

STATE OF NEW YORK

9008--B

IN ASSEMBLY

January 19, 2022

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

AN ACT intentionally omitted (Part A); intentionally omitted (Part B); intentionally omitted (Part C); intentionally omitted (Part D); to amend chapter 413 of the laws of 1999, relating to providing for mass transportation payments, in relation to the amount of payments in the Capitol District Transportation District and adding Montgomery County to such District (Part E); intentionally omitted (Part F); intentionally omitted (Part G); intentionally omitted (Part H); intentionally omitted (Part I); to amend chapter 54 of the laws of 2016 amending the general municipal law relating to the New York transit authority and the metropolitan transportation authority, in relation to extending authorization for tax increment financing for the metropolitan transportation authority (Part J); intentionally omitted (Part K); intentionally omitted (Part L); intentionally omitted (Part M); intentionally omitted (Part N); to amend chapter 751 of the laws of 2005, amending the insurance law and the vehicle and traffic law relating to establishing the accident prevention course internet technology pilot program, in relation to the effectiveness thereof (Part O); to amend chapter 62 of the laws of 2003, amending the vehicle and traffic law and other laws relating to increasing certain motor vehicle transaction fees, in relation to the effectiveness thereof; and to amend chapter 84 of the laws of 2002, amending the state finance law relating to the costs of the department of motor vehicles, in relation to the effectiveness thereof (Part P); to amend the vehicle and traffic law, in relation to waiving non-driver identification application fees for incarcerated individuals (Part Q); to amend the civil rights law, in relation to requiring all state agencies to update all applicable forms and data systems to include a gender "x" option (Part R); to amend the public officers law, in relation to authorizing the disclosure of records for the public service loan forgiveness program (Part S); to amend the insurance law, in relation to the pilot program for entertainment industry employees and the

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

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pilot program for displaced workers, and 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 T); to amend the general municipal law, in relation to brown-field opportunity areas (Part U); intentionally omitted (Part V); intentionally omitted (Part W); intentionally omitted (Part X); to amend chapter 393 of the laws of 1994 amending the New York state urban development corporation act relating to the powers of the New York state urban development corporation to make loans, in relation to extending loan powers (Part Y); to amend the urban development corporation act, in relation to extending the authority of the New York state urban development corporation to administer the empire state economic development fund (Part Z); to amend the infrastructure investment act, in relation to the effectiveness thereof and to project labor agreements; and to amend chapter 749 of the laws of 2019 authorizing, for certain public works undertaken pursuant to project labor agreements, use of the alternative delivery method known as design-build contracts, in relation to the effectiveness thereof (Part AA); to amend the state finance law, in relation to the excelsior linked deposit program (Part BB); to amend the New York state urban development corporation act, in relation to creating the small business seed funding grant program (Part CC); 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 DD); intentionally omitted (Part EE); intentionally omitted (Part FF); to amend the public authorities law, in relation to authorizing the dormitory authority to provide its services to recipients of grants and loans from the downtown revitalization program (Part GG); intentionally omitted (Part HH); to amend the state finance law and the public authorities law, in relation to the cannabis social equity fund (Part II); to repeal subdivision 24-e of section 10 of the highway law and section 7 of the transportation corporations law, relating to right of way for fiber optic cable (Part JJ); intentionally omitted (Part KK); intentionally omitted (Part LL); to amend the environmental conservation law, in relation to extending the waste tire management fee for three years and conforming the applicable administrative provisions to article 28 of the tax law (Part MM); to amend part TT of chapter 59 of the laws of 2021 authorizing the creation of state debt in the amount of three billion dollars, in relation to creating the environmental bond act of 2022 "restore mother nature" for the purposes of environmental improvements that preserve, enhance, and restore New York's natural resources and reduce the impact of climate change; and providing for the submission to the people of a proposition or question therefor to be voted upon at the general election to be held in November, 2022, in relation to creating the Clean Water, Clean Air, and Green Jobs Environmental Bond Act of 2022 (Part NN); to amend the environmental conservation law, the state finance law, and part UU of chapter 59 of the laws of 2021 amending the environmental conservation law and the state finance law relating to the implementation of the environmental bond act of 2022 "restore mother nature", in relation to renaming such act "clean water, clean air, and green jobs" (Part OO); to amend the tax law, in relation to increasing the transfer amount from the real estate transfer tax to the environmental



protection fund (Part PP); intentionally omitted (Part QQ); intentionally omitted (Part RR); intentionally omitted (Part SS); intentionally omitted (Part TT); intentionally omitted (Part UU); intentionally omitted (Part VV); to amend the vehicle and traffic law and the state finance law, in relation to the vessel surcharge; and to repeal certain provisions of the state finance law relating thereto (Part WW); to amend the environmental conservation law and the real property tax law, in relation to river regulating district payment of taxes on lands owned by the state (Part XX); intentionally omitted (Part YY); intentionally omitted (Part ZZ); to authorize the energy research and development authority to finance a portion of its research, development and demonstration, policy and planning, and Fuel NY program, as well as climate change related expenses of the department of environmental conservation and the department of agriculture and markets' Fuel NY program, from an assessment on gas and electric corporations (Part AAA); to authorize certain expenses of the department of health public service education program to be deemed expenses of department of public service; and providing for the repeal of such provisions upon the expiration thereof (Part BBB); intentionally omitted (Part CCC); intentionally omitted (Part DDD); intentionally omitted (Part EEE); intentionally omitted (Part FFF); to amend the vehicle and traffic law, in relation to establishing the commercial driver's license (CDL) class A young adult training program; and to repeal subdivision 36 of section 14 of the transportation law relating thereto (Part GGG); to amend the urban development corporation act, in relation to expanding the Restore New York's Communities Initiative (Part HHH); to repeal subdivision 6 of section 51 of the public authorities law relating to voting power of members of the New York state public authorities control board (Part III); to amend the vehicle and traffic law, in relation to minimum liability requirements for commuter vans (Part JJJ); to amend the New York state urban development corporation act and the economic development law, in relation to the creation of a searchable database (Part KKK); to amend the economic development law, in relation to establishing a matching grant program for certain small businesses receiving funding under the federal small business innovation research program or the small business technology transfer program (Part LLL); to amend the public service law, in relation to utility intervenor reimbursement; and to amend the state finance law, in relation to establishing the utility intervenor account (Part MMM); to amend the urban development corporation act, in relation to the beginning farmers NY fund (Part NNN); to amend the environmental conservation law, in relation to enhancing the state's flood mitigation and coastal resiliency activities (Part OOO); to amend the public authorities law, in relation to the use of proceeds collected from the auction or sale of carbon dioxide emissions allowances for electric vehicle charging infrastructure, energy efficiency and electrification projects in disadvantaged communities, clean green schools initiative, and job training programs for priority populations (Part PPP); and to amend the public authorities law, in relation to requiring the New York state energy and research development authority to develop a comprehensive electric vehicle fast charging station implementation plan (Part QQQ)

