination is not consistent with the provisions of this section, the
41 secretary shall make recommendations in writing to the applicant of the
42 manner and nature in which the nomination should be amended.

43 5. Priority and preference. The designation of a brownfield opportu-
44 nity area pursuant to this section is intended to serve as a planning
45 tool. It alone shall not impose any new obligations on any property or
46 property owner. To the extent authorized by law, projects in brownfield
47 opportunity areas designated pursuant to this section shall receive a
48 priority and preference when considered for financial assistance pursu-
49 ant to articles fifty-four and fifty-six of the environmental conserva-
50 tion law. To the extent authorized by law, projects in brownfield oppor-
51 tunity areas designated pursuant to this section may receive a priority
52 and preference when considered for financial assistance pursuant to any
53 other state, federal or local law.

54 6. State assistance for brownfield site assessments in brownfield
55 opportunity areas. a. Within the limits of appropriations therefor, the
56 secretary of state, is authorized to provide, on a competitive basis,

1 financial assistance to municipalities, to community based organiza-
2 tions, to community boards, or to municipalities and community based
3 organizations acting in cooperation to conduct brownfield site assess-
4 ments. Such financial assistance shall not exceed ninety percent of the
5 costs of such brownfield site assessment.

6 b. Brownfield sites eligible for such assistance must be owned by a
7 municipality, or volunteer as such term is defined in section 27-1405 of
8 the environmental conservation law.

9 c. Brownfield site assessment activities eligible for funding include,
10 but are not limited to, testing of properties to determine the nature
11 and extent of the contamination (including soil and groundwater), envi-
12 ronmental assessments, the development of a proposed remediation strate-
13 gy to address any identified contamination, and any other activities
14 deemed appropriate by the commissioner in consultation with the secre-
15 tary of state. Any environmental assessment shall be subject to the
16 review and approval of such commissioner.

17 d. Applications for such assistance shall be submitted to the commis-
18 sioner in a format, and containing such information, as prescribed by
19 the commissioner in consultation with the secretary of state.

20 e. Funding preferences shall be given to applications for such assist-
21 ance that relate to areas having one or more of the following character-
22 istics:

23 (1) areas for which the application is a partnered application by a
24 municipality and a community based organization;

25 (2) areas with concentrations of known or suspected brownfield sites;

26 (3) areas for which the application demonstrates support from a muni-
27 cipality and a community based organization;

28 (4) areas showing indicators of economic distress including low resi-
29 dent incomes, high unemployment, high commercial vacancy rates,
30 depressed property values; and

31 (5) areas with known or suspected brownfield sites presenting strate-
32 gic opportunities to stimulate economic development, community revitali-
33 zation or the siting of public amenities.

34 f. The commissioner, upon the receipt of an application for such
35 assistance from a community based organization not in cooperation with
36 the local government having jurisdiction over the proposed brownfield
37 opportunity area, shall request the municipal government to review and
38 state the municipal government's support or lack of support. The munici-
39 pal government's statement shall be considered a part of the applica-
40 tion.

41 g. Prior to making an award for assistance, the commissioner shall
42 notify the temporary president of the senate and the speaker of the
43 assembly.

44 h. Following notification to the applicant that assistance has been
45 awarded, and prior to disbursement of funds, a contract shall be
46 executed between the department and the applicant or co-applicants. The
47 commissioner shall establish terms and conditions for such contracts as
48 the commissioner deems appropriate in consultation with the secretary of
49 state, including provisions to define: applicant's work scope, work
50 schedule, and deliverables; fiscal reports on budgeted and actual use of
51 funds expended; and requirements for submission of a final fiscal
52 report. The contract shall also require the distribution of work
53 products to the department, and, for community based organizations, to
54 the applicant's municipality. Applicants shall be required to make the
55 results publicly available. Such contract shall further include a
56 provision providing that if any responsible party payments become avail-

1 able to the applicant, the amount of such payments attributable to
2 expenses paid by the award shall be paid to the department by the appli-
3 cant; provided that the applicant may first apply such responsible party
4 payments towards actual project costs incurred by the applicant.

5 7. Amendments to designated area. Any proposed amendment to a brown-
6 field opportunity area designated pursuant to this section shall be
7 proposed, and reviewed by the secretary, in the same manner and using
8 the same criteria set forth in this section and applicable to an initial
9 nomination for the designation of a brownfield opportunity area.

10 8. Applications. a. All applications for pre-nomination study assist-
11 ance or applications for designation of a brownfield opportunity area
12 shall demonstrate that the following community participation activities
13 have been or will be performed by the applicant:

14 (1) identification of the interested public and preparation of a
15 contact list;

16 (2) identification of major issues of public concern;

17 (3) [provision to] public access to (i) the draft and final applica-
18 tion for pre-nomination assistance and brownfield opportunity area
19 designation, and (ii) any supporting documents in a manner convenient to
20 the public;

21 (4) public notice and newspaper notice of (i) the intent of the muni-
22 cipality and/or community based organization to undertake a pre-nomina-
23 tion process or prepare a brownfield opportunity area plan, and (ii) the
24 availability of such application.

25 b. Application for nomination of a brownfield opportunity area shall
26 provide the following minimum community participation activities:

27 (1) a comment period of at least thirty days on a draft application;

28 (2) a public meeting on a brownfield opportunity area draft applica-
29 tion.

30 9. Financial assistance; advance payment. Notwithstanding any other
31 law to the contrary, financial assistance pursuant to this section
32 provided by the commissioner and the secretary pursuant to an executed
33 contract may include an advance payment up to twenty-five percent of the
34 contract amount.

35 10. The secretary shall establish criteria for brownfield opportunity
36 area conformance determinations for purposes of the brownfield redevel-
37 opment tax credit component pursuant to clause (ii) of subparagraph (B)
38 of paragraph [(5)] five of subdivision (a) of section twenty-one of the
39 tax law. In establishing criteria, the secretary shall be guided by, but
40 not limited to, the following considerations: how the proposed use and
41 development advances the designated brownfield opportunity area plan's
42 vision statement, goals and objectives for revitalization; how the
43 density of development and associated buildings and structures advances
44 the plan's objectives, desired redevelopment and priorities for invest-
45 ment; and how the project complies with zoning and other local laws and
46 standards to guide and ensure appropriate use of the project site.

47 § 2. This act shall take effect immediately.

48 PART V

49 Section 1. Section 159-j of the executive law is REPEALED.

50 § 2. This act shall take effect October 1, 2018.

51 PART W

1 Section 1. Prohibition against denial, suspension or revocation of
2 professional licenses for failure to pay student loans. 1. Notwith-
3 standing any other provision of law, rule or regulation to the contrary,
4 all agencies, departments, offices, boards or other instrumentalities of
5 the state, authorized to issue professional licenses, certificates or
6 registrations in the state, shall be prohibited from taking any adverse
7 action against any licensee, certificate holder or registrant, including
8 but not limited to any fine, nonrenewal, suspension or revocation of a
9 professional license, certificate or registration, based upon the status
10 of any student loan obligation of such licensee, certificate holder or
11 registrant.

12 2. Notwithstanding any other provision of law, rule or regulation to
13 the contrary, all agencies, departments, offices, boards or other
14 instrumentalities of the state, authorized to issue professional
15 licenses, certificates or registrations in the state, shall be prohibit-
16 ed from taking any adverse action related to the issuance of a profes-
17 sional license, certificate or registration against any individual or
18 applicant for a professional license, certificate or registration,
19 including but not limited to the denial of a professional license,
20 certificate or registration, or the disapproval of an application for a
21 professional license, certificate or registration, based upon the status
22 of any student loan obligation of such individual or applicant for a
23 professional license, certificate or registration.

24 3. For purposes of this section "professional license, certificate or
25 registration" shall mean any authorization, licensure, certification or
26 registration of any individual to practice any professional activity in
27 the state, whether temporary or permanent, issued by any agency, depart-
28 ment, office, board, or any other instrumentality of the state, includ-
29 ing but not limited to any and all licenses, certificates or registra-
30 tions issued pursuant to the education law, any and all licenses,
31 certifications or registrations issued by the department of state, and
32 any and all licenses to practice law issued or overseen by the courts of
33 the state of New York.

34 4. For purposes of this section "student loan" means any loan to a
35 borrower to finance postsecondary education or expenses related to post-
36 secondary education.

37 § 2. This act shall take effect immediately.

38

PART X

39 Section 1. Section 2 of chapter 584 of the laws of 2011, amending the
40 public authorities law relating to the powers and duties of the dormito-
41 ry authority of the state of New York relative to the establishment of
42 subsidiaries for certain purposes, as amended by section 1 of part P of
43 chapter 58 of the laws of 2016, is amended to read as follows:

44 § 2. This act shall take effect immediately and shall expire and be
45 deemed repealed on July 1, [2018] 2020; provided however, that the expi-
46 ration of this act shall not impair or otherwise affect any of the
47 powers, duties, responsibilities, functions, rights or liabilities of
48 any subsidiary duly created pursuant to subdivision twenty-five of
49 section 1678 of the public authorities law prior to such expiration.

50 § 2. This act shall take effect immediately.

51

PART Y

1 Section 1. Section 3 of part S of chapter 58 of the laws of 2016,
2 amending the New York state urban development corporation act relating
3 to transferring the statutory authority for the promulgation of market-
4 ing orders from the department of agriculture and markets to the New
5 York state urban development corporation, is amended to read as follows:

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

12 § 2. This act shall take effect immediately.

13 PART Z

14 Intentionally Omitted

15 PART AA

16 Section 1. Subdivision 3 of section 92-s of the state finance law, as
17 amended by section 2-a of part JJ of chapter 58 of the laws of 2017, is
18 amended to read as follows:

19 3. Such fund shall consist of the amount of revenue collected within
20 the state from the amount of revenue, interest and penalties deposited
21 pursuant to section fourteen hundred twenty-one of the tax law, the
22 amount of fees and penalties received from easements or leases pursuant
23 to subdivision fourteen of section seventy-five of the public lands law
24 and the money received as annual service charges pursuant to section
25 four hundred four-n of the vehicle and traffic law, all moneys required
26 to be deposited therein from the contingency reserve fund pursuant to
27 section two hundred ninety-four of chapter fifty-seven of the laws of
28 nineteen hundred ninety-three, all moneys required to be deposited
29 pursuant to section thirteen of chapter six hundred ten of the laws of
30 nineteen hundred ninety-three, repayments of loans made pursuant to
31 section 54-0511 of the environmental conservation law, all moneys to be
32 deposited from the Northville settlement pursuant to section one hundred
33 twenty-four of chapter three hundred nine of the laws of nineteen
34 hundred ninety-six, provided however, that such moneys shall only be
35 used for the cost of the purchase of private lands in the core area of
36 the central Suffolk pine barrens pursuant to a consent order with the
37 Northville industries signed on October thirteenth, nineteen hundred
38 ninety-four and the related resource restoration and replacement plan,
39 the amount of penalties required to be deposited therein by section
40 71-2724 of the environmental conservation law, all moneys required to be
41 deposited pursuant to article thirty-three of the environmental conser-
42 vation law, all fees collected pursuant to subdivision eight of section
43 70-0117 of the environmental conservation law, all moneys collected
44 pursuant to title thirty-three of article fifteen of the environmental
45 conservation law, beginning with the fiscal year commencing on April
46 first, two thousand thirteen, nineteen million dollars, and all fiscal
47 years thereafter, twenty-three million dollars plus all funds received
48 by the state each fiscal year in excess of the greater of the amount
49 received from April first, two thousand twelve through March thirty-
50 first, two thousand thirteen or one hundred twenty-two million two
51 hundred thousand dollars, from the payments collected pursuant to subdi-
52 vision four of section 27-1012 of the environmental conservation law and

1 all funds collected pursuant to section 27-1015 of the environmental
2 conservation law, [provided such funds shall not be less than four
3 million dollars for the fiscal year commencing April first, two thousand
4 thirteen, and not less than eight million dollars for all fiscal years
5 thereafter] and all other moneys credited or transferred thereto from
6 any other fund or source pursuant to law. All such revenue shall be
7 initially deposited into the environmental protection fund, for applica-
8 tion as provided in subdivision five of this section.

9 § 2. Paragraph (i) of subdivision 2 and paragraphs (k) and (l) of
10 subdivision 3 of section 97-b of the state finance law are REPEALED.

11 § 3. Subdivision 1 of section 97-b of the state finance law, as
12 amended by section 5 of part T of chapter 57 of the laws of 2017, is
13 amended to read as follows:

14 1. There is hereby established in the custody of the state comptroller
15 a nonlapsing revolving fund to be known as the "hazardous waste remedial
16 fund", which shall consist of a "site investigation and construction
17 account", an "industry fee transfer account", an "environmental restora-
18 tion project account", "hazardous waste cleanup account", and a "hazard-
19 ous waste remediation oversight and assistance account"[, a "solid waste
20 mitigation account", and a "drinking water response account"].

21 § 4. Subdivisions 4 and 7 of section 27-1201 of the environmental
22 conservation law are REPEALED and subdivisions 5, 6, and 8 are renum-
23 bered subdivisions 4, 5, and 6.

24 § 5. Subdivision 6 of section 27-1203 of the environmental conserva-
25 tion law, as added by section 4 of part T of chapter 57 of the laws of
26 2017, is amended to read as follows:

27 6. Where the department has determined through a preliminary investi-
28 gation conducted pursuant to subdivision four of this section that a
29 solid waste site is causing or substantially contributing to contam-
30 ination of a public drinking water supply, the owner or operator of a
31 solid waste site shall, at the department's written request, cooperate
32 with any and all remedial measures deemed necessary and which shall be
33 undertaken by the department, in conjunction with the department of
34 health, for the mitigation and remediation of a solid waste site or area
35 which is necessary to ensure that drinking water meets applicable stand-
36 ards, including maximum contaminant levels, notification levels, maximum
37 residual disinfectant levels, or action levels established by the
38 department of health. The department may implement necessary measures to
39 mitigate and remediate the solid waste site within amounts appropriated
40 for such purposes from the solid waste mitigation [account] program.

41 § 6. Paragraph b of subdivision 6, subdivision 9, subdivision 11, and
42 paragraph e of subdivision 12 of section 27-1205 of the environmental
43 conservation law, as added by section 4 of part T of chapter 57 of the
44 laws of 2017, are amended to read as follows:

45 b. the threat makes it prejudicial to the public interest to delay
46 action until a hearing can be held pursuant to this title, the depart-
47 ment may, pursuant to paragraph a of subdivision three of this section
48 and within the funds available to the department from the drinking water
49 response [account] program, develop and implement, in conjunction with
50 the department of health, all reasonable and necessary mitigation and
51 remedial measures to address drinking water contamination for such site
52 to ensure that drinking water meets applicable standards, including
53 maximum contaminant levels, notification levels, maximum residual disin-
54 fectant levels or action levels established by the department of health.
55 Findings required pursuant to this subdivision shall be in writing and

1 may be made by the commissioner of health on an ex parte basis subject
2 to judicial review.

3 9. When a municipality develops and implements remediation to address
4 a drinking water contamination site, determined pursuant to subdivision
5 four of this section, and the plan is approved by the department, in
6 conjunction with the department of health, which is owned or has been
7 operated by such municipality or when the department, in conjunction
8 with the department of health, pursuant to an agreement with a munici-
9 pality, develops and implements such remediation, the commissioner
10 shall, in the name of the state, agree in such agreement to provide from
11 the drinking water response [account] program, within the limitations of
12 appropriations therefor, seventy-five percent of the eligible design and
13 construction costs of such program for which such municipality is liable
14 solely because of its ownership and/or operation of such site and which
15 are not recovered from or reimbursed or paid by a responsible party or
16 the federal government.

17 11. Moneys for actions taken or to be taken by the department, the
18 department of health or any other state agency pursuant to this title
19 shall be payable directly to such agencies from the drinking water
20 response [account] program pursuant to section ninety-seven-b of the
21 state finance law.

22 e. The expense of any such mitigation by the department or the depart-
23 ment of health shall be paid by the drinking water response [account]
24 program, but may be recovered from any responsible person in any action
25 or proceeding brought pursuant to the state finance law, this title,
26 other state or federal statute, or common law if the person so author-
27 ized in writing is an employee, agent, consultant, or contractor of a
28 responsible person acting at the direction of the department, then the
29 expense of any such sampling and analysis shall be paid by the responsi-
30 ble person.