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. This act enacts into law major components of legislation
2 necessary to implement the state transportation, economic development
3 and environmental conservation budget for the 2022-2023 state fiscal
4 year. Each component is wholly contained within a Part identified as
5 Parts A through QQQ. The effective date for each particular provision
6 contained within such Part is set forth in the last section of such
7 Part. Any provision in any section contained within a Part, including
8 the effective date of the Part, which makes a reference to a section "of
9 this act", when used in connection with that particular component, shall
10 be deemed to mean and refer to the corresponding section of the Part in
11 which it is found. Section three of this act sets forth the general
12 effective date of this act.

13 PART A

14 Intentionally Omitted

15 PART B

16 Intentionally Omitted

17 PART C

18 Intentionally Omitted

19 PART D

20 Intentionally Omitted

21 PART E

22 Section 1. Section 1 of part I of chapter 413 of the laws of 1999,
23 relating to providing for mass transportation payments, as amended by
24 section 1 of part D of chapter 58 of the laws of 2015, is amended to
25 read as follows:

26 Section 1. Notwithstanding any other law, rule or regulation to the
27 contrary, payment of mass transportation operating assistance pursuant
28 to section 18-b of the transportation law shall be subject to the
29 provisions contained herein and the amounts made available therefor by
30 appropriation.

31 In establishing service and usage formulas for distribution of mass
32 transportation operating assistance, the commissioner of transportation
33 may combine and/or take into consideration those formulas used to
34 distribute mass transportation operating assistance payments authorized
35 by separate appropriations in order to facilitate program administration
36 and to ensure an orderly distribution of such funds.

37 To improve the predictability in the level of funding for those
38 systems receiving operating assistance payments under service and usage
39 formulas, the commissioner of transportation is authorized with the
40 approval of the director of the budget, to provide service payments
41 based on service and usage statistics of the preceding year.

1 In the case of a service payment made, pursuant to section 18-b of the
 2 transportation law, to a regional transportation authority on account of
 3 mass transportation services provided to more than one county (consider-
 4 ing the city of New York to be one county), the respective shares of the
 5 matching payments required to be made by a county to any such authority
 6 shall be as follows:

	Percentage of Matching Payment	
Local Jurisdiction		

In the Metropolitan Commuter Transportation District:		
New York City	6.40	
Dutchess	1.30	
Nassau	39.60	
Orange	0.50	
Putnam	1.30	
Rockland	0.10	
Suffolk	25.70	
Westchester	25.10	
In the Capital District Trans- portation District:		
Albany	[56.10] <u>55.27</u>	
Rensselaer	[23.30] <u>22.96</u>	
Saratoga	[4.10] <u>4.04</u>	
Schenectady	[16.50] <u>16.26</u>	
<u>Montgomery</u>	<u>1.47</u>	
In the Central New York Re- gional Transportation Dis- trict:		
Cayuga	5.11	
Onondaga	75.83	
Oswego	2.85	
Oneida	16.21	
In the Rochester-Genesee Re- gional Transportation Dis- trict:		
Genesee	1.36	
Livingston90	
Monroe	90.14	
Wayne98	
Wyoming51	
Seneca64	
Orleans77	
Ontario	4.69	
In the Niagara Frontier Trans- portation District: Erie		89.20
Niagara	10.80	

49 Notwithstanding any other inconsistent provisions of section 18-b of
 50 the transportation law or any other law, any moneys provided to a public
 51 benefit corporation constituting a transportation authority or to other
 52 public transportation systems in payment of state operating assistance
 53 or such lesser amount as the authority or public transportation system
 54 shall make application for, shall be paid by the commissioner of trans-

1 portation to such authority or public transportation system in lieu, and
2 in full satisfaction, of any amounts which the authority would otherwise
3 be entitled to receive under section 18-b of the transportation law.

4 Notwithstanding the reporting date provision of section 17-a of the
5 transportation law, the reports of each regional transportation authori-
6 ty and other major public transportation systems receiving mass trans-
7 portation operating assistance shall be submitted on or before July 15
8 of each year in the format prescribed by the commissioner of transporta-
9 tion. Copies of such reports shall also be filed with the chairpersons
10 of the senate finance committee and the assembly ways and means commit-
11 tee and the director of the budget. The commissioner of transportation
12 may withhold future state operating assistance payments to public trans-
13 portation systems or private operators that do not provide such reports.

14 Payments may be made in quarterly installments as provided in subdivi-
15 sion 2 of section 18-b of the transportation law or in such other manner
16 and at such other times as the commissioner of transportation, with the
17 approval of the director of the budget, may provide; and where payment
18 is not made in the manner provided by such subdivision 2, the matching
19 payments required of any city, county, Indian tribe or intercity bus
20 company shall be made within 30 days of the payment of state operating
21 assistance pursuant to this section or on such other basis as may be
22 agreed upon by the commissioner of transportation, the director of the
23 budget, and the chief executive officer of such city, county, Indian
24 tribe or intercity bus company.

25 The commissioner of transportation shall be required to annually eval-
26 uate the operating and financial performance of each major public trans-
27 portation system. Where the commissioner's evaluation process has iden-
28 tified a problem related to system performance, the commissioner may
29 request the system to develop plans to address the performance deficien-
30 cies. The commissioner of transportation may withhold future state oper-
31 ating assistance payments to public transportation systems or private
32 operators that do not provide such operating, financial, or other infor-
33 mation as may be required by the commissioner to conduct the evaluation
34 process.

35 Payments shall be made contingent upon compliance with regulations
36 deemed necessary and appropriate, as prescribed by the commissioner of
37 transportation and approved by the director of the budget, which shall
38 promote the economy, efficiency, utility, effectiveness, and coordinated
39 service delivery of public transportation systems. The chief executive
40 officer of each public transportation system receiving a payment shall
41 certify to the commissioner of transportation, in addition to informa-
42 tion required by section 18-b of the transportation law, such other
43 information as the commissioner of transportation shall determine is
44 necessary to determine compliance and carry out the purposes herein.