31 § 7. The section heading and subdivisions 2, 3 and 4 of section
32 27-1207 of the environmental conservation law, as added by section 4 of
33 part T of chapter 57 of the laws of 2017, are amended and a new subdivi-
34 sion 5 is added to read as follows:

35 Use and reporting of the solid waste mitigation [account] program and
36 the drinking water response [account] program.

37 2. The solid waste mitigation [account] program shall receive no more
38 than twenty-five million dollars from the clean water infrastructure act
39 of 2017 and be made available to the department and the department of
40 health, as applicable, for the following purposes:

- 41 a. enumeration and assessment of solid waste sites;
- 42 b. investigation and environmental characterization of solid waste
43 sites, including environmental sampling;
- 44 c. mitigation and remediation of solid waste sites;
- 45 d. monitoring of solid waste sites; and
- 46 e. administration and enforcement of the requirements of section
47 27-1203 of this title.

48 3. The drinking water response [account] program shall receive no more
49 than twenty million dollars annually from the clean water infrastructure
50 act of 2017 and be made available to the department and the department
51 of health, as applicable, for the following purposes:

- 52 a. mitigation of drinking water contamination;
- 53 b. investigation of drinking water contamination;
- 54 c. remediation of drinking water contamination; and
- 55 d. administration and enforcement of the requirements of this title
56 except the provisions of section 27-1203.

1 4. On or before July first, two thousand nineteen and July first of
 2 each succeeding year, the department shall report on the status of the
 3 programs. Such status report shall reflect information available to the
 4 department as of March thirty-first of each year, and shall include
 5 information regarding the number of sites referred to the inactive
 6 hazardous waste disposal site remedial program based on information
 7 obtained pursuant to this title and an accounting of all monies expended
 8 or encumbered from the clean water infrastructure act of two thousand
 9 seventeen during the preceding fiscal year, such accounting to separate-
 10 ly list:

11 a. monies expended or encumbered for the purpose of conducting site
 12 investigations;

13 b. monies expended or encumbered for the purpose of conducting remedi-
 14 al investigations and feasibility studies;

15 c. monies expended for mitigation and remediation measures; and

16 d. an accounting of payments received and payments obligated to be
 17 received pursuant to this title, and a report of the department's
 18 attempts to secure such obligations.

19 5. all moneys recovered pursuant to title twelve of article twenty-
 20 seven of this chapter shall be deposited into the capital projects fund
 21 (30000), provided that such moneys recovered shall be used for the same
 22 purposes as are authorized by this title.

23 § 8. This act shall take effect immediately.

24 PART BB

25 Intentionally Omitted

26 PART CC

27 Section 1. Subdivisions 10 and 11 of section 57-0107 of the environ-
 28 mental conservation law, as amended by chapter 267 of the laws of 2015,
 29 are amended to read as follows:

30 10. "Central Pine Barrens area" shall mean the contiguous area as
 31 described and bounded as follows:

32 Beginning at a point where the southerly side of Route 25A intersects
 33 the easterly side of Miller Place Road; thence southward along the east-
 34 erly boundary of Miller Place Road to Helme Avenue; thence southward
 35 along the easterly boundary of Helme Avenue to Miller Place-Middle
 36 Island Road; thence southward along the easterly boundary of Miller
 37 Place-Middle Island Road to Whiskey Road; thence westward along the
 38 southerly boundary of Whiskey Road to Mount Sinai-Coram Road; thence
 39 southward along the easterly boundary of Mount Sinai-Coram Road to
 40 Middle Country Road (Route 25); thence westward along the southerly
 41 boundary of Route 25 to Patchogue-Mount Sinai Road (County Route 83);
 42 thence southward along the easterly boundary of County Route 83 to Bicy-
 43 cle Path Drive; thence southeastward along the easterly side of Bicycle
 44 Path Drive to Mt. McKinley Avenue; thence southward along the easterly
 45 boundary of Mt. McKinley Avenue to Granny Road; thence northeastward
 46 along the northerly boundary of Granny Road to Port Jefferson-Patchogue
 47 Road (Route 112); thence southward along the easterly boundary of Route
 48 112 to Horse Block Road (County Route 16); thence eastward along the
 49 northerly boundary of County Route 16 to Maine Avenue; thence northward
 50 along the westerly boundary of Maine Avenue to Fire Avenue; thence east-
 51 ward along the northerly boundary of Fire Avenue to John Roe Smith
 52 Avenue; thence southward along the easterly boundary of John Roe Smith

1 Avenue to Jeff Street; thence eastward along the northerly boundary of
2 Jeff Street to Hagerman Avenue; thence southward along the easterly
3 boundary of Hagerman Avenue to the Long Island Expressway (Route 495);
4 thence eastward along the northerly boundary of Route 495 to the westerly
5 side of Yaphank Avenue (County Road 21); thence southward along the
6 westerly side of Yaphank Avenue to the south side of the Long Island
7 Expressway (Route 495); thence eastward along the southerly side of the
8 Long Island Expressway (Route 495) to the easterly side of Yaphank
9 Avenue; thence southward along the easterly side of Yaphank Avenue,
10 crossing Sunrise Highway (Route 27) to the south side of Montauk Highway
11 (County Road 80); thence southwestward along the south side of Montauk
12 Highway (County Road 80) to South Country Road; thence southward along
13 the easterly side of South Country Road to Fireplace Neck Road; thence
14 southward along the easterly side of Fireplace Neck Road to Beaver Dam
15 Road; thence eastward along the northerly side of Beaver Dam Road to the
16 westerly boundary of the Carmans River and the lands owned by the United
17 States known as Wertheim National Wildlife Refuge (the "Refuge"); thence
18 generally westerly and southerly to the waters of Bellport Bay; thence
19 generally easterly across the Bay and northerly along the easterly bound-
20 dary of the Refuge, including all lands currently part of the Refuge and
21 any lands which may become part of the Refuge in the future, to the east
22 side of the southern terminus of Smith Road; thence northward along the
23 easterly side of Smith Road to the southwesterly corner of the property
24 identified as District 200, Section 974.50, Block 1, Lot 11; thence
25 eastward, northward and westward in a counter-clockwise direction along
26 the southern, eastern and northern boundaries of that property to the
27 easterly side of Smith Road; thence northward along the east side of
28 Smith Road to Merrick Road; thence northeasterly along the northerly
29 side of Merrick Road to the easterly side of Surrey Circle and the
30 southwest corner of the property identified as District 200, Section
31 880, Block 3, Lot 58.1; running thence easterly along the southerly side
32 of said lot to the west side of William Floyd Parkway (County Road 46);
33 thence northerly along the westerly side of William Floyd Parkway (Coun-
34 ty Road 46), crossing Route 27, to the Long Island Railroad (LIRR);
35 thence eastward along the northerly boundary of the Long Island Rail
36 Road tracks 7,500 feet; thence southward 500 feet; thence eastward 525
37 feet to the intersection of North Street and Manor-Yaphank Road; thence
38 southward along the easterly boundary of Manor-Yaphank Road to Moriches-
39 Middle Island Road; thence eastward along the northerly boundary of
40 Moriches-Middle Island Road to a point due north of the easterly bounda-
41 ry of Cranford Boulevard; thence southward across Moriches-Middle Island
42 Road and along the easterly boundary of Cranford Boulevard to the south-
43 western corner of the property identified as District 200, Section 645,
44 Block 3, Lot 29.1; thence southeastward along the southerly boundary of
45 said property to its intersection with property identified as District
46 200, Section 712, Block 9, Lot 1; thence generally southward along the
47 westerly boundary of said property to its intersection with the norther-
48 ly side of the eastward extension of Grove Drive; thence southward
49 crossing Grove Drive to its south side; thence westward along the south-
50 erly boundary of the Grove Drive road extension to the northwestern
51 corner of the property identified as District 200, Section 749, Block 3,
52 Lot 41.1; and comprised of parcels owned by the county of Suffolk and
53 the town of Brookhaven; thence southward to the southwestern corner of
54 property identified as District 200, Section 749, Block 3, Lot 43;
55 thence eastward along the southerly boundary of said property to the
56 west side of Lambert Avenue; thence crossing Lambert Avenue to its east-



1 erly side; thence southward along the easterly boundary of Lambert
2 Avenue to the northerly boundary of the Sunrise Highway Service Road;
3 thence northeastward along the northerly boundary of the Sunrise Highway
4 Service Road to Barnes Road; thence northward along the westerly bounda-
5 ry of Barnes Road to the northeastern corner of property identified as
6 District 200, Section 750, Block 3, Lot 40.2; thence westward along the
7 northerly boundary of said property to the property identified as
8 District 200, Section 713, Block 1, Lot 2; thence westward along the
9 northerly boundary of property identified as District 200, Section 713,
10 Block 1, Lot 1; thence northward along the westerly side of Weeks Avenue
11 to the northeastern corner of property identified as District 200,
12 Section 713, Block 3, Lot 1; thence westward along the northerly bounda-
13 ry of said property to Michigan Avenue; thence northward along the east-
14 erly boundary of Michigan Ave to Moriches-Middle Island Road; thence
15 eastward along the northerly boundary of Moriches-Middle Island Road to
16 Sunrise Highway (Route 27); thence eastward along the northerly boundary
17 of Route 27 to an old railroad grade (unpaved); thence southeastward
18 along the northerly boundary of the old railroad grade (unpaved) to Old
19 County Road (Route 71); thence eastward along the northerly boundary of
20 Route 71 to the Long Island Rail Road tracks; thence eastward along the
21 northerly boundary of the Long Island Rail Road tracks to Montauk High-
22 way; thence eastward along the northerly boundary of Montauk Highway to
23 Route 24; thence northward along the westerly boundary of Route 24 to
24 Sunrise Highway (Route 27); thence eastward along the northerly boundary
25 of Route 27 to Squiretown Road; thence northward along the westerly
26 boundary of Squiretown Road to Upper Red Creek Road; thence westward
27 along the southern boundary of Upper Red Creek to Lower Red Creek Road;
28 thence southward along the easterly boundary of Lower Red Creek Road to
29 Hubbard County Park; thence westward along the northern boundary of
30 Hubbard County Park to Riverhead-Hampton Bays Road (Route 24); thence
31 westward along the southerly boundary of Route 24 to Peconic Avenue;
32 thence northward along the westerly boundary of Peconic Avenue to the
33 Riverhead-Southampton border; thence westward along the Riverhead-South-
34 ampton border and the Riverhead-Brookhaven border to the Forge Road
35 Bridge; thence northward along the westerly boundary of the Forge Road
36 Bridge to Forge Road; thence northwestward along the westerly boundary
37 of Forge Road to the railroad tracks; thence northward along the wester-
38 ly boundary of Forge Road (unpaved) to the intersection of Route 25 and
39 River Road; thence westward along the southerly boundary of River Road
40 to Edwards Avenue; thence northward along the westerly boundary of
41 Edwards Avenue 3,800 feet; thence westward 4,400 feet to an unnamed,
42 unpaved road; thence northward along the westerly boundary of the
43 unnamed, unpaved road 150 feet; thence westward and northwestward along
44 the eastern boundary of the United States Navy/Grumman Aerospace Corpo-
45 ration property (as of 1982) up to its intersection with Middle Country
46 Road (Route 25); thence westward along the southerly boundary of Route
47 25 to the intersection of Route 25 and 25A; thence northeastward, west-
48 ward, and southwestward along the eastern and northern boundary of the
49 United States Navy/Grumman Aerospace Corporation (as of 1982) and
50 located immediately east of Route 25A, to its intersection with Route
51 25A; thence westward along the southerly boundary of Route 25A to a
52 point due south of the southeast corner of the parcel identified as
53 District 200, Section 128, Block 1, lot 3.1; thence northeastward,
54 northward and westward along the southerly, easterly and northerly sides
55 of the parcel identified as District 200, section 128, Block 1, lot 1 to
56 the southeast corner of the parcel identified as District 200, Section



1 82, Block 1, Lot 5.2; thence northward along the east side of this
2 parcel to North Country Road; thence northward crossing North Country
3 Road to its northerly side; thence eastward along the northerly side of
4 North Country Road to the Brookhaven Town-Riverhead Town line; thence in
5 a generally northwestward direction along said town line to a point in
6 Wading River Creek with the coordinates 40.96225 latitude and -72.863633
7 longitude; thence westward a distance of approximately 90 feet to the
8 easterly side of LILCO Road; thence southward along LILCO Road to its
9 intersection with the north side of North Country Road; thence westward
10 along the north side of North Country Road to the southeast corner of
11 the parcel identified as District 200, Section 39, Block 1, Lot 2;
12 thence in a northward and westward direction along the easterly and
13 northerly sides of said parcel to its northwest corner; thence northward
14 along the westerly boundary of the parcel identified as District 200,
15 Section 83, Block 1, Lot 1.4 to its northwest corner; and thence contin-
16 uing in a westward direction along the northerly side of the parcel
17 identified as District 200, Section 39, Block 1, Lot 1.2 and the south-
18 erly extent of Long Island Sound to the northwest corner of the property
19 identified as District 200, Section 39, Block 1, Lot 1.2; thence south-
20 ward along the westerly boundary of said property to North Country Road;
21 thence west along the southerly boundary of North Country Road to the
22 northwestern corner of property identified as District 200, Section 82,
23 Block 1, Lot 1.1; thence south along the westerly boundary of said prop-
24 erty and the westerly boundary of the property identified as District
25 200, Section 82, Block 1, Lot 1.2 to the northwest corner of property
26 identified as District 200, Section 82, Block 1, Lot 5.1; thence south-
27 ward along the westerly boundary of said property to the northeast
28 corner of the property identified as District 200, Section 105, Block 3,
29 Lot 5, thence southward along the easterly boundary of said property to
30 the north side of Route 25A; thence southward crossing Route 25A to its
31 south side; thence westward along the southerly boundary of Route 25A to
32 the point or place of beginning, and excluding [one] three distinct
33 [area] areas described as follows: The first area defined as beginning
34 at a point where the westerly side of William Floyd Parkway (County Road
35 46) meets northerly side of the Long Island Railroad (LIRR); thence
36 westward along the northerly side of the LIRR to Moriches-Middle Island
37 Road; thence generally northwestward along the northerly side of Morich-
38 es-Middle Island Road to the southerly side of Long Island Expressway
39 (Route 495); thence eastward along the southerly side of the Long Island
40 Expressway (Route 495) to the westerly side of William Floyd Parkway
41 (County Road 46); thence southward along the westerly side of William
42 Floyd Parkway (County Road 46) and containing the subdivision known as
43 RB Industrial Park, to the point or place of beginning and the second
44 area defined as the property described as District 200, Section 39,
45 Block 1, Lot 1.1 and the third area defined as all parcels of real prop-
46 erty identified as follows:
47 district 200, section 749, block 6, lot 24;
48 district 200, section 749, block 6, lot 25;
49 district 200, section 750, block 2, lot 27.1;
50 district 200, section 749, block 6, lot 14;
51 district 200, section 713, block 1, lot 2;
52 district 200, section 750, block 2, lot 38;
53 district 200, section 750, block 2, lot 39;
54 district 200, section 749, block 6, lot 26;
55 district 200, section 749, block 6, lot 22;
56 district 200, section 713, block 3, lot 2.3;