45 Counties, municipalities or Indian tribes that propose to allocate
46 service payments to operators on a basis other than the amount earned by
47 the service payment formula shall be required to describe the proposed
48 method of distributing governmental operating aid and submit it one
49 month prior to the start of the operator's fiscal year to the commis-
50 sioner of transportation in writing for review and approval prior to the
51 distribution of state aid. The commissioner of transportation shall only
52 approve alternate distribution methods which are consistent with the
53 transportation needs of the people to be served and ensure that the
54 system of private operators does not exceed established maximum service
55 payment limits. Copies of such approvals shall be submitted to the

1 chairpersons of the senate finance and assembly ways and means commit-
2 tees.

3 Notwithstanding the provisions of subdivision 4 of section 18-b of the
4 transportation law, the commissioner of transportation is authorized to
5 continue to use prior quarter statistics to determine current quarter
6 payment amounts, as initiated in the April to June quarter of 1981. In
7 the event that actual revenue passengers and actual total number of
8 vehicle, nautical or car miles are not available for the preceding quar-
9 ter, estimated statistics may be used as the basis of payment upon
10 approval by the commissioner of transportation. In such event, the
11 succeeding payment shall be adjusted to reflect the difference between
12 the actual and estimated total number of revenue passengers and vehicle,
13 nautical or car miles used as the basis of the estimated payment. The
14 chief executive officer may apply for less aid than the system is eligi-
15 ble to receive. Each quarterly payment shall be attributable to operat-
16 ing expenses incurred during the quarter in which it is received, unless
17 otherwise specified by such commissioner. In the event that a public
18 transportation system ceases to participate in the program, operating
19 assistance due for the final quarter that service is provided shall be
20 based upon the actual total number of revenue passengers and the actual
21 total number of vehicle, nautical or car miles carried during that quar-
22 ter.

23 Payments shall be contingent on compliance with audit requirements
24 determined by the commissioner of transportation.

25 In the event that an audit of a public transportation system or
26 private operator receiving funds discloses the existence of an overpay-
27 ment of state operating assistance, regardless of whether such an over-
28 payment results from an audit of revenue passengers and the actual
29 number of revenue vehicle miles statistics, or an audit of private oper-
30 ators in cases where more than a reasonable return based on equity or
31 operating revenues and expenses has resulted, the commissioner of trans-
32 portation, in addition to recovering the amount of state operating
33 assistance overpaid, shall also recover interest, as defined by the
34 department of taxation and finance, on the amount of the overpayment.

35 Notwithstanding any other law, rule or regulation to the contrary,
36 whenever the commissioner of transportation is notified by the comp-
37 troller that the amount of revenues available for payment from an
38 account is less than the total amount of money for which the public mass
39 transportation systems are eligible pursuant to the provisions of
40 section 88-a of the state finance law and any appropriations enacted for
41 these purposes, the commissioner of transportation shall establish a
42 maximum payment limit which is proportionally lower than the amounts set
43 forth in appropriations.

44 Notwithstanding paragraphs (b) of subdivisions 5 and 7 of section 88-a
45 of the state finance law and any other general or special law, payments
46 may be made in quarterly installments or in such other manner and at
47 such other times as the commissioner of transportation, with the
48 approval of the director of the budget may prescribe.

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, 2022.

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PART F

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Intentionally Omitted



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PART G

Intentionally Omitted

PART H

Intentionally Omitted

PART I

Intentionally Omitted

PART J

Section 1. Section 3 of part PP of chapter 54 of the laws of 2016, amending the general municipal law relating to the New York transit authority and the metropolitan transportation authority, as amended by section 1 of part K of chapter 58 of the laws of 2020, is amended to read as follows:

§ 3. This act shall take effect immediately; provided that the amendments to subdivision 1 of section 119-r of the general municipal law made by section two of this act shall expire and be deemed repealed April 1, [2022] 2032, and provided further that such repeal shall not affect the validity or duration of any contract entered into before that date pursuant to paragraph f of such subdivision.

§ 2. This act shall take effect immediately.

PART K

Intentionally Omitted

PART L

Intentionally Omitted

PART M

Intentionally Omitted

PART N

Intentionally Omitted

PART O

Section 1. Section 5 of chapter 751 of the laws of 2005, amending the insurance law and the vehicle and traffic law relating to establishing the accident prevention course internet technology pilot program, as

1 amended by section 4 of part ZZ of chapter 58 of the laws of 2020, is
2 amended to read as follows:

3 § 5. This act shall take effect on the one hundred eightieth day after
4 it shall have become a law and shall expire and be deemed repealed April
5 1, [2022] 2024; provided that any rules and regulations necessary to
6 implement the provisions of this act on its effective date are author-
7 ized and directed to be completed on or before such date.

8 § 2. This act shall take effect immediately.

9

PART P

10 Section 1. Section 13 of part U1 of chapter 62 of the laws of 2003,
11 amending the vehicle and traffic law and other laws relating to increas-
12 ing certain motor vehicle transaction fees, as amended by section 1 of
13 part YY of chapter 58 of the laws of 2020, is amended to read as
14 follows:

15 § 13. This act shall take effect immediately; provided however that
16 sections one through seven of this act, the amendments to subdivision 2
17 of section 205 of the tax law made by section eight of this act, and
18 section nine of this act shall expire and be deemed repealed on April 1,
19 [2022] 2024; provided further, however, that the provisions of section
20 eleven of this act shall take effect April 1, 2004 and shall expire and
21 be deemed repealed on April 1, [2022] 2024.

22 § 2. Section 2 of part B of chapter 84 of the laws of 2002, amending
23 the state finance law relating to the costs of the department of motor
24 vehicles, as amended by section 2 of part YY of chapter 58 of the laws
25 of 2020, is amended to read as follows:

26 § 2. This act shall take effect April 1, 2002; provided, however, if
27 this act shall become a law after such date it shall take effect imme-
28 diately and shall be deemed to have been in full force and effect on and
29 after April 1, 2002; provided further, however, that this act shall
30 expire and be deemed repealed on April 1, [2022] 2024.

31 § 3. This act shall take effect immediately.

32

PART Q

33 Section 1. Subdivision 3 of section 491 of the vehicle and traffic
34 law, as added by section 1 of part H of chapter 58 of the laws of 2017,
35 is amended to read as follows:

36 3. Waiver of fee. The commissioner may waive the payment of fees
37 required by subdivision two of this section if the applicant is (a) an
38 incarcerated individual in an institution under the jurisdiction of a
39 state department or agency, or (b) a victim of a crime and the identifi-
40 cation card applied for is a replacement for one that was lost or
41 destroyed as a result of the crime.

42 § 2. This act shall take effect immediately.