1 district 200, section 713, block 3, lot 2.1;
2 district 200, section 786, block 3, lot 13;
3 district 200, section 786, block 3, lot 14.2;
4 district 200, section 750, block 2, lot 8;
5 district 200, section 749, block 6, lot 13;
6 district 200, section 749, block 6, lot 20.2;
7 district 200, section 786, block 3, lot 7;
8 district 200, section 749, block 6, lot 23.1;
9 district 200, section 749, block 6, lot 20.1;
10 district 200, section 674, block 1, lot 39;
11 district 200, section 749, block 6, lot 15;
12 district 200, section 712, block 9, lot 1;
13 district 200, section 674, block 1, lot 38;
14 district 200, section 750, block 3, lot 40.1;
15 district 200, section 749, block 6, lot 21;
16 district 200, section 674, block 1, lot 35;
17 district 200, section 786, block 3, lot 1.1;
18 district 200, section 749, block 3, lot 43;
19 district 200, section 750, block 3, lot 19.1;
20 district 200, section 750, block 3, lot 19.2;
21 district 200, section 750, block 3, lot 19.3;
22 district 200, section 750, block 3, lot 19.4;
23 district 200, section 750, block 3, lot 19.5;
24 district 200, section 750, block 3, lot 19.6;
25 district 200, section 750, block 3, lot 19.7;
26 district 200, section 750, block 2, lot 7.1;
27 district 200, section 750, block 2, lot 7.2;
28 district 200, section 750, block 2, lot 37;
29 district 200, section 713, block 1, lot 1;
30 district 200, section 786, block 3, lot 3;
31 district 200, section 786, block 3, lot 4;
32 district 200, section 786, block 3, lot 6;
33 district 200, section 786, block 3, lot 1.2;
34 district 200, section 786, block 3, lot 8;
35 district 200, section 750, block 3, lot 25.1;
36 district 200, section 750, block 3, lot 26.1;
37 district 200, section 750, block 3, lot 39.1;
38 district 200, section 750, block 3, lot 6.1;
39 district 200, section 750, block 2, lot 24;
40 district 200, section 750, block 2, lot 35;
41 district 200, section 750, block 2, lot 36.1;
42 district 200, section 750, block 3, lot 42.1;
43 district 200, section 750, block 3, lot 5.1;
44 district 200, section 749, block 7, lot 15;
45 district 200, section 749, block 7, lot 16;
46 district 200, section 786, block 3, lot 9;
47 district 200, section 750, block 3, lot 37.1;
48 district 200, section 749, block 6, lot 10;
49 district 200, section 749, block 6, lot 7;
50 district 200, section 786, block 3, lot 14.1;
51 district 200, section 749, block 6, lot 23.2;
52 district 200, section 749, block 6, lot 11;
53 district 200, section 749, block 6, lot 5;
54 district 200, section 750, block 2, lot 21.1;
55 district 200, section 750, block 3, lot 35.1;
56 district 200, section 750, block 3, lot 35.2;



- 1 district 200, section 749, block 6, lot 9;
- 2 district 200, section 749, block 7, lot 18.1;
- 3 district 200, section 750, block 2, lot 20;
- 4 district 200, section 750, block 2, lot 22.1;
- 5 district 200, section 750, block 2, lot 25.2;
- 6 district 200, section 750, block 2, lot 25.1;
- 7 district 200, section 750, block 2, lot 33;
- 8 district 200, section 750, block 3, lot 40.2;
- 9 district 200, section 750, block 2, lot 23.1;
- 10 district 200, section 750, block 2, lot 34;
- 11 district 200, section 750, block 3, lot 41.1;
- 12 district 200, section 750, block 2, lot 18;
- 13 district 200, section 749, block 7, lot 14;
- 14 district 200, section 749, block 7, lot 43;
- 15 district 200, section 749, block 6, lot 4.4;
- 16 district 200, section 749, block 6, lot 12.3.

17 11. "Core preservation area" shall mean the core preservation area of
 18 the Central Pine Barrens area which comprise the largest intact areas of
 19 undeveloped pine barrens as described and bounded as follows:

20 Beginning at a point where the northwestern corner of the New York
 21 State Rocky Point Natural Resource Management Area (the "NYS Rocky Point
 22 Land") intersects the southerly side of NYS Route 25A; thence generally
 23 southward and eastward along the generally westerly and southerly bound-
 24 aries of the NYS Rocky Point Land (including the Currans Road Pond State
 25 Wildlife Management Area, all adjacent or contiguous undeveloped Town of
 26 Brookhaven parks, preserves, open space areas, or reserved areas, and
 27 the crossings of the undeveloped Suffolk County property known as the
 28 Port Jefferson - Westhampton road right of way, Whiskey Road, County
 29 Route 21, and Currans Road), and including those properties identified
 30 as District 200, Section 346, Block 1, Lots 3 and 4, to the point where
 31 the NYS Rocky Point Land meets the northerly side of NYS Route 25
 32 (Middle Country Road); thence eastward along the northerly boundary of
 33 NYS Route 25 to the southeastern corner of that property west of Wood-
 34 lots Road which is identified as District 200, Section 349, Block 2, Lot
 35 1.3; thence northward along the easterly boundary of that property to
 36 the Suffolk County Pine Trail Nature Preserve; thence eastward and
 37 southeastward along the southerly boundary of the Suffolk County Pine
 38 Trail Nature Preserve where the Preserve is adjacent to developed
 39 parcels or parcels in agricultural or horticultural use, or along a line
 40 parallel to, and 100 (one hundred) feet south of, the Preserve where the
 41 Preserve is adjacent to parcels which are undeveloped as of June 1,
 42 1993, to County Route 46; thence southward along the easterly boundary
 43 of County Route 46 to NYS Route 25; thence eastward along the southerly
 44 boundary of NYS Route 25 to the Suffolk County Pine Trail Nature
 45 Preserve; thence southward along the westerly boundary of the Suffolk
 46 County Pine Trail Nature Preserve where the Preserve is adjacent to
 47 developed parcels, or along a line parallel to, and 100 (one hundred)
 48 feet west of, the Preserve where the Preserve is adjacent to parcels
 49 which are undeveloped as of June 1, 1993, to the northern boundary of
 50 the United States land known as Brookhaven National Laboratory; thence
 51 generally westward along the northerly boundary of Brookhaven National
 52 Laboratory to County Route 46 (William Floyd Parkway); thence generally
 53 northwestward on a straight line to the intersection of Sally Lane and
 54 Pond Lane; thence westward along the southerly side of Pond Lane to Ruth
 55 Lane; thence northward along the westerly side of Ruth Lane to NYS Route
 56 25; thence westward along the northerly side of NYS Route 25 to the

1 southeast corner of the NYS Middle Island State Game Farm and Environ-
2 mental Education Center; thence northward, westward, and southward along
3 the easterly, northerly, and westerly boundaries of the NYS Middle
4 Island State Game Farm and Environmental Education Center to NYS Route
5 25; thence westward along the southerly side of NYS Route 25, excluding
6 all parcels abutting that road which are developed as of June 1, 1993,
7 to Giant Oak Road; thence southward along the easterly side of Giant Oak
8 Road to Medford Road; thence southwestward along the southeasterly side
9 of Medford Road crossing to the west side of Smith Road; thence southerly
10 along the westerly side of Smith Road to the southeast corner of
11 District 200, Section 406, Block 1, Lot 6; thence westward and northward
12 along the southerly and westerly sides of said parcel to the southerly
13 side of the developed lands known as Strathmore Ridge; thence westward,
14 northward and eastward along the southerly, westerly and northerly sides
15 of the developed lands known as Strathmore Ridge to the westerly side of
16 Smith Road; thence northerly along the westerly side of Smith Road to
17 the southerly side of NYS Route 25; thence westerly along the southerly
18 side of NYS Route 25, to the northwestern corner of that property which
19 is identified as District 200, Section 406, Block 1, Lot 4.3; thence
20 southerly along the westerly boundary of that property and continuing
21 southward along the westerly sides of the properties identified as
22 District 200, Section 406, Block 1, Lot 4.6; District 200, Section 406,
23 Block 1, Lot 4.4 and District 200, Section 504, Block 1, Lot 2 to the
24 southerly side of Longwood Road; thence eastward along the southerly
25 side of Longwood Road to the northwest corner of the property identified
26 as District 200, Section 504, Block 1, Lot 7.2; thence southward and
27 westward along the generally westerly boundary of that parcel to the
28 eastern end of Rugby Lane (also known as Rugby Avenue or Rugby Road), a
29 paper street shown on Suffolk County tax maps District 200, Sections
30 500, 502, and 503; thence westward along the northerly boundary of Rugby
31 Lane, across County Route 21, to the westerly boundary of County Route
32 21 (Yaphank - Middle Island Road); thence southward along the westerly
33 boundary of County Route 21 to the northeastern corner of the parcel
34 identified as District 200, Section 529, Block 1, Lot 28, and which is
35 coterminous with the southerly boundaries of the parcels located on the
36 south side of Rustic Lane; thence westward along the northerly boundary
37 of that parcel to the southwest corner of the parcel identified as
38 District 200, Section 528, Block 5, Lot 2; thence northward along a
39 portion of the easterly boundary of the Carmans River, which comprises
40 the easterly boundary of the parcel identified as District 200, Section
41 528, Block 5, Lot 1, to its intersection with the southern boundary of
42 the Suffolk County Nature Preserve parcel identified as District 200,
43 Section 500, Block 1, Lot 1.4; thence eastward along the southern bound-
44 ary of that parcel to the southeast corner of that parcel; thence north-
45 ward along the easterly boundary of that Suffolk County Nature Preserve
46 parcel to the southeast corner of the Suffolk County Nature Preserve
47 parcel identified as District 200, Section 500, Block 1, Lot 3.1, thence
48 generally northward along the easterly boundary of that parcel to the
49 north side of East Bartlett Road; thence easterly along the north side
50 of East Bartlett Road to the east side of County Road 21; thence south-
51 erly along the east side of County Road 21 to the southwest corner of
52 District 200, Section 501, Block 1, Lot 2.1; thence easterly and north-
53 erly along the southern and eastern sides of that property and northward
54 along the easterly side of District 0200, 50100, Block 0100, Lot 002002
55 and across to the north side of Longwood Road; thence westerly along the
56 north side of Longwood Road to the southeast corner of District 200,

1 Section 482, Block 1, Lot 3.1; thence northward and eastward along the
2 easterly and southerly boundaries of that parcel to the northwest corner
3 of the parcel identified as District 200, Section 483, Block 2, Lot 1.4;
4 thence eastward along the southerly property boundary of the parcel
5 identified as District 200, Section 482, Block 1, Lot 4 to the southeast
6 corner of that parcel; thence northward along the easterly boundary of
7 that parcel to the northeast corner of that parcel; thence eastward and
8 northward along the southerly and easterly boundaries of the parcel
9 identified as District 200, Section 456, Block 2, Lot 4 to the northeast
10 corner of that parcel; thence generally northerly and westerly along the
11 easterly and northerly boundary of Prosser Pines County Nature Preserve
12 to County Road 21; thence westward (directly across County Route 21)
13 along the southerly boundary of the property identified as District 200,
14 Section 434, Block 1, Lot 12.1, to the southwest corner of the property
15 identified as District 200, Section 434, Block 1, Lot 14.3, adjacent to
16 the eastern side of Cathedral Pines County Park; thence northward along
17 the eastern boundary of Cathedral Pines County Park to the southeast
18 corner of the property identified as District 200, Section 402, Block 1,
19 Lot 23.1, thence continuing northward along the easterly boundary of
20 that property to the southerly side of Lafayette Road; thence westward
21 along the southerly side of Lafayette Road to the eastern boundary of
22 the property identified as District 200, Section 402, Block 1, Lot 24.7;
23 thence generally in a counter-clockwise direction along the easterly,
24 northerly, westerly and northerly boundaries of that property to the
25 easterly boundary of the parcel identified as District 200, Section 402,
26 Block 1, Lot 19.2; thence northerly along the easterly side of said lot
27 to the southeast corner of the property identified as District 200,
28 Section 402, Block 1, Lot 20, thence westward and northward along the
29 southerly and westerly sides of that property to the southerly side of
30 NYS Route 25; thence westward along the southerly boundary of NYS Route
31 25 to the northwestern corner of the parcel identified as District 200,
32 Section 402, Block 1, Lot 16.4; thence generally southward along the
33 westerly boundary of that parcel to the northerly boundary of the parcel
34 identified as District 200, Section 454, Block 1, Lot 9.1; thence west-
35 ward along the northerly boundary of that parcel to East Bartlett Road;
36 thence southward along the easterly boundary of East Bartlett Road to
37 its intersection with Ashton Road; thence westward to the northeastern
38 corner of the old filed map shown on District 200, Section 499; thence
39 westward and southward along the northerly and westerly boundaries of
40 the old filed map shown on Suffolk County tax maps District 200,
41 Sections 498, 499, and 527 to Hillcrest Road; thence eastward along the
42 southerly boundary of Hillcrest Road to Ashton Road; thence southward
43 along the easterly side of Ashton Road to Granny Road; thence eastward
44 along the southerly side of Granny Road to the northwesterly corner of
45 District 200, Section 547, Block 1, Lot 18.1; thence generally south-
46 ward, westward, southward, eastward and northward in a counter-clockwise
47 direction along the western, northern, southern and eastern boundaries
48 of said parcel to the southeast corner of the parcel identified as
49 District 200, Section 548, Block 1, Lot 3; thence northward along the
50 easterly boundary of that parcel to its northeast corner; thence gener-
51 ally northward, northeastward and eastward along the westerly, northwes-
52 terly and northerly sides of German Boulevard to its intersection with
53 the northeasterly side of Lakeview Boulevard; thence southeastward along
54 the northeasterly side of Lakeview Boulevard to the westerly boundary of
55 the parcel identified as District 200, Section 611, Block 1, Lot 5;
56 thence northward along the westerly boundary of that parcel to its

1 northwest corner; thence southward along the westerly boundary of the
2 parcel identified as District 200, Section 579, Block 3, Lot 1, compris-
3 ing part of the western bank of the Carmans River also known as Upper
4 Lake, to the northerly side of Mill Road, also known as County Route
5 101; thence eastward along the northerly side of Mill Road to the north-
6 east corner of the parcel identified as District 200, Section 579, Block
7 3, Lot 19; thence westerly along the northerly boundary of that parcel
8 to the eastern boundary of the parcel identified as District 200,
9 Section 579, Block 3, Lot 1; thence northward along the easterly side of
10 that parcel, comprising part of the eastern bank of the Carmans River
11 also known as Upper Lake, to the southwest corner of the parcel identi-
12 fied as District 200, Section 548, Block 2, Lot 5.1; thence eastward
13 along the southern boundary of that parcel to its southeast corner;
14 thence eastward across County Route 21 to its easterly side; thence
15 northward along the easterly boundary of County Route 21 to the south-
16 west corner of the Suffolk County Nature Preserve parcel known as
17 Warbler Woods and identified as District 200, Section 551, Block 1, Lot
18 4; thence generally eastward along the southerly boundary of the Warbler
19 Woods parcel and then southward along the westerly boundary of an exten-
20 sion of that parcel's southerly boundary to the southeast corner of the
21 southern terminus of Harold Road; thence generally westward, southward
22 and westward in a counter-clockwise direction along the northerly,
23 westerly, northerly and westerly boundaries of the Suffolk County Nature
24 Preserve parcel known as Fox Lair, and identified as District 200,
25 Section 580, Block 3, Lot 24.2, to the northwest corner of the parcel
26 Suffolk County Water Authority parcel identified as District 200,
27 Section 580, Block 3, Lot 24.6; thence southward, eastward and southward
28 along the westerly boundary and southerly boundaries of that Suffolk
29 County Water Authority parcel to Main Street; thence eastward along the
30 north side of Main Street to the southeast corner of said Suffolk County
31 Water Authority parcel to its southeast corner; thence northward along
32 the easterly boundary of that parcel to the southwest property boundary
33 of the Suffolk County Nature Preserve parcel known as Fox Lair and iden-
34 tified as District 200, Section 580, Block 3, Lot 24.2, thence generally
35 eastward, southward, eastward, northward and eastward along the souther-
36 ly boundaries of said parcel and eastward along the southerly boundary
37 of the Suffolk County Nature Preserve parcel identified as District 200,
38 Section 583, Block 1, Lot 4.1, to the west side of the unimproved north-
39 south oriented road known variously as Smith Road, Longwood Road and
40 Private Road; thence southward along the westerly boundary of Smith Road
41 to the north side of the Long Island Expressway; thence westward along
42 the northerly boundary of the Long Island Expressway to the south side
43 of Main Street in Yaphank; thence westward along the southerly boundary
44 of Main Street in Yaphank to the westernmost extent along Main Street of
45 the Southaven County Park boundary; thence westward across County Road
46 21 to the western boundary of the County Road 21 right-of-way; thence
47 southward along the western boundary of the County Road 21 right-of-way
48 to the northerly side of the parcel identified as District 200, Section
49 611, Block 3, Lot 16, comprising the northerly bank of the Carmans River
50 known as Lower Lake; thence westward along the northerly side of that
51 property to the southwest corner of the parcel identified as District
52 200, Section 612, Block 4, Lot 1; thence northward along the westerly
53 boundary of that parcel to the southerly side of County Route 21 known
54 as Main Street; thence westward along the southerly side of County Route
55 21 known as Main Street to the northeast corner of the parcel identified
56 as District 200, Section 612, Block 2, Lot 12; thence southward along