43

PART R

44 Section 1. The civil rights law is amended by adding a new section
45 79-q to read as follows:

46 § 79-q. Collection of gender or sex designation information by state
47 agencies. 1. All New York state agencies that collect demographic infor-
48 mation about a person's gender or sex shall make available to the person
49 at the point of data collection an option to mark their gender or sex as
50 "x".



1 2. Where applicable federal law requires a state agency to collect sex
2 or gender data as either "m" or "f", the state agency shall create a
3 separate field for state purposes so that a person has the option to
4 mark their gender or sex as "x" to be collected by the state.

5 3. All state agencies shall update any applicable forms or data
6 systems by January first, two thousand twenty-three, except the depart-
7 ment of labor, the office of children and family services, the office of
8 temporary and disability assistance and the division of criminal justice
9 services, which shall update any applicable forms or data systems by
10 January first, two thousand twenty-four.

11 4. A state agency that cannot comply with the requirements of this
12 section shall post publicly on its website a written report of the steps
13 the agency has taken to comply with this section and the time frame for
14 compliance at least sixty days before the date required by this section.
15 The written report shall be updated every six months from the date of
16 the original posting.

17 § 2. Subdivision 3 of section 62 of the civil rights law, as added by
18 chapter 158 of the laws of 2021, is amended to read as follows:

19 3. Except as provided in subdivisions one and two of this section, the
20 court shall not require any other pre-hearing notice. [The court shall
21 not condition the entry of an order on notice to any other party or to
22 any city, state or federal agency except by written order detailing the
23 court's reasoning for requiring such notice and showing cause why such
24 notice should be served.] Under no circumstances shall the court require
25 notice to United States immigration and customs enforcement, United
26 States customs and border protection, United States citizenship and
27 immigration services, or any successor agencies, or any agencies having
28 similar duties.

29 § 3. This act shall take effect immediately.

30 PART S

31 Section 1. Paragraph (o) of subdivision 1 of section 96 of the public
32 officers law, as added by chapter 319 of the laws of 2014, is amended to
33 read as follows:

34 (o) to officers or employees of a public retirement system of the city
35 of New York if the information sought to be disclosed is necessary for
36 the receiving public retirement system to process benefits under the
37 retirement and social security law, the administrative code of the city
38 of New York, or the education law or any other applicable provision of
39 law. A written request or consent from the data subject pursuant to
40 paragraph (a) of this subdivision shall not be required for the disclo-
41 sure of records pursuant to this paragraph; or

42 (p) to officers or employees of the United States department of educa-
43 tion for such department to process credit for qualifying employment and
44 loan forgiveness under the public service loan forgiveness program. A
45 written request or consent from the data subject pursuant to paragraph
46 (a) of this subdivision shall not be required for the disclosure of
47 records pursuant to this paragraph.

48 § 2. This act shall take effect immediately.

49 PART T

50 Section 1. Subparagraphs (C) and (D) of paragraph 4 of subsection (a)
51 of section 1122 of the insurance law, as added by chapter 495 of the
52 laws of 2004, are amended to read as follows:

1 (C) resides in a household having a [net] gross monthly household
2 income at or below [two hundred eight] four hundred percent of the non-
3 farm federal poverty level (as defined and updated by the federal
4 department of health and human services) [or the gross equivalent of
5 such net income]; [and]

6 (D) is not eligible for employer provided coverage; and

7 (E) is a member of a health plan that provides multi-tier benefit
8 options.

9 § 2. Paragraphs 3 and 4 of subsection (b) of section 1122 of the
10 insurance law, as added by chapter 495 of the laws of 2004, are amended
11 to read as follows:

12 (3) The superintendent shall review the applications and advise the
13 applicants as to their eligibility to participate in the pilot program.
14 Within amounts available for such purpose, the superintendent shall
15 provide continuation assistance. Such assistance shall be issued, to the
16 extent of funds available therefor, which is equivalent to [fifty]
17 seventy-five percent of the premium for the period covered by such
18 assistance. Continuation assistance shall not be provided for more than
19 twelve months within a five-year period.

20 (4) In approving applications from eligible individuals, the super-
21 intendent shall:

22 (A) make a determination as to the extent of available funds for the
23 pilot program so as to assure, to the extent possible, that the funding
24 will be available to provide continuation assistance to the applicant in
25 an amount equal to [fifty] seventy-five percent of the premium for a
26 period of twelve months within five years; if the superintendent deter-
27 mines that such funding may not be available due to the level of enroll-
28 ment in the pilot program at the time of the eligible individual's
29 application, the superintendent shall deny such application; and

30 (B) require eligible individuals who are awarded continuation assist-
31 ance to sign an acknowledgement that recipients who later become eligi-
32 ble for health insurance coverage through another employer are no longer
33 eligible to receive assistance under this section and that the state may
34 seek to recover assistance provided after the date of such eligibility.

35 § 3. Paragraphs 3 and 4 of subsection (c) of section 1122 of the
36 insurance law, as added by chapter 495 of the laws of 2004, are amended
37 to read as follows:

38 (3) The superintendent shall review the applications and advise the
39 applicants as to their eligibility to participate in the pilot program.
40 Within amounts available for such purpose, the superintendent shall
41 provide continuation assistance. Such assistance shall be issued, to the
42 extent of funds available therefor, which is equivalent to [fifty]
43 seventy-five percent of the premium for the period covered by such
44 assistance. Continuation assistance shall not be provided for more than
45 twelve months within a five-year period.

46 (4) In approving applications from eligible individuals, the super-
47 intendent shall:

48 (A) make a determination as to the extent of available funds for the
49 pilot program so as to assure, to the extent possible, that the funding
50 will be available to provide continuation assistance to the applicant in
51 an amount equal to [fifty] seventy-five percent of the premium for a
52 period of twelve months within five years; if the superintendent deter-
53 mines that such funding may not be available due to the level of enroll-
54 ment in the pilot program at the time of the eligible individual's
55 application, the superintendent shall deny such application; and

1 (B) require eligible individuals who were awarded continuation assist-
2 ance to sign an acknowledgement that recipients who later become eligi-
3 ble for health insurance coverage through another employer are no longer
4 eligible to receive assistance under this section and that the state may
5 seek to recover assistance provided after the date of such eligibility.

6 § 4. Section 4 of chapter 495 of the laws of 2004, amending the insur-
7 ance law and the public health law relating to the New York state health
8 insurance continuation assistance demonstration project, as amended by
9 section 1 of part KK of chapter 57 of the laws of 2021, is amended to
10 read as follows:

11 § 4. This act shall take effect on the sixtieth day after it shall
12 have become a law; provided, however, that this act shall remain in
13 effect until July 1, [2022] 2023 when upon such date the provisions of
14 this act shall expire and be deemed repealed; provided, further, that a
15 displaced worker shall be eligible for continuation assistance retroac-
16 tive to July 1, 2004.

17 § 5. This act shall take effect immediately.

18 PART U

19 Section 1. Subparagraph 7 of paragraph b of subdivision 2 of section
20 970-r of the general municipal law, as amended by section 1 of part U of
21 chapter 58 of the laws of 2018, is amended to read as follows:

22 (7) preliminary descriptions of possible remediation strategies, reuse
23 opportunities, necessary infrastructure improvements and other public or
24 private measures needed to stimulate investment, promote revitalization,
25 [and] support job growth, reduce greenhouse gas emissions, increase
26 climate resilience, enhance community health and environmental condi-
27 tions, and achieve environmental justice.

28 § 2. Subparagraph 11 of paragraph d of subdivision 3 of section 970-r
29 of the general municipal law, as amended by section 1 of part U of chap-
30 ter 58 of the laws of 2018, is amended to read as follows:

31 (11) descriptions of possible remediation strategies, reuse opportu-
32 nities, brownfield redevelopment, necessary infrastructure improvements
33 and other public or private measures needed to stimulate investment,
34 promote revitalization, [and] support job growth, reduce greenhouse gas
35 emissions, increase climate resilience, enhance community health and
36 environmental conditions, and achieve environmental justice;

37 § 3. Paragraph a of subdivision 3-a of section 970-r of the general
38 municipal law, as added by section 1 of part U of chapter 58 of the laws
39 of 2018, is amended to read as follows:

40 a. Within amounts appropriated therefor, the secretary is authorized
41 to provide, on a competitive basis, financial assistance to municipi-
42 palities, to community based organizations, to community boards, or to
43 community based organizations acting in cooperation with a municipality,
44 to conduct predevelopment activities within a designated brownfield
45 opportunity area to advance the goals and priorities of the brownfield
46 opportunity area program set forth in the nomination of such area. Such
47 financial assistance shall not exceed ninety percent of the costs of
48 such activities. Activities eligible to receive such assistance shall
49 include: development and implementation of marketing strategies; devel-
50 opment of plans and specifications; real estate services; building
51 condition studies; infrastructure analyses; zoning and regulatory
52 updates; environmental, housing and economic studies, analyses and
53 reports; renewable energy feasibility studies, legal and financial
54 services; and public outreach.

1 § 4. Paragraphs d, f, g, and h of subdivision 6 of section 970-r of
2 the general municipal law, as amended by section 1 of part U of chapter
3 58 of the laws of 2018, are amended to read as follows:

4 d. Applications for such assistance shall be submitted to the [commis-
5 sioner] secretary in a format, and containing such information, as
6 prescribed by the [commissioner] secretary in consultation with the
7 [secretary of state] commissioner.

8 f. The [commissioner] secretary, upon the receipt of an application
9 for such assistance from a community based organization not in cooper-
10 ation with the local government having jurisdiction over the proposed
11 brownfield opportunity area, shall request the municipal government to
12 review and state the municipal government's support or lack of support.
13 The municipal government's statement shall be considered a part of the
14 application.

15 g. Prior to making an award for assistance, the [commissioner] secre-
16 tary shall notify the temporary president of the senate and the speaker
17 of the assembly.

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

36 § 5. The subdivision heading and the opening paragraph of paragraph a
37 of subdivision 8 of section 970-r of the general municipal law, as
38 amended by section 1 of part U of chapter 58 of the laws of 2018, are
39 amended to read as follows:

40 [Applications] Community participation requirements.

41 All applications for state assistance for pre-nomination or nomination
42 study [assistance] or applications for designation of a brownfield
43 opportunity area shall demonstrate that the following community partic-
44 ipation activities have been or will be performed by the applicant:

45 § 6. This act shall take effect immediately.

46 PART V

47 Intentionally Omitted

48 PART W

49 Intentionally Omitted

1

PART X

2

Intentionally Omitted

3

PART Y

4 Section 1. Section 2 of chapter 393 of the laws of 1994, amending the
5 New York state urban development corporation act, relating to the powers
6 of the New York state urban development corporation to make loans, as
7 amended by section 1 of part J of chapter 58 of the laws of 2021, is
8 amended to read as follows:

9 § 2. This act shall take effect immediately provided, however, that
10 section one of this act shall expire on July 1, [2022] 2023, at which
11 time the provisions of subdivision 26 of section 5 of the New York state
12 urban development corporation act shall be deemed repealed; provided,
13 however, that neither the expiration nor the repeal of such subdivision
14 as provided for herein shall be deemed to affect or impair in any manner
15 any loan made pursuant to the authority of such subdivision prior to
16 such expiration and repeal.

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

19

PART Z

20 Section 1. Subdivision 3 of section 16-m of section 1 of chapter 174
21 of the laws of 1968 constituting the New York state urban development
22 corporation act, as amended by section 1 of part K of chapter 58 of the
23 laws of 2021, is amended to read as follows:

24 3. The provisions of this section shall expire, notwithstanding any
25 inconsistent provision of subdivision 4 of section 469 of chapter 309 of
26 the laws of 1996 or of any other law, on July 1, [2022] 2023.

27 § 2. This act shall take effect immediately and shall be deemed to
28 have been in full force and effect on and after July 1, 2022.

29

PART AA

30 Section 1. Section 17 of part F of chapter 60 of the laws of 2015
31 constituting the infrastructure investment act, as amended by section 7
32 of part DD of chapter 58 of the laws of 2020, is amended to read as
33 follows:

34 § 17. This act shall take effect immediately and shall expire and be
35 deemed repealed December 31, [2022] 2024, provided that, projects with
36 requests for qualifications issued prior to such repeal shall be permit-
37 ted to continue under this act notwithstanding such repeal.

38 § 2. Section 14 of chapter 749 of the laws of 2019 authorizing, for
39 certain public works undertaken pursuant to project labor agreements,
40 use of the alternative delivery method known as design-build contracts,
41 is amended to read as follows:

42 § 14. This act shall take effect immediately and shall expire and be
43 deemed repealed [three] five years after such date, provided that,
44 public works with requests for qualifications issued prior to such
45 repeal shall be permitted to continue under this act notwithstanding
46 such repeal.