1 the easterly boundary of that parcel to the southeast corner of the
2 parcel identified as District 200, Section 612, Block 2, Lot 11; thence
3 westward and northwestward along the northerly and northeasterly bounda-
4 ries of the Town of Brookhaven parcel identified as District 200,
5 Section 611, Block 3, Lot 9 to the south side of Mill Road, also known
6 as County Road 101; thence generally westward and southward along the
7 southerly side of Mill Road and continuing southward along the eastern
8 side of Patchogue-Yaphank Road, also known as County Road 101, to the
9 southerly side of Gerard Road; thence eastward along the southerly side
10 of Gerard Road to its westerly boundary known as the map of Grand
11 Heights, filed in the offices of the Suffolk County clerk; thence south-
12 ward along the westerly map line of the filed map known as Grand Heights
13 to the north side of the Long Island Expressway NYS Route 495; thence
14 easterly along the northerly side of the Long Island Expressway NYS
15 Route 495 to the westerly side of County Route 21 known as Yaphank
16 Avenue; thence southward along the westerly side of Yaphank Avenue to
17 the south side of the Long Island Expressway; thence eastward along the
18 south side of the Long Island Expressway to the westerly boundary of
19 Southaven County Park, thence generally southward along the westerly
20 boundary of Southaven County Park to the northeast corner of the lands
21 of Suffolk County identified as District 200, Section 665, Block 2, Lot
22 1; thence generally southward along the easterly boundary of said lot,
23 crossing the LIRR and Park Street and continuing southward along the
24 westerly boundary of Davenport Avenue as shown on the old filed map
25 known as Bellhaven Terrace; thence southward and eastward along the
26 westerly and southerly boundaries of the parcel identified as District
27 200, Section 744, Block 1, Lot 10 to the westerly boundary of the parcel
28 identified as District 200, Section 781, Block 1, Lot 3.1; thence
29 continuing southerly along the westerly boundary of that parcel to the
30 easterly boundary of Gerard Road; thence southward along the easterly
31 boundary of Gerard Road to Victory Avenue; thence eastward along the
32 northerly boundary of Victory Avenue to a point where the west bank of
33 the Carmans River passes under Victory Avenue and Route 27; thence south
34 under Route 27 to the southerly side of Montauk Highway also known as
35 County Road 80; thence westward along the southerly side of Montauk
36 Highway County Road 80, including lands owned by the United States known
37 as Wertheim National Wildlife Refuge (the "Refuge"), to the eastern side
38 of Old Stump Road; thence southward along the easterly side of Old Stump
39 Road to the northerly side of Beaver Dam Road; thence eastward along the
40 northerly side of Beaver Dam Road to the lands owned by the United
41 States known as Wertheim National Wildlife Refuge (the "Refuge"),
42 including the Carmans River; thence generally westerly and southerly to
43 the waters of Bellport Bay; thence generally easterly across the Bay and
44 northerly along the easterly boundary of the Refuge, including all lands
45 currently part of the Refuge and any lands which may become part of the
46 Refuge in the future to the east side of the southern terminus of Smith
47 Road; thence northward along the easterly side of Smith Road to the
48 southwesterly corner of the property identified as District 200, Section
49 974.50, Block 1, Lot 11; thence eastward, northward and westward in a
50 counter-clockwise direction along the southern, eastern and northern
51 boundaries of that property to the easterly side of Smith Road; thence
52 northward along the easterly side of Smith Road to the northerly side of
53 Montauk Highway County Road 80; thence northeasterly to the southwest-
54 ly corner of the property identified as District 200, Section 849, Block
55 2, Lot 2; thence eastward along the northerly boundary of Montauk High-
56 way to the southeasterly corner of the property identified as District

1 200, Section 850, Block 3, Lot 8; thence northward to the northeasterly
2 corner of that parcel, including all lands owned by the United States
3 known as Wertheim National Wildlife Refuge (the "Refuge") at any time
4 between June 1, 1993 and the present, and any lands which may become
5 part of the Refuge in the future; thence northwestward across Sunrise
6 Highway (NYS Route 27) to the southwesterly corner of the property iden-
7 tified as District 200, Section 850, Block 2, Lot 1; thence northward
8 along the westerly boundary of that parcel across to the northerly boun-
9 dary of Victory Avenue; thence westward along the northerly boundary of
10 Victory Avenue to the westerly boundary of River Road; thence northward
11 along the westerly boundary of River Road to the north side of the Long
12 Island Rail Road right-of-way; thence easterly along the northerly side
13 of the Long Island Rail Road right-of-way to the north side of Morich-
14 es-Middle Island Road; thence generally northward and westward along the
15 northerly side of Moriches-Middle Island Road to the northerly side of
16 the Long Island Expressway; thence westward along the northerly boundary
17 of the Long Island Expressway to the southeasterly corner of the Long-
18 wood Greenbelt property (the property identified as District 200,
19 Section 583, Block 2, Lot 1.1); thence northward along the easterly
20 boundary of the Longwood Greenbelt property to its northeast corner;
21 thence eastward to the southwesterly corner of the property known as
22 District 200, Section 552, Block 1, Lot 8; thence generally northeast-
23 ward along the easterly boundary of the property identified as District
24 200, Section 552, Block 1, Lot 1.7 to the northeasterly corner of that
25 parcel; thence eastward along the southerly boundaries of the parcels
26 identified as District 200, Section 504, Block 1, Lot 8, and District
27 200, Section 504, Block 1, Lot 11, to the westerly boundary of the
28 William Floyd Parkway (County Route 46); thence northward along the
29 westerly side of County Route 46 to a point 2000 (two thousand) feet
30 south of the southern bank of the Peconic River crossing of County Route
31 46; thence generally southeastward along a line parallel to, and 2000
32 (two thousand) feet generally south or southwest of, and parallel to,
33 the southernmost bank of the Peconic River to a point where the Peconic
34 River crosses the unpaved, unnamed, north-south firebreak and patrol
35 road on the eastern half of the Brookhaven National Laboratory property;
36 thence southward and southwestward along the easterly and southeasterly
37 boundaries of the unpaved, unnamed, north-south firebreak and patrol
38 road starting on the eastern half of the Brookhaven National Laboratory
39 property to the Brookhaven National Laboratory road known as Brookhaven
40 Avenue; thence due westward along a straight line to the Brookhaven
41 National Laboratory road known as Princeton Avenue; thence westward
42 along the southerly boundary of Princeton Avenue to the unnamed Labora-
43 tory road which diverts southwest in the vicinity of the Laboratory gate
44 house; thence southwestward along the southerly side of the unnamed
45 Laboratory road just described to County Route 46; thence southward
46 along the easterly side of County Route 46 to NYS Route 495; thence
47 eastward along the northerly boundary of NYS Route 495 to County Route
48 111; thence southeastward along the northerly boundary of County Route
49 111 to NYS Route 27 (Sunrise Highway); thence generally southward across
50 NYS Route 27 to the westernmost extent along NYS Route 27 of the unde-
51 veloped portion (as of June 1, 1993) of the parcel assemblage comprised
52 of those parcels identified as District 200, Section 594, Block 2, Lot 4
53 and District 900, Section 325, Block 1, Lot 41.2; thence southward along
54 the westerly boundary of the undeveloped portion (as of June 1, 1993) of
55 that parcel assemblage to County Route 71 (Old Country Road); thence
56 eastward along the northerly boundary of County Route 71 to the south-

1 eastern corner of the Suffolk County Nature Preserve lands which run
2 from NYS Route 27 south to County Route 111 and which adjoin the easterly
3 ly side of the preceding assemblage; thence northward along the easterly
4 boundary of that Suffolk County Nature Preserve assemblage (crossing the
5 County Route 111 right of way) to NYS Route 27; thence eastward along
6 the southerly boundary of NYS Route 27 to the westerly end of 19th
7 Street as shown in the old filed map contained within the tax map iden-
8 tified as District 900, Section 276, Block 2; thence southward along the
9 westerly boundary of that old filed map (shown in District 900, Sections
10 276, 302, 303, 327, and 328), and coterminous with the westerly side of
11 those parcels along the westerly side of Oishei Road, to County Route
12 71; thence eastward along the northerly boundary of County Route 71 to
13 the southeasterly corner of the parcel identified as District 900,
14 Section 328, Block 2, Lot 19; thence northward along the easterly bound-
15 ary of that old filed map surrounding Oishei Road, and coterminous with
16 the easterly side of those parcels along the easterly side of Oishei
17 Road, to a point along that line due west of the northwesterly corner of
18 the parcel containing the Suffolk County facilities identified as
19 District 900, Section 331, Block 1, Lot 1; thence due eastward along a
20 straight line to the northwesterly corner of that parcel; thence east-
21 ward along the northerly boundary of that parcel to its northeasterly
22 corner shown in District 900, Section 307; thence due eastward along a
23 straight line to Summit Boulevard; thence southward along the westerly
24 side of Summit Boulevard to County Route 71; thence eastward along the
25 northerly side of County Route 71, excluding all parcels abutting that
26 road which are developed as of June 1, 1993, to the Long Island Rail
27 Road tracks; thence eastward along the northerly boundary of the Long
28 Island Rail Road tracks to County Route 31 (Old Riverhead Road); thence
29 northward along the westerly boundary of County Route 31 to that point
30 opposite the point along the easterly side of County Route 31 (north of
31 the Stewart Avenue intersection) at which the undeveloped portion (as of
32 June 1, 1993) of the Suffolk County Airport (Gabreski Airport) occurs;
33 thence generally northward, eastward and southward around the westerly,
34 northerly and easterly boundaries of the undeveloped portion (as of June
35 1, 1993) of the airport property (excluding from the Core Preservation
36 Area those portions of the airport property which are occupied by the
37 runways, their associated maintenance areas, and those areas identified
38 for future use in the Suffolk County Airport Master Plan approved by the
39 County Legislature) to the Long Island Rail Road tracks (including in
40 the Core Preservation Area those portions of the airport property which
41 are adjacent to the Quogue Wildlife Refuge's westerly boundary and which
42 are in their natural state); thence eastward along the northerly bounda-
43 ry of the Long Island Rail Road tracks to the southeasterly corner of
44 the Town of Southampton parcel identified as District 902, Section 1,
45 Block 1, Lot 22.1; thence generally northward and eastward along the
46 easterly border of that parcel and the Town of Southampton parcels to
47 the immediate north identified as District 900, Section 313, Block 1,
48 Lot 42.1 and District 900, Section 287, Block 1, Lot 1.55 to County
49 Route 104; thence northward along the westerly boundary of County Route
50 104 to a point 1000 (one thousand) feet southward of NYS Route 27;
51 thence eastward along a line parallel to, and 1000 (one thousand) feet
52 south of, NYS Route 27, to the westerly boundary of the parcel identi-
53 fied as District 900, Section 252, Block 1, Lot 1; thence southward
54 along the westerly boundary of that parcel to the Long Island Rail Road
55 tracks; thence eastward along the northerly boundary of the Long Island
56 Rail Road tracks to Montauk Highway; thence eastward along the northerly

1 boundary of Montauk Highway to that point where the boundary of Sears-
2 Bellows County Park heads northward along the eastern side of the Munns
3 Pond portion; thence northward along the easterly boundary of Sears-Bel-
4 lows County Park, to NYS Route 27; thence eastward along the northerly
5 boundary of NYS Route 27 to NYS Route 24 (Riverhead - Hampton Bays
6 Road); thence generally northwestward and westward along the southwes-
7 terly boundary of NYS Route 24 to the easternmost extent along NYS Route
8 24 of the Suffolk County Parkland known as Flanders or Hubbard County
9 Park; thence generally northward, westward, and southward along the
10 easterly, northerly, and westerly boundaries of Flanders or Hubbard
11 County Park, including all adjacent or contiguous undeveloped Town of
12 Southampton parks, preserves, open space areas, or reserved areas, to
13 NYS Route 24; thence westward along the southerly boundary of NYS Route
14 24 to Pleasure Drive; thence southward along the easterly boundary of
15 Pleasure Drive a distance of 2000 (two thousand) feet, excluding all
16 parcels abutting that road which are developed as of June 1, 1993;
17 thence generally westward along a straight line to the southernmost
18 extent of the NYS David Sarnoff Preserve along the westerly boundaries
19 of the parcels on the westerly side of Brookhaven Avenue; thence gener-
20 ally northward and westward along the easterly and northerly boundary of
21 the NYS David Sarnoff Pine Barrens Preserve, crossing County Routes 105
22 and 104, to County Route 63 (Riverhead-Moriches Road); thence generally
23 westward and northward along the northerly boundary of the Suffolk Coun-
24 ty Cranberry Bog County Nature Preserve to County Route 51; thence
25 southwesterly along the westerly side of County Route 51 to the boundary
26 of the Cranberry Bog County Nature Preserve; thence westward and north-
27 ward along the northeasterly boundary of Cranberry Bog County Nature
28 Preserve to County Route 94 (also known as NYS Route 24, or Nugent
29 Drive); thence eastward along the northerly side of County Route 94 to
30 the County Route 94A bridge; thence northward along the westerly side of
31 the County Route 94A bridge to the Riverhead-Southampton border; thence
32 westward along the Riverhead-Southampton border, and the Riverhead-Bro-
33 okhaven Border, to the Forge Road Bridge; thence northward along the
34 westerly boundary of the Forge Road Bridge to Forge Road; thence
35 northwestward along the westerly boundary of Forge Road to the Long
36 Island Rail Road tracks; thence northward along the westerly boundary of
37 Forge Road (unpaved) to the intersection of NYS Route 25 and River Road;
38 thence westward along the southerly boundary of River Road to Edwards
39 Avenue; thence westward along the southerly boundary of River Road
40 (Grumman Boulevard or Swan Pond Road) to the southeast corner of that
41 parcel containing Conoe (or Canoe) Lake and identified as District 600,
42 Section 137, Block 1, Lot 1; thence northward, westward, and southward
43 along the borders of that parcel containing Conoe (or Canoe) Lake to
44 River Road (Grumman Boulevard); thence westward along the northerly
45 boundary of Grumman Boulevard to the southeasternmost corner of the
46 undeveloped portion (as of June 1, 1993) of the United States
47 Navy/Grumman Corporation property located on the north side of Grumman
48 Boulevard and adjacent to the Grumman entrance known as the South Gate;
49 thence due north along the easternmost edge of that undeveloped portion
50 (as of June 1, 1993) of the United States Navy/Grumman Corporation prop-
51 erty to NYS Route 25; thence along a straight line to the northerly side
52 of NYS Route 25 to a point occupied by the southeasternmost corner of
53 the parcel assemblage comprised of District 600, Section 75, Block 3,
54 Lot 10.1, and District 600, Section 96, Block 1, Lot 14, and otherwise
55 known as Camp Wauwepex; thence northward, westward, and generally south-
56 ward along the easterly, northerly, and generally westerly boundaries of