1 § 2-a. Section 2 of part F of chapter 60 of the laws of 2015 consti-
2 tuting the infrastructure investment act, is amended by adding a new
3 subdivision (g) to read as follows:

4 (g) "project labor agreement" shall have the same meaning set forth in
5 subdivision 1 of section 222 of the labor law. A project labor agreement
6 shall require participation in apprentice training programs in accord-
7 ance with paragraph (e) of subdivision 2 of such section.

8 § 2-b. Section 3 of part F of chapter 60 of the laws of 2015 consti-
9 tuting the infrastructure investment act, as amended by section 1 of
10 part DD of chapter 58 of the laws of 2020, is amended to read as
11 follows:

12 § 3. Notwithstanding the provisions of section 38 of the highway law,
13 section 136-a of the state finance law, sections 359, 1678, 1680 and
14 1680-a of the public authorities law, sections 376, 407-a, 6281 and 7210
15 of the education law, sections 8 and 9 of the public buildings law,
16 section 103 of the general municipal law, and the provisions of any
17 other law to the contrary, and in conformity with the requirements of
18 this act, an authorized state entity may utilize the alternative deliv-
19 ery method referred to as design-build contracts[, in consultation with
20 relevant local labor organizations and construction industry,] for capi-
21 tal projects undertaken pursuant to a project labor agreement in accord-
22 ance with section 222 of the labor law and located in the state related
23 to physical infrastructure, including, but not limited to, highways,
24 bridges, buildings and appurtenant structures, dams, flood control
25 projects, canals, and parks, including, but not limited to, to repair
26 damage caused by natural disaster, to correct health and safety defects,
27 to comply with federal and state laws, standards, and regulations, to
28 extend the useful life of or replace highways, bridges, buildings and
29 appurtenant structures, dams, flood control projects, canals, and parks
30 or to improve or add to highways, bridges, buildings and appurtenant
31 structures, dams, flood control projects, canals, and parks; provided
32 that for the contracts executed by the department of transportation, the
33 office of parks, recreation and historic preservation, or the department
34 of environmental conservation, the total cost of each such project shall
35 not be less than ten million dollars (\$10,000,000).

36 § 2-c. Sections 15-a and 15-b of part F of chapter 60 of the laws of
37 2015, constituting the infrastructure investment act, as added by
38 section 5 of part DD of chapter 58 of the laws of 2020, are amended to
39 read as follows:

40 § 15-a. Any contract awarded pursuant to this act shall be deemed to
41 be awarded pursuant to a competitive procurement for purposes of section
42 2879 of the public authorities law, provided that all contracts awarded
43 shall require a public employee or public employees, as defined by para-
44 graph (a) of subdivision 7 of section 201 of the civil service law and
45 who are employed by authorized entities as defined by paragraph (i) of
46 subdivision (a) of section two of this act and who are licensed under
47 articles 145, 147 and 148 of the education law to be on the site of the
48 project for the duration of such project to the extent deemed appropri-
49 ate by such public employee or employees. Such requirement shall not
50 limit contractors' obligations under design-build contracts to issue
51 their own initial certifications of substantial completion and final
52 completion or any other obligations under the design-build contracts.

53 § 15-b. Public employees as defined by paragraph (a) of subdivision 7
54 of section 201 of the civil service law and who are employed by author-
55 ized entities as defined in paragraph (i) of subdivision (a) of section
56 two of this act shall examine [and], review [certifications provided by

1 contractors for conformance with], and determine whether the work
 2 performed by contractors is acceptable and has been performed in accord-
 3 ance with the applicable design-build contracts. Such examination,
 4 review, and determination shall include, but not be limited to material
 5 source testing, certifications testing, surveying, monitoring of envi-
 6 ronmental compliance, independent quality control testing and inspection
 7 and quality assurance audits. Such public employees may accept contrac-
 8 tors' substantial or final completion of the public works as applicable.
 9 Performance by authorized entities of any review described in this
 10 subdivision shall not be construed to modify or limit contractors' obli-
 11 gations to perform work in strict accordance with the applicable
 12 design-build contracts or the contractors' or any subcontractors' obli-
 13 gations or liabilities under any law.
 14 § 3. This act shall take effect immediately; provided, however, that
 15 the amendments to part F of chapter 60 of the laws of 2015 made by
 16 sections two-a, two-b, and two-c of this act shall not affect the repeal
 17 of such part and shall be deemed repealed therewith.

18

PART BB

19 Section 1. Subparagraph 6 of paragraph (g) of subdivision 11 of
 20 section 213 of the state finance law, as added by section 1 of part HH
 21 of chapter 59 of the laws of 2013, is amended and a new paragraph (h) is
 22 added to read as follows:

23 (6) small scale systems integration and packaging[.]; or
 24 (h) a community development financial institution.

25 § 2. Paragraph (e) of subdivision 12 of section 213 of the state
 26 finance law, as added by chapter 705 of the laws of 1993, is amended and
 27 a new paragraph (f) is added to read as follows:

28 (e) for certified minority-and women-owned businesses, projects to
 29 provide financing necessary to carry out a procurement contract with an
 30 agency or authority or other entity of the state or federal govern-
 31 ment[.]; or

32 (f) projects in which community development financial institutions
 33 make loans.

34 § 3. Section 213 of the state finance law is amended by adding a new
 35 subdivision 25 to read as follows:

36 25. "Community development financial institution" means an organiza-
 37 tion as defined in 12 U.S.C. 4702(5)(a).

38 § 4. This act shall take effect immediately.

39

PART CC

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

43 § 16-gg. Small business seed funding grant program. 1. Definitions.
 44 As used in this section, the following terms shall have the following
 45 meanings:

46 (a) "Small business" shall mean a business which is a resident in this
 47 state, independently owned and operated, not dominant in its field, and
 48 employs one hundred or less persons.

49 (b) "Micro-business" shall mean a business which is a resident in this
 50 state, independently owned and operated, not dominant in its field, and
 51 employs ten or less persons.



1 (c) "The program" shall mean the small business seed funding grant
2 program established pursuant to subdivision two of this section.

3 (d) "Applicant" shall mean a micro-business, small business, or for-
4 profit independent arts and cultural organization submitting an applica-
5 tion for a grant award to the program.

6 (e) "For-profit independent arts and cultural organization" shall mean
7 a small or medium sized private for-profit, independently operated live-
8 performance venue, promoter, production company, or performance related
9 business located in New York state negatively impacted by COVID-19
10 health and safety protocols, and having one hundred or less full-time
11 employees, excluding seasonal employees.

12 2. Small business seed funding grant program established. The small
13 business seed funding grant program is hereby created to provide assist-
14 ance to early-stage micro-businesses and small businesses to succeed in
15 a recovering New York state economy.