1 the Camp Wauwepex assemblage to NYS Route 25; thence westward along the
2 northerly side of NYS Route 25 to Montauk Trail; thence northeastward
3 along the northwesterly side of Montauk Trail to Panamoka Trail; thence
4 northward along the westerly side of Panamoka Trail, excluding all
5 parcels abutting that road which are developed as of June 1, 1993, to
6 Matinecock Trail; thence westward along the southerly side of Matinecock
7 Trail to the easterly boundary of Brookhaven State Park; thence general-
8 ly northward along the easterly boundary of Brookhaven State Park,
9 including all adjacent or contiguous undeveloped Town of Brookhaven
10 parks, preserves, open space areas, or reserved areas, to its inter-
11 section with NYS Route 25A; [thence westward along the southerly side of
12 NYS Route 25A to the northeast corner of the Shoreham-Wading River
13 school district property;] thence eastward along the southerly boundary
14 of Route 25A to a point due south of the southeast corner of the parcel
15 identified as District 200, Section 128, Block 1, Lot 3.1; thence
16 northeastward, northward and westward along the southerly, easterly and
17 northerly sides of the parcel identified as District 200, Section 128,
18 Block 1, Lot 1 to the southeast corner of the parcel identified as
19 District 200, Section 82, Block 1, Lot 5.2; thence northward along the
20 east side of this parcel to its intersection with the south side of
21 North Country Road; thence northward crossing North Country road to its
22 northerly side; thence eastward along the northerly side of North Coun-
23 try Road to the Brookhaven Town-Riverhead Town line; thence in a gener-
24 ally northwestward direction along said town line to a point in Wading
25 River Creek with the coordinates 40.96225 latitude and -72.863633 longi-
26 tude; thence westward a distance of approximately 90 feet to the easter-
27 ly side of LILCO Road; thence southward along LILCO Road to its inter-
28 section with the north side of North Country Road; thence westward along
29 the north side of North Country Road to the southeast corner of the
30 parcel identified as District 200, Section 39, Block 1, Lot 2; thence in
31 a northward and westward direction along the easterly and northerly
32 sides of said parcel to its northwest corner; thence northward along the
33 westerly boundary of the parcel identified as District 200, Section 83,
34 Block 1, Lot 1.4 to its northwest corner and the shoreline of Long
35 Island Sound; thence westward along the northerly side of the parcel
36 identified as District 200, Section 83, Block 1, Lot 1.4 and continuing
37 in a westward direction along the northerly side of the parcel identi-
38 fied as district 200, section 39, Block 1, lot 1.2 and the southerly
39 extent of the Long Island Sound to the northwest corner of the property
40 identified as District 200, Section 39, Block 1, Lot 1.2; thence south-
41 ward along the westerly boundary of said property to North Country Road;
42 thence west along the southerly boundary of North Country Road to the
43 northwestern corner of the property identified as District 200, Section
44 82, Block 1, Lot 1.1; thence south along the westerly boundary of said
45 property and the westerly boundary of the property identified as
46 District 200, Section 39, Block 1, Lot 1.2 to the northwest corner of
47 property identified as District 200, Section 82, Block 1, Lot 5.1;
48 thence southward along the westerly boundary of said property in a line
49 to the northeast corner of property identified as District 200, Section
50 105, Block 3, Lot 5; thence southward along the easterly boundary of
51 said property to the north side of Route 25A; thence eastward along the
52 north side of Route 25A to a point directly north of the northeast
53 corner of the Shoreham-Wading River school district property; thence
54 southward, crossing Route 25A to its southerly boundary and the north-
55 east corner of the Shoreham-Wading river school district property;
56 thence southward, westward, and northward along the easterly, southerly,



1 and westerly boundaries of the Shoreham-Wading River school district
2 property to NYS Route 25A; thence westward along the southerly side of
3 NYS Route 25A to County Route 46; thence southward along the easterly
4 side of County Route 46 to its intersection with the Suffolk County Pine
5 Trail Nature Preserve; thence westward along the northerly boundary of
6 the Suffolk County Pine Trail Nature Preserve where the Preserve is
7 adjacent to developed parcels or parcels in agricultural or horticultur-
8 al use, or along a line parallel to, and 100 (one hundred) feet north
9 of, the Preserve where the Preserve is adjacent to parcels which are
10 undeveloped as of June 1, 1993, to the southeastern corner of the parcel
11 west of Woodlots Road and identified as District 200, Section 291, Block
12 1, Lot 14.1; thence northward and westward along the easterly and north-
13 erly boundaries of that parcel to Whiskey Road; thence westward along
14 the southerly side of Whiskey Road to Wading River Hollow Road; thence
15 northward along the westerly side of Wading River Hollow Road to the
16 boundary of the NYS Rocky Point Land; thence generally northward along
17 the easterly boundary of the NYS Rocky Point Land, including all adja-
18 cent or contiguous undeveloped Town of Brookhaven parks, preserves, open
19 space areas, or reserved areas, to NYS Route 25A; thence westward along
20 the southerly side of NYS Route 25A, excluding those parcels abutting
21 that road which are developed as of June 1, 1993, and those lands iden-
22 tified for the reroute of Route 25A by the NYS Department of Transporta-
23 tion, to the northeastern corner of the parcel identified as District
24 200, Section 102, Block 3, Lot 1.4; thence southward along the westerly
25 boundary of that parcel to the parcel identified as District 200,
26 Section 102, Block 3, Lot 1.6; thence generally westward and southward
27 along the westerly boundaries of that parcel and the adjoining southerly
28 parcel identified as District 200, Section 102, Block 3, Lot 1.5 to the
29 boundary of the NYS Rocky Point Land; thence westward along the norther-
30 ly boundary of the NYS Rocky Point Land to County Route 21; thence
31 generally westward along a straight line across County Route 21 to the
32 northernmost extent along County Route 21 of the NYS Rocky Point Land;
33 thence generally westward along the generally northerly boundary of the
34 NYS Rocky Point Land to the point or place of beginning, and excluding
35 the area defined as beginning at a point where the southerly boundary of
36 NYS Route 25 meets the easterly side of the Suffolk County Pine Trail
37 Nature Preserve; thence southeastward along the easterly side of the
38 Suffolk County Pine Trail Nature Preserve where the Preserve is adjacent
39 to developed parcels, or along a line parallel to, and 100 (one hundred)
40 feet east of, the Preserve where the Preserve is adjacent to parcels
41 which are undeveloped as of June 1, 1993, to the Long Island Lighting
42 Company high voltage transmission lines; thence northward along the
43 westerly side of the Long Island Lighting Company high voltage trans-
44 mission lines to NYS Route 25; thence westward along the southerly side
45 of NYS Route 25 to the point or place of beginning;
46 and excluding [two] four distinct areas described as follows: Area One
47 is the area defined as beginning at a point where the southerly boundary
48 of NYS Route 25 meets the easterly side of the Suffolk County Pine Trail
49 Nature Preserve; thence southeastward along the easterly side of the
50 Suffolk County Pine Trail Nature Preserve where the Preserve is adjacent
51 to developed parcels, or along a line parallel to, and 100 (one hundred)
52 feet east of, the Preserve where the Preserve is adjacent to parcels
53 which are undeveloped as of June 1, 1993, to the Long Island Lighting
54 Company high voltage transmission lines; thence northward along the
55 westerly side of the Long Island Lighting Company high voltage trans-
56 mission lines to NYS Route 25; thence westward along the southerly side

1 of NYS Route 25 to the point or place of beginning; Area Two is the area
2 defined as beginning at the northwest corner of the parcel identified as
3 District 200, Section 552, Block 1, Lot 3; thence eastward, southwest-
4 ward and generally northward along the northerly, southeasterly and
5 westerly boundaries of that parcel, containing the sewage treatment
6 facility known as the Dorade facility, to the point of beginning; Area
7 three is defined as the parcel identified as district 200, section 82,
8 block 1, lot 3; Area four is defined as the property identified as
9 district 200, section 39, block 1, lot 1.1;

10 and including in the core preservation area only the municipally owned
11 lands within the area beginning at a point on the southeasterly corner
12 of the intersection of Moriches-Middle Island Road and Cranford Boule-
13 vard and thence southward along the easterly boundary of Cranford Boule-
14 vard to the southwestern corner of property identified as District 200,
15 Section 645, Block 3, Lot 29.1; thence southeastward along the southerly
16 boundary of said property to its intersection with property identified
17 as District 200, Section 712, Block 9, Lot 1; thence generally southward
18 along the westerly boundary of said property to its intersection with
19 the northerly side of the eastward extension of Grove Drive; thence
20 southward crossing Grove Drive to its south side; thence westward along
21 the southerly boundary of the Grove Drive road extension to the north-
22 western corner of the property identified as District 200, Section 749,
23 Block 3, Lot 41.1 and comprised of parcels owned by the county of
24 Suffolk and the town of Brookhaven; thence southward to the southwestern
25 corner of property identified as District 200, Section 749, Block 3, Lot
26 43; thence eastward along the southerly boundary of said property to the
27 west side of Lambert Avenue; thence crossing Lambert Avenue to its east-
28 erly side; thence southward along the easterly boundary of Lambert
29 Avenue to the northerly boundary of the Sunrise Highway Service Road;
30 thence northeastward along the northerly boundary of the Sunrise Highway
31 Service Road to Barnes Road; thence northward along the westerly bounda-
32 ry of Barnes Road to the northeastern corner of the property identified
33 as District 200, Section 750, Block 3, Lot 40.2; thence westward along
34 the northerly boundary of property identified as District 200, Section
35 713, Block 1, Lot 2; thence westward along the northerly boundary of
36 property identified as District 200, Section 713, Block 1, Lot 1; thence
37 northward along the westerly side of Weeks Avenue to the northeastern
38 corner of property identified as District 200, Section 713, Block 3, Lot
39 1; thence westward along the northerly boundary of said property to
40 Michigan Avenue; thence northward along the easterly boundary of Michi-
41 gan Avenue to Moriches-Middle Island Road; thence westward along the
42 southerly boundary of Moriches-Middle Island Road to the point of begin-
43 ning.

44 § 2. The county of Suffolk planning department shall compile a report
45 providing an inventory of industrial and business zoned properties in
46 the town of Brookhaven, and including state and municipally owned prop-
47 erty, of at least five acres, which would be suitable for solar
48 projects. Such inventory shall exclude areas of potential sensitivity
49 such as one hundred-year flood hazard zones, historic and/or culturally
50 significant resources and properties within one hundred feet landward of
51 tidal or freshwater wetlands, and shall only include lands previously
52 cleared and/or disturbed on or before January 1, 2016. Such report shall
53 be submitted to the governor and the legislature no later than January,
54 1 2020.

55 § 3. a. The department of environmental conservation shall prepare and
56 adopt a plan for managing the property commonly referred to as the

1 Shoreham parcel added to the core preservation area of the Long Island
 2 Central Pine Barrens pursuant to section one of this act. This property
 3 is a unique area of special beauty containing ecological and historical
 4 significance and is subject to the requirements of article 57 of the
 5 environmental conservation law. The department process for developing
 6 the plan shall include but not be limited to:

7 i. the development of a draft management plan in consultation with
 8 stakeholders that includes ecosystem management studies;

9 ii. the opportunity for public comment on the draft plan, including:

10 (1) a public comment period of at least 30 days; and

11 (2) a public hearing to present proposals contained in the draft plan
 12 and receive public comment;

13 iii. the review and summary of public comments; and

14 iv. the development and adoption of a final management plan.

15 b. The management plan shall include, but not be limited to:

16 i. a map of the area, delineating the boundaries of the property;

17 ii. an inventory of natural resources, including plants, fish and
 18 wildlife, water resources, wetlands, soils, and rare, threatened and
 19 endangered species and historic and archeological resources;

20 iii. an inventory of existing infrastructure, including structures,
 21 roads, trails, and other man-made features;

22 iv. appropriate uses of the property, including the identification of
 23 areas that may be open to hunting and appropriate buffers;

24 v. strategies to facilitate community engagement, including nature
 25 interpretive opportunities;

26 vi. methods to minimize conflicts among recreational users; and

27 vii. opportunities for partnerships.

28 c. The management plan shall prohibit:

29 i. the use of firearms for hunting; and

30 ii. commercial logging activities.

31 § 4. Paragraph (e) of subdivision 1 of section 536 of the real proper-
 32 ty tax law, as added by section 1 of part W of chapter 62 of the laws of
 33 2006, is amended to read as follows:

34 (e) Lands owned by the state, within the core preservation area of the
 35 Central Pine Barrens area as described and bounded by subdivision eleven
 36 of section 57-0107 of the environmental conservation law, situate in the
 37 following school districts:

38 County	School District	Town
39 Suffolk	Rocky Point Union Free	Brookhaven
40	school district	
41	Eastport Union Free school	Brookhaven
42	district	Southampton
43	Longwood Central school	Brookhaven
44	district	
45	Riverhead Central school	Brookhaven
46	district	Riverhead
47		Southampton
48	Hampton Bays Union Free	Southampton
49	school district	
50	<u>Shoreham-Wading River</u>	<u>Brookhaven</u>
51	<u>Central school</u>	<u>Riverhead</u>
52	<u>district</u>	

53 § 5. This act shall take effect January 1, 2019; provided that if the
 54 provisions of this act establishing a new description and boundaries of

1 the Central Pine Barrens Area or the core preservation area removes or
2 excludes any of the lands of the Central Pine Barrens Area or the core
3 preservation area as such lands are described and bounded in chapter 267
4 of the laws of 2015, and/or protections established and/or provided by
5 such act, this act shall be deemed repealed and of no force and effect
6 and chapter 267 of the laws of 2015 shall remain in full force and
7 effect. The state legislature shall notify the legislative bill draft-
8 ing commission of any such decrease and resulting repeal in order that
9 the commission may maintain an accurate and timely effective data base
10 of the official text of the laws of the state of New York in furtherance
11 of effectuating the provisions of section 44 of the legislative law and
12 section 70-b of the public officers law.

13

PART DD

14 Section 1. Expenditures of moneys appropriated in a chapter of the
15 laws of 2018 to the department of agriculture and markets from the
16 special revenue funds-other/state operations, miscellaneous special
17 revenue fund-339, public service account shall be subject to the
18 provisions of this section. Notwithstanding any other provision of law
19 to the contrary, direct and indirect expenses relating to the department
20 of agriculture and markets' participation in general ratemaking
21 proceedings pursuant to section 65 of the public service law or certif-
22 ication proceedings pursuant to article 7 or 10 of the public service
23 law, shall be deemed expenses of the department of public service within
24 the meaning of section 18-a of the public service law. No later than
25 August 15, 2019, the commissioner of the department of agriculture and
26 markets shall submit an accounting of such expenses, including, but not
27 limited to, expenses in the 2018 -- 2019 fiscal year for personal and
28 non-personal services and fringe benefits, to the chair of the public
29 service commission for the chair's review pursuant to the provisions of
30 section 18-a of the public service law.

31 § 2. Expenditures of moneys appropriated in a chapter of the laws of
32 2018 to the department of state from the special revenue funds-
33 other/state operations, miscellaneous special revenue fund-339, public
34 service account shall be subject to the provisions of this section.
35 Notwithstanding any other provision of law to the contrary, direct and
36 indirect expenses relating to the activities of the department of
37 state's utility intervention unit pursuant to subdivision 4 of section
38 94-a of the executive law, including, but not limited to participation
39 in general ratemaking proceedings pursuant to section 65 of the public
40 service law or certification proceedings pursuant to article 7 or 10 of
41 the public service law, shall be deemed expenses of the department of
42 public service within the meaning of section 18-a of the public service
43 law. No later than August 15, 2019, the secretary of state shall submit
44 an accounting of such expenses, including, but not limited to, expenses
45 in the 2018 -- 2019 fiscal year for personal and non-personal services
46 and fringe benefits, to the chair of the public service commission for
47 the chair's review pursuant to the provisions of section 18-a of the
48 public service law.

49 § 3. Expenditures of moneys appropriated in a chapter of the laws of
50 2018 to the office of parks, recreation and historic preservation from
51 the special revenue funds-other/state operations, miscellaneous special
52 revenue fund-339, public service account shall be subject to the
53 provisions of this section. Notwithstanding any other provision of law
54 to the contrary, direct and indirect expenses relating to the office of

1 parks, recreation and historic preservation's participation in general
2 ratemaking proceedings pursuant to section 65 of the public service law
3 or certification proceedings pursuant to article 7 or 10 of the public
4 service law, shall be deemed expenses of the department of public
5 service within the meaning of section 18-a of the public service law. No
6 later than August 15, 2019, the commissioner of the office of parks,
7 recreation and historic preservation shall submit an accounting of such
8 expenses, including, but not limited to, expenses in the 2018 -- 2019
9 fiscal year for personal and non-personal services and fringe benefits,
10 to the chair of the public service commission for the chair's review
11 pursuant to the provisions of section 18-a of the public service law.

12 § 4. Expenditures of moneys appropriated in a chapter of the laws of
13 2018 to the department of environmental conservation from the special
14 revenue funds-other/state operations, environmental conservation special
15 revenue fund-301, utility environmental regulation account shall be
16 subject to the provisions of this section. Notwithstanding any other
17 provision of law to the contrary, direct and indirect expenses relating
18 to the department of environmental conservation's participation in state
19 energy policy proceedings, or certification proceedings pursuant to
20 article 7 or 10 of the public service law, shall be deemed expenses of
21 the department of public service within the meaning of section 18-a of
22 the public service law. No later than August 15, 2019, the commissioner
23 of the department of environmental conservation shall submit an account-
24 ing of such expenses, including, but not limited to, expenses in the
25 2018 -- 2019 fiscal year for personal and non-personal services and
26 fringe benefits, to the chair of the public service commission for the
27 chair's review pursuant to the provisions of section 18-a of the public
28 service law.