16 3. Authorization. The corporation is hereby authorized, using avail-
17 able funds, to issue grants and provide technical assistance and
18 outreach to micro-businesses, small businesses, and technical assistance
19 partners for the purpose of aiding the recovery of the New York state
20 economy, and may promulgate guidelines to effectuate the purposes here-
21 in.

22 4. Selection criteria and application process. (a) In order to be
23 eligible for a grant or additional form of support under the program, an
24 eligible micro-businesses or small businesses shall:

25 (i) be incorporated in New York state or licensed or registered to do
26 business in New York state and must be a resident in the state of New
27 York;

28 (ii) be a currently viable micro-business or small business: (A) that
29 started business on March 1, 2019 or later and can demonstrate that it
30 has been operational for at least six months before an application is
31 submitted; or (B) an existing micro-business or small business that can
32 demonstrate that they have filed state tax returns within the last five
33 years prior to enactment of this chapter and can demonstrate that it has
34 been operational for at least six months before application is submit-
35 ted;

36 (iii) have between five thousand and one million dollars in gross
37 receipts or be able to demonstrate ten thousand dollars in business
38 expenses or can demonstrate that they have filed state tax returns with-
39 in the last five years prior to the effective date of this section;

40 (iv) be in substantial compliance with applicable federal, state and
41 local laws, regulations, codes and requirements; and

42 (v) not owe any federal, state or local taxes, or have an approved
43 repayment, deferral plan, or agreement with appropriate federal, state,
44 and local taxing authorities.

45 (b) (i) Grants awarded from this program shall be available to eligi-
46 ble micro-businesses and small businesses that do not qualify for busi-
47 ness assistance grant programs under the federal American Rescue Plan
48 Act of 2021 or any other available federal COVID-19 economic recovery or
49 business assistance grant programs, including loans forgiven under the
50 federal Paycheck Protection Program, or are unable to obtain sufficient
51 business assistance from such federal programs, with priority given to
52 socially and economically disadvantaged business owners including, but
53 not limited to, minority and women-owned business enterprises, service-
54 disabled veteran-owned businesses, and veteran-owned businesses, or
55 businesses located in communities that were economically distressed
56 prior to March 1, 2020, as determined by the most recent census data.

1 (ii) Grants awarded from this program shall be available to eligible
2 micro-businesses and small businesses and that did not qualify for
3 business assistance under the COVID-19 pandemic small business recov-
4 ery grant program as provided for in section sixteen-ff of this act.

5 5. Eligible costs. (a) Eligible costs considered for micro-businesses
6 and small businesses under this program must have been incurred between
7 March 1, 2019 and January 1, 2022.

8 (b) (i) The following costs incurred by micro-businesses and small
9 businesses, shall be considered eligible under the program at a minimum:
10 payroll costs; costs of rent or mortgage as provided for in subparagraph
11 (ii) of this paragraph; costs of repayment of local property or school
12 taxes associated with such small business's location as provided for in
13 subparagraph (iii) of this paragraph; insurance costs; utility costs;
14 costs of personal protection equipment (PPE) necessary to protect worker
15 and consumer health and safety; heating, ventilation, and air condition-
16 ing (HVAC) costs, or other machinery or equipment costs, or supplies and
17 materials necessary for compliance with COVID-19 health and safety
18 protocols, and other documented COVID-19 costs as approved by the corpo-
19 ration.

20 (ii) Mortgage payments or commercial rent shall be considered eligible
21 costs.

22 (iii) Payment of local property taxes and school taxes shall be
23 considered eligible costs.

24 (c) Grants awarded under the program shall not be used to re-pay or
25 pay down any portion of a loan obtained through a federal coronavirus
26 relief package for business assistance or any New York state business
27 assistance programs.

28 6. Application and approval process. (a) An eligible micro-business or
29 small business shall submit a complete application in a form and manner
30 prescribed by the corporation.

31 (b) The corporation shall establish the procedures and time period for
32 micro-businesses and small businesses to submit applications to the
33 program. As part of the application each micro-business and small busi-
34 ness shall provide sufficient documentation in a manner prescribed by
35 the corporation to demonstrate hardship, and prevent fraud, waste, and
36 abuse.

37 7. Technical assistance and outreach. The corporation may offer or
38 make available to all applicants, regardless of approval status, direct
39 or indirect access to financial and business planning, legal consulta-
40 tion, language assistance services, mentoring services for post-pandemic
41 planning, reopening planning assistance and other assistance and support
42 as determined by the corporation. Assistance, support, outreach and
43 other services may be provided by or through partner organizations,
44 including but not limited to chambers of commerce, local business devel-
45 opment corporations, trade associations and other community organiza-
46 tions that have expertise and background in providing technical assist-
47 ance, at the discretion of the corporation.

48 8. Reporting. The corporation, on a quarterly basis beginning Septem-
49 ber 30, 2022, and ending when all program funds are expended, shall
50 submit a separate and distinct report to the governor, the temporary
51 president of the senate, and the speaker of the assembly setting forth
52 the activities undertaken by the program. Such quarterly report shall
53 include, but need not be limited to: the number of applicants and their
54 county locations; the number of applicants approved by the program and
55 their county location; the total amount of grants awarded, and the
56 average amount of such grants awarded; and such other information as the

1 corporation determines necessary and appropriate. Such report shall
2 be included on the corporation's website and any other publicly accessi-
3 ble state database that list economic development programs, as deter-
4 mined by the commissioner. Such reporting may be incorporated as part of
5 any reporting required under section sixteen-ff of this act.

6 § 2. This act shall take effect immediately.

7

PART DD

8 Section 1. Section 2 of chapter 584 of the laws of 2011, amending the
9 public authorities law relating to the powers and duties of the dormito-
10 ry authority of the state of New York relative to the establishment of
11 subsidiaries for certain purposes, as amended by section 1 of part CC of
12 chapter 58 of the laws of 2020, is amended to read as follows:

13 § 2. This act shall take effect immediately and shall expire and be
14 deemed repealed on July 1, [2022] 2025; provided however, that the expi-
15 ration of this act shall not impair or otherwise affect any of the
16 powers, duties, responsibilities, functions, rights or liabilities of
17 any subsidiary duly created pursuant to subdivision twenty-five of
18 section 1678 of the public authorities law prior to such expiration.

19 § 2. This act shall take effect immediately.