29 § 5. Notwithstanding any other law, rule or regulation to the contra-
30 ry, expenses of the department of health public service education
31 program incurred pursuant to appropriations from the cable television
32 account of the state miscellaneous special revenue funds shall be deemed
33 expenses of the department of public service. No later than August 15,
34 2019, the commissioner of the department of health shall submit an
35 accounting of expenses in the 2018 -- 2019 fiscal year to the chair of
36 the public service commission for the chair's review pursuant to the
37 provisions of section 217 of the public service law.

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

42 § 7. This act shall take effect immediately and shall be deemed to
43 have been in full force and effect on and after April 1, 2018 and shall
44 be deemed repealed April 1, 2019.

45

PART EE

46 Section 1. Expenditures of moneys by the New York state energy
47 research and development authority for services and expenses of the
48 energy research, development and demonstration program, including
49 grants, the energy policy and planning program, the zero emissions vehi-
50 cle and electric vehicle rebate program, and the Fuel NY program shall
51 be subject to the provisions of this section. Notwithstanding the
52 provisions of subdivision 4-a of section 18-a of the public service law,
53 all moneys committed or expended in an amount not to exceed \$19,700,000
54 shall be reimbursed by assessment against gas corporations, as defined

1 in subdivision 11 of section 2 of the public service law and electric
2 corporations as defined in subdivision 13 of section 2 of the public
3 service law, where such gas corporations and electric corporations have
4 gross revenues from intrastate utility operations in excess of \$500,000
5 in the preceding calendar year, and the total amount which may be
6 charged to any gas corporation and any electric corporation shall not
7 exceed one cent per one thousand cubic feet of gas sold and .010 cent
8 per kilowatt-hour of electricity sold by such corporations in their
9 intrastate utility operations in calendar year 2016. Such amounts shall
10 be excluded from the general assessment provisions of subdivision 2 of
11 section 18-a of the public service law. The chair of the public service
12 commission shall bill such gas and/or electric corporations for such
13 amounts on or before August 10, 2018 and such amounts shall be paid to
14 the New York state energy research and development authority on or
15 before September 10, 2018. Upon receipt, the New York state energy
16 research and development authority shall deposit such funds in the ener-
17 gy research and development operating fund established pursuant to
18 section 1859 of the public authorities law. The New York state energy
19 research and development authority is authorized and directed to: (1)
20 transfer \$1 million to the state general fund for services and expenses
21 of the department of environmental conservation, \$150,000 to the state
22 general fund for services and expenses of the department of agriculture
23 and markets, and \$825,000 to the University of Rochester laboratory for
24 laser energetics from the funds received; and (2) commencing in 2016,
25 provide to the chair of the public service commission and the director
26 of the budget and the chairs and secretaries of the legislative fiscal
27 committees, on or before August first of each year, an itemized record,
28 certified by the president and chief executive officer of the authority,
29 or his or her designee, detailing any and all expenditures and commit-
30 ments ascribable to moneys received as a result of this assessment by
31 the chair of the department of public service pursuant to section 18-a
32 of the public service law. This itemized record shall include an item-
33 ized breakdown of the programs being funded by this section and the
34 amount committed to each program. The authority shall not commit for
35 any expenditure, any moneys derived from the assessment provided for in
36 this section, until the chair of such authority shall have submitted,
37 and the director of the budget shall have approved, a comprehensive
38 financial plan encompassing all moneys available to and all anticipated
39 commitments and expenditures by such authority from any source for the
40 operations of such authority. Copies of the approved comprehensive
41 financial plan shall be immediately submitted by the chair to the chairs
42 and secretaries of the legislative fiscal committees. Any such amount
43 not committed by such authority to contracts or contracts to be awarded
44 or otherwise expended by the authority during the fiscal year shall be
45 refunded by such authority on a pro-rata basis to such gas and/or elec-
46 tric corporations, in a manner to be determined by the department of
47 public service, and any refund amounts must be explicitly lined out in
48 the itemized record described above.

49 § 2. This act shall take effect immediately and shall be deemed to
50 have been in full force and effect on and after April 1, 2018.

51 PART FF

52 Intentionally Omitted

53 PART GG

1

Intentionally Omitted

2

PART HH

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

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

8 (i) The borrower is a natural person;

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

11 (iii) The loan is secured by a mortgage or deed of trust on real
12 estate improved by a one to four family dwelling, or a condominium unit,
13 in either case, used or occupied, or intended to be used or occupied
14 wholly or partly, as the home or residence of one or more persons and
15 which is or will be occupied by the borrower as the borrower's principal
16 dwelling; and

17 (iv) The property is located in this state.

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

21 § 2. Subdivision (a) of rule 3408 of the civil practice law and rules,
22 as amended by section 3 of part Q of chapter 73 of the laws of 2016, is
23 amended to read as follows:

24 (a) [In] 1. Except as provided in paragraph two of this subdivision,
25 in any residential foreclosure action involving a high-cost home loan
26 consummated between January first, two thousand three and September
27 first, two thousand eight, or a subprime or nontraditional home loan, as
28 those terms are defined under section thirteen hundred four of the real
29 property actions and proceedings law, in which the defendant is a resi-
30 dent of the property subject to foreclosure, the court shall hold a
31 mandatory conference within sixty days after the date when proof of
32 service is filed with the county clerk, or on such adjourned date as has
33 been agreed to by the parties, for the purpose of holding settlement
34 discussions pertaining to the relative rights and obligations of the
35 parties under the mortgage loan documents, including, but not limited
36 to: [1.] (i) determining whether the parties can reach a mutually agree-
37 able resolution to help the defendant avoid losing his or her home, and
38 evaluating the potential for a resolution in which payment schedules or
39 amounts may be modified or other workout options may be agreed to
40 including, but not limited to, a loan modification, short sale, deed in
41 lieu of foreclosure, or any other loss mitigation option; or [2.] (ii)
42 whatever other purposes the court deems appropriate.

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

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

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

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



1 § 3. Section 1304 of the real property actions and proceedings law is
2 amended by adding a new subdivision 1-a to read as follows:

3 1-a. Notwithstanding any other provision of law, with regard to a
4 reverse mortgage home loan, at least ninety days before a lender, an
5 assignee or a mortgage loan servicer commences legal action against the
6 borrower or borrowers at the property address and any other addresses of
7 record, including reverse mortgage foreclosure, such lender, assignee or
8 mortgage loan servicer shall give notice to the borrower in at least
9 fourteen-point type except for the heading which shall be in at least
10 sixteen-point type which shall include the following:

11 "YOU COULD LOSE YOUR HOME TO FORECLOSURE.
12 PLEASE READ THE FOLLOWING NOTICE CAREFULLY.

- 13 Date
- 14 Borrower's address
- 15 Loan Number:
- 16 Property Address:
- 17 Dear Borrower(s):

18 As of _____, we as your lender or servicer claim that your reverse
19 mortgage loan is _____ days in default. Under New York State Law, we are
20 required to send you this notice to inform you that you may be at risk
21 of losing your home.

22 We, the lender or servicer of your loan, are claiming that your reverse
23 mortgage loan is in default because you have not complied with the
24 following conditions of your loan:

- 25 You are not occupying your home as your principal residence
- 26 You did not submit the required annual certificate of occupancy
- 27 The named borrower on the reverse mortgage has died
- 28 You did not pay property taxes
29 {Servicer name} paid your property taxes for the following
30 time periods: _____
31 _____ {quarter/year}
- 32 You did not maintain homeowner's insurance
33 {Servicer name} purchased homeowner's insurance for you on the
34 following date(s) _____ and for the following cost(s):
35 _____
- 36 You did not pay water/sewer charges
37 {Servicer name} paid water/sewer charges for you on the
38 following date(s) _____ and for the following cost(s):
39 _____
- 40 You did not make required repairs to your home

41 If the claim is based on your failure to pay property or water and sewer
42 charges or maintain homeowner's insurance, you can cure this default by
43 making the payment of \$ _____ for the advancements we made towards
44 these payments on your behalf.

45 You have the right to dispute the claims listed above by contacting us,
46 by calling _____ or sending a letter to _____. This
47 may include proof of payments made for property taxes or water and sewer
48 charges or a current declaration page from your insurance company, or
49 any other proof to dispute the servicer's claim.

1 If you are in default for failure to pay property charges (property
2 taxes, homeowner's insurance and/or water/sewer charges) you may qualify
3 for a grant, loan, or re-payment plan to cure the default balance owed.

4 If you are in default due to the death of your spouse, you may be
5 considered an eligible "Non-Borrowing Spouse" under a HUD program which
6 allows you to remain in your home for the rest of your life.

7 If you are over the age of 80 and have a long term illness, you may also
8 qualify for the "At-Risk Extension," which allows you to remain in your
9 home for one additional year and requires an annual re-certification.

10 Attached to this notice is a list of government-approved housing coun-
11 seling agencies and legal services in your area which provide free coun-
12 seling. You can also call the NYS Office of the Attorney General's Home-
13 owner Protection Program (HOPP) toll-free consumer hotline to be
14 connected to free housing counseling services in your area at
15 1-855-HOME-456 (1-855-466-3456), or visit their website at
16 <http://www.aghomehelp.com>. A statewide listing by county is also avail-
17 able at [http://www.dfs.ny.gov/consumer/mortg_nys_np_counseling_agen-](http://www.dfs.ny.gov/consumer/mortg_nys_np_counseling_agencies.htm)
18 [cies.htm](http://www.dfs.ny.gov/consumer/mortg_nys_np_counseling_agencies.htm). You may also call your local Department of Aging for a refer-
19 ral or call 311 if you live in New York City.

20 Qualified free help is available; watch out for companies or people who
21 charge a fee for these services.

22 You may also contact us directly at _____ and ask to discuss all
23 possible options to allow you to cure your default and prevent the fore-
24 closure of your home. While we cannot ensure that a resolution is
25 possible, we encourage you to take immediate steps to try to achieve a
26 resolution. The longer you wait, the fewer options you may have.

27 If you have not taken any actions to resolve this matter within 90 days
28 from the date this notice was mailed, we may commence legal action
29 against you (or sooner if you cease to live in the dwelling as your
30 primary residence).

31 If you need further information, please call the New York State Depart-
32 ment of Financial Services' toll-free helpline at 877-226-5697 or visit
33 the Department's website at <http://www.dfs.ny.gov>.

34 IMPORTANT: You have the right to remain in your home until you receive a
35 court order telling you to leave the property. If a foreclosure action
36 is filed against you in court, you still have the right to remain in the
37 home until a court orders you to leave. You legally remain the owner of
38 and are responsible for the property until the property is sold by you
39 or by order of the court at the conclusion of any foreclosure
40 proceedings. This notice is not an eviction notice, and a foreclosure
41 action has not yet been commenced against you."

42 A lender, assignee or mortgage loan servicer of a reverse mortgage
43 home loan which provides notice to the borrower as required by this
44 subdivision is not required to provide notice to such borrower with
45 regard to such loan pursuant to subdivision one of this section.

1 § 4. Subdivisions 2, 3, 4 and 5 of section 1304 of the real property
2 actions and proceedings law, as amended by section 6 of part Q of chap-
3 ter 73 of the laws of 2016, are amended to read as follows:

4 2. [Such notice] The notices required by this section shall be sent by
5 such lender, assignee (including purchasing investor) or mortgage loan
6 servicer to the borrower, by registered or certified mail and also by
7 first-class mail to the last known address of the borrower, and to the
8 residence that is the subject of the mortgage. [Such notice] The notices
9 required by this section shall be sent by the lender, assignee or mort-
10 gage loan servicer in a separate envelope from any other mailing or
11 notice. Notice is considered given as of the date it is mailed. The
12 [notice] notices required by this section shall contain a current list
13 of at least five housing counseling agencies serving the county where
14 the property is located from the most recent listing available from
15 department of financial services. The list shall include the counseling
16 agencies' last known addresses and telephone numbers. The department of
17 financial services shall make available on its websites a listing, by
18 county, of such agencies. The lender, assignee or mortgage loan servicer
19 shall use such lists to meet the requirements of this section.

20 3. The ninety day period specified in the [notice] notices contained
21 in [subdivision] subdivisions one and one-a of this section shall not
22 apply, or shall cease to apply, if the borrower has filed for bankruptcy
23 protection under federal law, or if the borrower no longer occupies the
24 residence as the borrower's principal dwelling. Nothing herein shall
25 relieve the lender, assignee or mortgage loan servicer of the obligation
26 to send such [notice] notices, which [notice] notices shall be a condi-
27 tion precedent to commencing a foreclosure proceeding.

28 4. The [notice] notices required by this section and the ninety day
29 period required by [subdivision] subdivisions one and one-a of this
30 section need only be provided once in a twelve month period to the same
31 borrower in connection with the same loan and same delinquency. Should
32 a borrower cure a delinquency but re-default in the same twelve month
33 period, the lender shall provide a new notice pursuant to this section.

34 5. For any borrower known to have limited English proficiency, the
35 [notice] notices required by [subdivision] subdivisions one and one-a of
36 this section shall be in the borrower's native language (or a language
37 in which the borrower is proficient), provided that the language is one
38 of the six most common non-English languages spoken by individuals with
39 limited English proficiency in the state of New York, based on United
40 States census data. The department of financial services shall post the
41 [notice] notices required by [subdivision] subdivisions one and one-a of
42 this section on its website in the six most common non-English languages
43 spoken by individuals with limited English proficiency in the state of
44 New York, based on the United States census data.

45 § 5. Subdivision 2 of 1304 of the real property actions and
46 proceedings law, as amended by section 7 of part Q of chapter 73 of the
47 laws of 2016, is amended to read as follows:

48 2. [Such notice] The notices required by this section shall be sent by
49 the lender or mortgage loan servicer to the borrower, by registered or
50 certified mail and also by first-class mail to the last known address of
51 the borrower, and to the residence which is the subject of the mortgage.
52 Notice is considered given as of the date it is mailed. [The notice] The
53 notices required by this section shall contain a current list of United
54 States department of housing and urban development approved housing
55 counseling agencies, or other housing counseling agencies serving the
56 county where the property is located from the most recent listing avail-

1 able from the department of financial services. The list shall include
2 the counseling agencies' last known addresses and telephone numbers. The
3 department of financial services shall make available a listing, by
4 county, of such agencies which the lender or mortgage loan servicer may
5 use to meet the requirements of this section.

6 § 6. This act shall take effect immediately and shall be deemed to
7 have been in full force and effect on and after April 20, 2017;
8 provided, however that sections three and four of this act shall take
9 effect on the thirtieth day after it shall have become a law; provided,
10 further, however that:

11 (a) the amendments to subdivision 6 of section 1304 of the real prop-
12 erty actions and proceedings law, made by section one of this act, shall
13 not affect the expiration and reversion of such subdivision pursuant to
14 subdivision a of section 25 of chapter 507 of the laws of 2009, as
15 amended, and shall be deemed repealed therewith;

16 (b) the amendments to subdivision (a) of rule 3408 of the civil prac-
17 tice law and rules, made by section two of this act, shall take effect
18 on the same date and in the same manner as section 3 of part Q of chap-
19 ter 73 of the laws of 2016 takes effect; and

20 (c) the amendments to subdivision 2 of section 1304 of the real prop-
21 erty actions and proceedings law made by section four of this act shall
22 be subject to the expiration and reversion of such subdivision pursuant
23 to subdivision a of section 25 of chapter 507 of the laws of 2009, as
24 amended, when upon such date the provisions of section five of this act
25 shall take effect.

26 PART II

27 Intentionally Omitted

28 PART JJ

29 Section 1. The public buildings law is amended by adding a new section
30 144 to read as follows:

31 § 144. Lactation room in public buildings. 1. As used in this section:

32 (a) "covered public building" means a public building owned by the
33 state of New York, under the supervision and control of the commissioner
34 of general services, that is determined by said commissioner to be open
35 to the public; and

36 (b) "lactation room" means a hygienic place, other than a bathroom,
37 that:

38 (1) is shielded from view;

39 (2) is free from intrusion;

40 (3) contains a chair, a working surface, and, if the public building
41 is otherwise supplied with electricity, an electrical outlet; and

42 (4) is intended to be used for the primary purpose of breastfeeding or
43 expressing breast milk.

44 2. A covered public building shall contain a lactation room that is
45 made available for use by a member of the public to breastfeed or
46 express breast milk.

47 3. A covered public building shall be excluded from the requirement of
48 subdivision two of this section if:

49 (a) the public building does not have a room that could be repurposed
50 as a lactation room or a space that could be made private, at a reason-
51 able cost; or

1 (b) new construction would be required to create a lactation room in
2 the public building and the cost of such construction is unfeasible.

3 4. Nothing in this section shall be construed to authorize an individ-
4 ual to enter a public building that the individual is not otherwise
5 authorized to enter.

6 § 2. This act shall take effect one year after it shall have become a
7 law.

8 PART KK

9 Section 1. The department of state in conjunction with the office of
10 general services shall analyze and report on the feasibility of install-
11 ing at least one adult changing station for persons with a physical
12 disability that is accessible to both men and women in a public build-
13 ing. Such examination shall include the technical criteria for adult
14 changing stations, including design features, size and weight require-
15 ments, and clearance provisions. The department shall analyze and report
16 on the definition of a public building and include cost projections,
17 privacy concerns and appropriate locations for installation and mainte-
18 nance of adult changing stations in public buildings. The department
19 shall issue the report to the governor and the legislature on or before
20 February 15, 2019.

21 § 2. This act shall take effect immediately.

22 PART LL

23 Section 1. Subdivision 15 of section 378 of the executive law is
24 renumbered subdivision 18.

25 § 2. Subdivision 16 of section 378 of the executive law is renumbered
26 subdivision 15 and two new subdivisions 16 and 17 are added to read as
27 follows:

28 16. Standards requiring the installation and maintenance of at least
29 one safe, sanitary, and convenient diaper changing station, deck, table,
30 or similar amenity which shall be available for use by both male and
31 female occupants and which shall comply with section 603.5 (Diaper
32 Changing Tables) of the two thousand nine edition of the publication
33 entitled ICC A117.1, Accessible and Usable Buildings and Facilities,
34 published by the International Code Council, Inc., on each floor level
35 containing a public toilet room in all newly constructed buildings in
36 the state that have one or more areas classified as assembly group A
37 occupancies or mercantile group M occupancies and in all existing build-
38 ings in the state that have one or more areas classified as assembly
39 group A occupancies or mercantile group M occupancies and undergo a
40 substantial renovation. The council shall prescribe the type of reno-
41 vation to be deemed to be a substantial renovation for the purposes of
42 this subdivision. The council may exempt historic buildings from the
43 requirements of this subdivision.

44 17. Standards requiring that, in each building that has one or more
45 areas classified as assembly group A occupancies or mercantile group M
46 occupancies and in which at least one diaper changing station, deck,
47 table, or similar amenity is installed, a sign shall be posted in a
48 conspicuous place in each public toilet room indicating the location of
49 the nearest diaper changing station, deck, table, or similar amenity
50 that is available for use by the gender using such public toilet room.
51 The requirements of this subdivision shall apply without regard to
52 whether the diaper changing station, deck, table, or similar amenity was

1 installed voluntarily or pursuant to subdivision sixteen of this section
2 or any other applicable law, statute, rule, or regulation. No such sign
3 shall be required in a public toilet room in which any diaper changing
4 station, deck, table, or similar amenity is located.

5 § 3. This act shall take effect January 1, 2019; provided, however,
6 that effective immediately, the addition, amendment and/or repeal of any
7 rules or regulations by the secretary of state and/or by the state fire
8 prevention and building code council necessary for the implementation of
9 section two of this act on its effective date are authorized and
10 directed to be made and completed on or before such effective date.

11

PART MM

12 Section 1. Paragraph (c) of subdivision 1 of section 11-a of the soil
13 and water conservation districts law, as amended by section 2 of part
14 U-1 of chapter 109 of the laws of 2006, is amended to read as follows:

15 (c) Within amounts available, [provide] financial assistance to each
16 soil and water conservation district, in addition to the amounts
17 provided under paragraphs (a) and (b) of this subdivision[, for the
18 purposes of carrying out projects for the conservation of the soil and
19 water resources of this state, and for the improvement of water quality,
20 and for the control and prevention of soil erosion and for the
21 prevention of floodwater and sediment damages, and for furthering the
22 conservation, development, utilization and disposal of water, and there-
23 by to preserve natural resources, control and abate nonpoint sources of
24 water pollution, assist in the control of floods, assist in the drainage
25 and irrigation of agricultural lands, prevent impairment of dams and
26 reservoirs, assist in maintaining the navigability of rivers and
27 harbors, preserve wildlife, protect the tax base, protect public lands,
28 and protect and promote the health, safety and general welfare of the
29 people of this state. Any funds made available pursuant to this para-
30 graph] shall be [available for financial assistance for the purposes of
31 carrying out such activities to each soil and water conservation
32 district on a competitive basis] distributed equally to districts that
33 qualify pursuant to performance standards to be established by the soil
34 and water conservation committee and the commissioner of the department
35 of agriculture and markets in rules and regulations. Such standards
36 shall include, but not be limited to, (i) demonstrating the extent and
37 sufficiency of district board activity including board operations,
38 financial oversight and training; (ii) district reporting requirements,
39 including annual reports and responding to the state committee, and
40 public outreach and education activities; (iii) the quality of the
41 delivery of state natural resource conservation programs including
42 appropriate certifications, training, timely completion of projects, and
43 compliance with reporting; [and] (iv) the ability of the district to use
44 such funding to leverage additional funds from local, federal and
45 private sources; and (v) the ability to promote partnerships and assist
46 local governments and non-governmental organizations.

47 § 2. This act shall take effect immediately.

48

PART NN

49 Section 1. Subdivisions 3, 5 and 7 of section 19-0323 of the environ-
50 mental conservation law, as amended by section 1 of part UU of chapter
51 58 of the laws of 2017, are amended to read as follows:

1 3. Any diesel powered heavy duty vehicle that is owned by, operated by
2 or on behalf of, or leased by a state agency and state and regional
3 public authority with more than half of its governing body appointed by
4 the governor shall utilize the best available retrofit technology for
5 reducing the emission of pollutants. The commissioner shall promulgate
6 regulations for the implementation of this subdivision specifying that
7 all vehicles covered by this subdivision shall have best available
8 retrofit technology on or before December 31, [2018] 2019.

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

12 5. In addition to any waiver which may be issued pursuant to subdivi-
13 sion four of this section, the department shall issue a waiver to a
14 state agency, a state or regional public authority, or a person operat-
15 ing any diesel-powered heavy duty vehicle on behalf of a state agency,
16 state or regional public authority, upon a request in a form acceptable
17 to the department for a waiver from the provisions of subdivision three
18 of this section for a vehicle engine provided that such vehicle engine
19 will cease to be used in the state on or before December thirty-first,
20 two thousand [nineteen] twenty. Any waiver issued pursuant to this
21 subdivision shall expire when a state agency, a state or regional public
22 authority, or a person operating any diesel-powered heavy duty vehicle
23 on behalf of a state agency, state or regional public authority ceases
24 to use the engine in the state but not later than December thirty-first,
25 two thousand [nineteen] twenty.

26 7. On or before January 1, 2008 and every year thereafter, the commis-
27 sioner shall report to the governor and legislature on the use of ultra
28 low sulfur diesel fuel. On or before January 1, [2019] 2020 and every
29 year thereafter, the commissioner shall include in the report to the
30 governor and legislature the use of the best available retrofit technol-
31 ogy as required under this section. The information contained in this
32 report shall include, but not be limited to, for each state agency and
33 public authority covered by this section: (a) the total number of diesel
34 fuel-powered motor vehicles owned or operated by such agency and author-
35 ity; (b) the number of such motor vehicles that were powered by ultra
36 low sulfur diesel fuel; (c) the total number of diesel fuel-powered
37 motor vehicles owned or operated by such agency and authority having a
38 gross vehicle weight rating of more than 8,500 pounds; (d) the number of
39 such motor vehicles that utilized the best available retrofit technolo-
40 gy, including a breakdown by motor vehicle model, engine year and the
41 type of technology used for each vehicle; (e) the number of such motor
42 vehicles that are equipped with an engine certified to the applicable
43 2007 United States environmental protection agency standard for particu-
44 late matter as set forth in section 86.007-11 of title 40 of the code of
45 federal regulations or to any subsequent United States environmental
46 protection agency standard for particulate matter that is at least as
47 stringent; and (f) all waivers, findings, and renewals of such findings,
48 which, for each waiver, shall include, but not be limited to, the quan-
49 tity of diesel fuel needed to power diesel fuel-powered motor vehicles
50 owned or operated by such agency and authority; specific information
51 concerning the availability of ultra low sulfur diesel fuel.

52 § 2. This act shall take effect immediately.

1 Section 1. Paragraph d of subdivision 3 of section 33-0905 of the
 2 environmental conservation law, as amended by section 1 of part U of
 3 chapter 59 of the laws of 2004, is amended to read as follows:

4 d. Except as provided in [paragraphs] paragraph e [and f] of this
 5 subdivision, pesticide applicator certifications shall be valid for
 6 three years after which every applicator shall recertify according to
 7 the requirements then in effect. Certification identification cards
 8 shall be valid for three years.

9 § 2. Paragraph f of subdivision 3 of section 33-0905 of the environ-
 10 mental conservation law is REPEALED.

11 § 3. Subdivision 2 of section 33-0911 of the environmental conserva-
 12 tion law, as amended by section 3 of part YY of chapter 59 of the laws
 13 of 2009, is amended to read as follows:

14 2. [a. Except as provided in paragraph b of this subdivision, fees]
 15 Fees for pesticide applicator certification shall be four hundred fifty
 16 dollars for commercial pesticide applicator certification in one indi-
 17 vidual category, one hundred fifty dollars for each additional category
 18 and one hundred fifty dollars for each additional sub-category chosen.
 19 For private applicators a fee of twenty-five dollars for the initial
 20 certified private applicator and five dollars for subsequent applicators
 21 on the same farm or business shall be charged at the time of initial
 22 certification, renewal of certification or recertification.

23 [b. Fees for pesticide applicator certification for a commercial
 24 pesticide applicator with only subcategory 3A-ornamentals, shade trees
 25 and turf or only subcategory 3B-turf shall be two hundred dollars.]

26 § 4. This act shall take effect immediately and shall apply to certifi-
 27 cations issued on or after such date.

28 PART PP

29 Section 1. Subdivision 3 of section 27-1011 of the environmental
 30 conservation law, as amended by section 7 of part SS of chapter 59 of
 31 the laws of 2009, is amended to read as follows:

32 3. No deposit initiator, distributor or dealer shall sell or offer for
 33 sale in this state beverage containers connected to each other by a
 34 separate holding device constructed of plastic which does not: (a)
 35 decompose by photodegradation or biodegradation[.]; or

36 (b) comply with minimum post-consumer recycled material content and
 37 hole diameter limitations as defined in rules and regulations promulgat-
 38 ed by the department, and is recyclable and indicates a resin identifi-
 39 cation code.

40 § 2. This act shall take effect immediately.

41 PART QQ

42 Section 1. Section 4 of chapter 495 of the laws of 2004, amending the
 43 insurance law and the public health law relating to the New York state
 44 health insurance continuation assistance demonstration project, as
 45 amended by section 1 of part NN of chapter 58 of the laws of 2017, is
 46 amended to read as follows:

47 § 4. This act shall take effect on the sixtieth day after it shall
 48 have become a law; provided, however, that this act shall remain in
 49 effect until July 1, [2018] 2019 when upon such date the provisions of
 50 this act shall expire and be deemed repealed; provided, further, that a
 51 displaced worker shall be eligible for continuation assistance retroac-
 52 tive to July 1, 2004.



1 § 2. This act shall take effect immediately.

2

PART RR

3 Section 1. Section 1 of chapter 174 of the laws of 1968, constituting
4 the New York state urban development corporation act, is amended by
5 adding a new section 52 to read as follows:

6 § 52. Small business innovation research (SBIR)/small business tech-
7 nology transfer (STTR) technical assistance program. 1. The small busi-
8 ness innovation research/small business technology transfer technical
9 assistance program, hereafter referred to as "the program", is hereby
10 created in the corporation for the purposes of providing funds to eligi-
11 ble entities to provide technical assistance to small businesses of one
12 hundred employees or less and located in New York state in competing
13 successfully for grants made available through phase I and II of the
14 federal small business innovation research program as enacted pursuant
15 to the small business innovation development act of 1982, and the small
16 business technology transfer act of 1982, so as to increase the number
17 of phase I and II SBIR and STTR award winners within the state.

18 2. Technical assistance services under this section may include, but
19 are not limited to:

20 (a) outreach to small businesses to promote awareness of SBIR/STTR
21 program solicitations;

22 (b) counseling to determine the ability of a business to pursue
23 SBIR/STTR phase I and II funding, the technology match with the federal
24 agency solicitation to be pursued, the qualifications of personnel
25 involved in the proposed project, and the level of support needed from
26 the technical assistance program to produce a competitive application;
27 and

28 (c) proposal preparation assistance including grant writing, technolo-
29 gy evaluation, and general proposal evaluation.

30 3. In determining whether to provide technical assistance authorized
31 pursuant to this section to a small business, eligible entities shall
32 consider the probability of such business commercializing any inno-
33 vations resulting from research funded by an SBIR or STTR award in New
34 York state.

35 4. (a) Entities that are eligible to receive funds under this section
36 shall have demonstrable experience and success in providing technical
37 assistance authorized pursuant to this section, and as determined by the
38 corporation, and shall include:

39 (i) centers for advanced technology established pursuant to section
40 thirty-one hundred two-b of the public authorities law;

41 (ii) technology development corporations established pursuant to
42 section thirty-one hundred two-d of the public authorities law;

43 (iii) any university, college or community college located in New York
44 state;

45 (iv) centers of excellence established pursuant to section 3 of part T
46 of chapter 84 of the laws of 2002 and section four hundred ten of the
47 economic development law; and

48 (v) any other entities that are located and based in New York state
49 and demonstrate continuity of staffing, program, and purpose adequate to
50 provide technical assistance to small businesses pursuant to this
51 section.

52 (b) Preference for receiving funds under this section shall be given
53 to entities that partner with other eligible entities to provide the

1 full range of technical assistance services as specified in subdivision
2 two of this section.

3 (c) Entities receiving funds under this section shall match such funds
4 on a one-to-one basis. Such match shall consist of actual cash, sala-
5 ries, staff time, or expenses directly attributable to the purposes of
6 this section. Overhead costs may not be included in the match.

7 5. (a) Funds can be used for costs related to conducting outreach to
8 small businesses to promote awareness of SBIR/STTR program sollicita-
9 tions, grant preparation and review, and printing costs and supplies
10 associated with the submission of grants.

11 (b) From such funds as may be appropriated for this purpose by the
12 legislature, the corporation shall make competitive awards in amounts of
13 up to two hundred thousand dollars to providers of assistance pursuant
14 to this section.

15 6. (a) Entities receiving funds shall annually provide to the corpo-
16 ration details on the following:

17 (i) description of small businesses served, including technology
18 focus, business size and location;

19 (ii) SBIR and STTR grants applied for and received as a result of
20 assistance provided; and

21 (iii) any other information deemed appropriate by the corporation.

22 (b) The corporation shall include the information provided pursuant to
23 subdivision five of this section in the annual report filed pursuant to
24 section four hundred four of the economic development law.

25 (c) On or before June first, two thousand nineteen, the corporation
26 shall evaluate the effectiveness of the SBIR/STTR technical assistance
27 program and report such findings to the governor and legislature.

28 § 2. Section 3102-c of the public authorities law is REPEALED.

29 § 3. This act shall take effect immediately.

30 PART SS

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

34 § 16-dd. Community development revolving loan program. 1. Defi-
35 nitions. As used in this section, the following terms shall have the
36 following meanings:

37 (a) "Community development financial institution" means an organiza-
38 tion whose principal office is located in this state, which has been
39 certified as a community development financial institution by the feder-
40 al community development financial institutions fund, as established
41 pursuant to 12 U.S.C. § 4701, et seq.

42 (b) "Investment area" means a geographic area which:

43 (i) Is economically distressed as defined in section sixteen-d of this
44 act; and

45 (ii) Has significant unmet needs for loans or is located in a feder-
46 ally designated empowerment zone or enterprise community as established
47 pursuant to title XIII of the federal omnibus budget reconciliation act
48 of 1993 (Public Law 103-66).

49 (c) "Low income" means having an income, adjusted for family size, of
50 not more than:

51 (i) For metropolitan areas, eighty percent of the area median income;
52 or

53 (ii) For non-metropolitan areas, the greater of eighty percent of the
54 area median income or the statewide non-metropolitan area median income.

1 (d) "Targeted population" means low-income individuals, minority and
2 women-owned business enterprises, small businesses, microbusinesses,
3 small farm businesses, community-based not-for-profit corporations, and
4 such other individuals and entities that otherwise lack adequate access
5 to loans as the corporation shall establish through guidelines.

6 (e) "Target market" means a defined service area which serves one or
7 more investment areas or targeted population.

8 2. The community development revolving loan program is hereby created
9 to provide low interest loans or loan guarantees to a target market,
10 where it is underserved and otherwise difficult to obtain regular bank
11 financing. Such loans or loan guarantees shall be made by a community
12 development financial institution and shall be made in target markets to
13 members of a targeted population for purposes including, but not limited
14 to, working capital, the acquisition and/or improvement of real proper-
15 ty, the acquisition of machinery and equipment, property or improvements
16 thereto, residential mortgages, commercial mortgages, housing rehabili-
17 tation, home improvement, and for such other purposes as the corporation
18 shall establish through guidelines.

19 3. A community development financial institution desiring to partic-
20 ipate in the program shall execute an agreement in such form as the
21 corporation may prescribe and shall contain such terms and provisions as
22 the corporation or its agent may deem as necessary and appropriate.

23 4. (a) The corporation is hereby authorized to administer the program
24 created in subdivision two of this section or, alternatively, to do the
25 following:

26 (i) enter into a contract with a third party to act as the agent of
27 the corporation with respect to the administration of such program,
28 pursuant to a competitive process;

29 (ii) conduct an annual review and assessment of the performance of the
30 third party in its capacity as agent for the corporation to determine
31 whether the contract referenced in subparagraph (i) of this paragraph
32 should be renewed for an additional two year period. The review shall be
33 based on whether the third party agent has satisfactorily met the terms
34 and conditions of the contract; and

35 (iii) promulgate rules and regulations with respect to the implementa-
36 tion of the community development revolving loan program established by
37 this section and any other rules and regulations necessary to fulfill
38 the purposes of this section, in accordance with the state administra-
39 tive procedure act.

40 (b) Any contract entered into pursuant to subparagraph (i) of para-
41 graph (a) of this subdivision shall:

42 (i) be for a period of two years and shall be renewed for an addi-
43 tional two year period subject to requirements of subparagraph (ii) of
44 paragraph (a) of this subdivision; and

45 (ii) provide for compensation for expenses incurred by the third party
46 agent in connection with its services as agent and for such other
47 services as the corporation may deem appropriate including, but not
48 limited to the use of the premises, personnel and personal property of
49 the third party agent.

50 5. The corporation is authorized to establish a revolving loan fund
51 account into which funds may be received from any source, including but
52 not limited to, the corporation, financial institutions, insurance
53 companies, business corporations and from settlements of civil actions
54 by the department of financial services, and from which funds may be
55 expended for the aforementioned purposes.

1 6. With respect to loans pursuant to this program, a community devel-
2 opment financial institution may charge application, commitment and loan
3 guarantee fees subject to a schedule of fees approved by the corpo-
4 ration.

5 7. A community development financial institution participating in the
6 program shall submit to the corporation, an annual report detailing the
7 following:

8 (a) the number of program loans made;

9 (b) the amount of program funding used for loans;

10 (c) the use of loan proceeds by the borrower;

11 (d) the number of jobs created or retained;

12 (e) a description of the economic development generated;

13 (f) the status of outstanding program loans; and

14 (g) such other information as the corporation or its agent shall
15 require.

16 8. The corporation may directly or through a third party conduct
17 audits of a community development financial institution's compliance
18 with the provisions of this section and any regulations promulgated. In
19 the event of substantive noncompliance, the corporation may terminate
20 the participation of such community development financial institution in
21 the program.

22 § 2. This act shall take effect April 1, 2018; provided, however, if
23 this act shall become a law after such date it shall take effect imme-
24 diately and shall be deemed to have been in full force and effect on and
25 after April 1, 2018. Effective immediately, the addition, amendment
26 and/or repeal of any rule or regulation necessary for the implementation
27 of this act on its effective date are authorized and directed to be made
28 and completed on or before such effective date.

29

PART TT

30 Section 1. The undesignated paragraph of paragraph (b) of subdivision
31 2 of section 1676 of the public authorities law, as added by chapter 260
32 of the laws of 2000, is amended to read as follows:

33 UCPA of the Capital District, Inc., UCPA of Cayuga County, Inc.,
34 United Cerebral Palsy and Handicapped Children's Association of Chemung
35 County, Inc., Finger Lakes United Cerebral Palsy, Inc., United Cerebral
36 Palsy Associations of Fulton and Montgomery Counties, Inc., United Cere-
37 bral Palsy Association of the Tri-Counties, Inc., Franziska Racker
38 Centers, Inc., United Cerebral Palsy Association of Nassau County, Inc.,
39 United Cerebral Palsy of New York City, Inc., United Cerebral Palsy
40 Association of Niagara County, Inc., Orange County Cerebral Palsy Asso-
41 ciation, Inc., United Cerebral Palsy of Queens, Inc., United Cerebral
42 Palsy Association of the Rochester Area, Inc., Jawonio, Inc., The Hand-
43 icapped Children's Association of Southern New York, Inc., United Cere-
44 bral Palsy Association of Greater Suffolk, Inc., SDTC - The Center for
45 Discovery, Inc., United Cerebral Palsy and Handicapped Children's Asso-
46 ciation of Syracuse, Inc., United Cerebral Palsy of Ulster County Inc.,
47 United Cerebral Palsy and Handicapped Person's Association of the Utica
48 Area, Inc., United Cerebral Palsy Association of Westchester, Inc. and
49 Unified Creative Programs, Inc., United Cerebral Palsy Association of
50 Western New York, Inc., United Cerebral Palsy Association of Putnam and
51 Southern Dutchess Counties, Inc., United Cerebral Palsy Association of
52 the North Country, Inc., United Cerebral Palsy Associations of New York
53 State, Inc., any not-for-profit affiliates or members of Cerebral Palsy
54 Associations of New York State, Inc., and any successor in interest to



1 any such organization for the financing and/or refinancing of the acqui-
2 sition, construction, reconstruction, renovation, development, improve-
3 ment, expansion and/or equipping of a facility or facilities and neces-
4 sary ancillary and related facilities throughout the state of New York,
5 including educational, residential, administrative, clinical, and day
6 programming facilities used in the provision of services to individuals
7 with disabilities.

8 § 2. The undesignated paragraph of subdivision 1 of section 1680 of
9 the public authorities law, as added by chapter 260 of the laws of 2000,
10 is amended to read as follows:

11 UCPA of the Capital District, Inc., UCPA of Cayuga County, Inc.,
12 United Cerebral Palsy and Handicapped Children's Association of Chemung
13 County, Inc., Finger Lakes United Cerebral Palsy, Inc., United Cerebral
14 Palsy Associations of Fulton and Montgomery Counties, Inc., United Cere-
15 bral Palsy Association of the Tri-Counties, Inc., Franziska Racker
16 Centers, Inc., United Cerebral Palsy Association of Nassau County, Inc.,
17 United Cerebral Palsy of New York City, Inc., United Cerebral Palsy
18 Association of Niagara County, Inc., Orange County Cerebral Palsy Asso-
19 ciation, Inc., United Cerebral Palsy of Queens, Inc., United Cerebral
20 Palsy Association of the Rochester Area, Inc., Jawonio, Inc., The Hand-
21 icapped Children's Association of Southern New York, Inc., United Cere-
22 bral Palsy Association of Greater Suffolk, Inc., SDTC - The Center for
23 Discovery, Inc., United Cerebral Palsy and Handicapped Children's Asso-
24 ciation of Syracuse, Inc., United Cerebral Palsy of Ulster County Inc.,
25 United Cerebral Palsy and Handicapped Person's Association of the Utica
26 Area, Inc., United Cerebral Palsy Association of Westchester, Inc. and
27 Unified Creative Programs, Inc., United Cerebral Palsy Association of
28 Western New York, Inc., United Cerebral Palsy Association of Putnam and
29 Southern Dutchess Counties, Inc., United Cerebral Palsy Association of
30 the North Country, Inc., United Cerebral Palsy Associations of New York
31 State, Inc., any not-for-profit affiliates or members of Cerebral Palsy
32 Associations of New York State, Inc., and any successor in interest to
33 any such organization for the financing and/or refinancing of the acqui-
34 sition, construction, reconstruction, renovation, development, improve-
35 ment, expansion and/or equipping of a facility or facilities and neces-
36 sary ancillary and related facilities throughout the state of New York,
37 including educational, residential, administrative, clinical, and day
38 programming facilities used in the provision of services to individuals
39 with disabilities.

40 § 3. Subdivision 37 of section 1680 of the public authorities law, as
41 added by chapter 260 of the laws of 2000, is amended to read as follows:

42 37. For purposes of this section, the following provisions shall apply
43 to powers in connection with the provision of facilities for UCPA of the
44 Capital District, Inc., UCPA of Cayuga County, Inc., United Cerebral
45 Palsy and Handicapped Children's Association of Chemung County, Inc.,
46 Finger Lakes United Cerebral Palsy, Inc., United Cerebral Palsy Associ-
47 ations of Fulton and Montgomery Counties, Inc., United Cerebral Palsy
48 Association of the Tri-Counties, Inc., Franziska Racker Centers, Inc.,
49 United Cerebral Palsy Association of Nassau County, Inc., United Cere-
50 bral Palsy of New York City, Inc., United Cerebral Palsy Association of
51 Niagara County, Inc., Orange County Cerebral Palsy Association, Inc.,
52 United Cerebral Palsy of Queens, Inc., United Cerebral Palsy Association
53 of the Rochester Area, Inc., Jawonio, Inc., The Handicapped Children's
54 Association of Southern New York, Inc., United Cerebral Palsy Associ-
55 ation of Greater Suffolk, Inc., SDTC - The Center for Discovery, Inc.,
56 United Cerebral Palsy and Handicapped Children's Association of Syra-



1 cuse, Inc., United Cerebral Palsy of Ulster County Inc., United Cerebral
2 Palsy and Handicapped Person's Association of the Utica Area, Inc.,
3 United Cerebral Palsy Association of Westchester, Inc. and Unified Crea-
4 tive Programs, Inc., United Cerebral Palsy Association of Western New
5 York, Inc., United Cerebral Palsy Association of Putnam and Southern
6 Dutchess Counties, Inc., United Cerebral Palsy Association of the North
7 Country, Inc., United Cerebral Palsy Associations of New York State,
8 Inc., any not-for-profit affiliates or members of Cerebral Palsy Associ-
9 ations of New York State, Inc., and any successor in interest to any
10 such organization, by the authority pursuant to this title.

11 Notwithstanding any other provision of law, UCPA of the Capital
12 District, Inc., UCPA of Cayuga County, Inc., United Cerebral Palsy and
13 Handicapped Children's Association of Chemung County, Inc., Finger Lakes
14 United Cerebral Palsy, Inc., United Cerebral Palsy Associations of
15 Fulton and Montgomery Counties, Inc., United Cerebral Palsy Association
16 of the Tri-Counties, Inc., Franziska Racker Centers, Inc., United Cere-
17 bral Palsy Association of Nassau County, Inc., United Cerebral Palsy of
18 New York City, Inc., United Cerebral Palsy Association of Niagara Coun-
19 ty, Inc., Orange County Cerebral Palsy Association, Inc., United Cere-
20 bral Palsy of Queens, Inc., United Cerebral Palsy Association of the
21 Rochester Area, Inc., Jawonio, Inc., The Handicapped Children's Associ-
22 ation of Southern New York, Inc., United Cerebral Palsy Association of
23 Greater Suffolk, Inc., SDTC - The Center for Discovery, Inc., United
24 Cerebral Palsy and Handicapped Children's Association of Syracuse, Inc.,
25 United Cerebral Palsy of Ulster County Inc., United Cerebral Palsy and
26 Handicapped Person's Association of the Utica Area, Inc., United Cere-
27 bral Palsy Association of Westchester, Inc. and Unified Creative
28 Programs, Inc., United Cerebral Palsy Association of Western New York,
29 Inc., United Cerebral Palsy Association of Putnam and Southern Dutchess
30 Counties, Inc., United Cerebral Palsy Association of the North Country,
31 Inc., United Cerebral Palsy Associations of New York State, Inc., any
32 not-for-profit affiliates or members of Cerebral Palsy Associations of
33 New York State, Inc., and any successor in interest to any such organ-
34 ization shall have the full power and authority to assign and pledge to
35 the dormitory authority any and all public funds to be appropriated,
36 apportioned or otherwise made payable by the federal government, any
37 agency thereof, the state government, any agency thereof, a political
38 subdivision as defined in section one hundred of the general municipal
39 law, any social service district in the state of New York or by any
40 other governmental entity in an amount sufficient to make all payments
41 required to be made by such entity pursuant to any necessary or useful
42 agreements entered into between such entity and the dormitory authority.
43 All state and local officials are hereby authorized and required to pay
44 all such funds so assigned and pledged to the dormitory authority or,
45 upon the direction of the dormitory authority, to any trustee of any
46 dormitory authority bond or note issued pursuant to a certificate filed
47 with any state or local officer by the dormitory authority pursuant to
48 the provisions of this subdivision.

49 § 4. This act shall take effect immediately.

50

PART UU

51 Section 1. This act commits the state of New York (state) and the
52 city of New York (city) to together fund \$100,000,000.00 in capital
53 expenses related to projects necessary for the completion of the Hudson
54 River Park. The state share of matching funds in the amount of

1 \$50,000,000 shall consist of appropriations first enacted in the
2 2018-2019 state budget. The city's matching funds, in the amount of
3 \$50,000,000 shall be made available in the city's 2018-2019 fiscal year.

4 § 2. (a) The state share of funds provided pursuant to section one of
5 this act shall be appropriated to the Hudson River Park Trust's Capital
6 Projects Funds; (b) The city share of funds made available pursuant to
7 section one of this act, shall be provided to Hudson River Park Trust
8 pursuant to the mutual agreement of both the city and Hudson River Park
9 Trust and subject to registration with the comptroller of the city of
10 New York. The city shall, no later than seven days after making such
11 payment pursuant to this subdivision, certify to the New York state
12 director of the budget the amount of the payment and the date upon which
13 such payment was made.

14 § 3. No funds dedicated to the completion of the Hudson River Park
15 shall be used to reduce or supplant the commitment by the city and state
16 to provide funding pursuant to subdivision (e) of section two of the
17 Hudson River Park Act.

18 § 4. This act shall take effect immediately.

19

PART VV

20 Section 1. Section 532 of the real property tax law is amended by
21 adding a new subdivision (k) to read as follows:

22 (k) Land owned by the state situate in the towns of McDonough and
23 Preston in the county of Chenango, constituting a portion of Bowman Lake
24 State Park, the title to which was vested in the state on February twen-
25 ty-first, two thousand seventeen, exclusive of the improvements erected
26 thereon.

27 § 2. This act shall take effect on the first of January next succeed-
28 ing the date on which it shall have become a law and shall apply to
29 assessment rolls prepared on the basis of taxable status dates occurring
30 on or after such date.

31 § 2. Severability clause. If any clause, sentence, paragraph, subdivi-
32 sion, section or part of this act shall be adjudged by any court of
33 competent jurisdiction to be invalid, such judgment shall not affect,
34 impair, or invalidate the remainder thereof, but shall be confined in
35 its operation to the clause, sentence, paragraph, subdivision, section
36 or part thereof directly involved in the controversy in which such judg-
37 ment shall have been rendered. It is hereby declared to be the intent of
38 the legislature that this act would have been enacted even if such
39 invalid provisions had not been included herein.

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