20

PART EE

21

Intentionally Omitted

22

PART FF

23

Intentionally Omitted

24

PART GG

25 Section 1. Paragraph (b) of subdivision 2 of section 1676 of the
26 public authorities law is amended by adding a new undesignated paragraph
27 to read as follows:

28 Any recipient of loans or grants awarded pursuant to the downtown
29 revitalization program designed and executed by the department of state
30 and the division of housing and community renewal for transformative
31 housing, economic development, transportation, and community projects,
32 provided that construction for each capital project undertaken pursuant
33 to this paragraph shall be deemed a "public work" to be performed
34 in accordance with the provisions of article eight of the labor law, as
35 well as subject to sections two hundred, two hundred forty, two hundred
36 forty-one and two hundred forty-two of the labor law and enforce-
37 ment of prevailing wage requirements by the New York state department
38 of labor and if otherwise applicable, capital projects undertaken by
39 the authorized state entities pursuant to this paragraph shall be
40 subject to section one hundred thirty-five of the state finance law and
41 section two hundred twenty-two of the labor law.

42 § 2. Subdivision 1 of section 1680 of the public authorities law is
43 amended by adding a new undesignated paragraph to read as follows:

44 Any recipient of loans or grants awarded pursuant to the downtown
45 revitalization program designed and executed by the department of state
46 and the division of housing and community renewal for transformative

1 housing, economic development, transportation, and community projects,
2 provided that construction for each capital project undertaken pursuant
3 to this paragraph shall be deemed a "public work" to be performed
4 in accordance with the provisions of article eight of the labor law, as
5 well as subject to sections two hundred, two hundred forty, two hundred
6 forty-one and two hundred forty-two of the labor law and enforce-
7 ment of prevailing wage requirements by the New York state department
8 of labor and if otherwise applicable, capital projects undertaken by
9 the authorized state entities pursuant to this paragraph shall be
10 subject to section one hundred thirty-five of the state finance law and
11 section two hundred twenty-two of the labor law.

12 § 3. This act shall take effect immediately.

13 PART HH

14 Intentionally Omitted

15 PART II

16 Section 1. Section 99-ii of the state finance law is amended by adding
17 a new subdivision 2-a to read as follows:

18 2-a. Revenues deposited into this fund pursuant to section fifteen of
19 the cannabis law shall first be used to reimburse the state for any
20 funds deposited into this fund from the state general fund and used to
21 support expenditures authorized under paragraph (c) of subdivision three
22 of this section.

23 § 2. Subparagraph (c) of subdivision 3 of section 99-ii of the state
24 finance law, as added by chapter 92 of the laws of 2021, is amended and
25 two new subparagraphs (c-1) and (c-2) are added to read as follows:

26 (c) Actual and necessary costs incurred by the office of cannabis
27 management and the cannabis control board, and the urban development
28 corporation, related to the administration of incubators and other
29 assistance to qualified social and economic equity applicants including
30 the administration, capitalization, and provision of low and zero inter-
31 est loans to such applicants pursuant to section sixteen-ee of the urban
32 development corporation act[. Such] and the funding of, whether directly
33 or indirectly by investment in a private debt or equity fund formed for
34 the limited purpose of funding the fixed capital costs associated with
35 establishing adult-use cannabis retail dispensaries for operation by
36 social and economic equity applicants duly licensed pursuant to article
37 four of the cannabis law. Such fixed capital costs shall include, but
38 are not limited to, all costs related to the acquisition, leasing,
39 purchasing, planning, design, construction, reconstruction, rehabili-
40 tation, improvement, furnishing, or equipping of such adult-use cannabis
41 retail dispensaries, whether such work has been undertaken or costs for
42 such work incurred by (i) the office of cannabis management and the
43 cannabis control board, (ii) the dormitory authority of the state of New
44 York, or any subsidiary thereof, under agreement with the office of
45 cannabis management and the cannabis control board, or with the private
46 debt or equity fund formed for the limited purpose of funding the fixed
47 capital costs associated with establishing such adult-use cannabis
48 retail dispensaries, or (iii) the private debt or equity fund formed for
49 the limited purpose of funding the fixed capital costs associated with
50 establishing such adult-use cannabis retail dispensaries. Payments for
51 the fixed capital costs to establish such adult-use cannabis retail

1 dispensaries, including any investment in a private debt or equity fund
2 formed for the limited purpose of funding such fixed capital costs, and
3 any repayments of these amounts may be deposited in the New York state
4 cannabis revenue fund or the general fund of the state. All above
5 referenced costs shall be paid out of revenues received, including, but
6 not limited to, from special one-time fees paid by registered organiza-
7 tions pursuant to section sixty-three of the cannabis law.

8 (c-1) Provided that the private debt or equity fund is formed pursuant
9 to subparagraph (c) of this subdivision, a public policy advisory
10 committee shall be created to oversee such fund. The advisory committee
11 shall be comprised of individuals with expertise in the cannabis indus-
12 try, social and economic justice investing, and other relevant fields of
13 experience. The committee members shall be appointed as follows: at
14 least two members shall be appointed upon the recommendation of the
15 governor, at least two members shall be appointed upon the recommenda-
16 tion of the speaker of the assembly, at least two members shall be
17 appointed upon the recommendation of the temporary president of the
18 senate and at least one member shall be appointed upon the recommenda-
19 tion of the comptroller. The committee shall be comprised of a majority
20 of appointments recommended by the government entities in the foregoing
21 sentence and shall be increased proportionately as may be necessary. The
22 duties of the committee shall include, but not be limited to, the
23 approval of the establishment, management and liquidation of investments
24 by the fund and providing general advice and guidance to ensure adher-
25 ence to the public purpose of the fund including providing social and
26 economic equity adult-use cannabis retail dispensary licensees with
27 commercially viable retail operations.

28 (c-2) Provided that the private debt or equity fund is formed pursuant
29 to subparagraph (c) of this subdivision the dormitory authority of the
30 state of New York shall prepare a quarterly report beginning on Septem-
31 ber thirtieth, two thousand twenty-two, and quarterly thereafter,
32 provided that such report shall include, but not be limited to: the
33 number of adult-use cannabis retail dispensaries assisted by the author-
34 ity pursuant to this subdivision; the geographic distribution of sites
35 prepared by the dormitory authority for adult-use cannabis retail
36 dispensaries for operation by licensed social and economic equity busi-
37 nesses; the number of social and economic equity applicants that applied
38 for use or operation of an adult-use cannabis retail dispensary but were
39 not approved by the authority for such use or operation pursuant to this
40 chapter and information about such disapprovals; and other such data and
41 information, including information about subsidiaries created pursuant
42 to subdivision thirty-one of section sixteen hundred seventy-eight of
43 the public authorities law; provided further that such report shall be
44 published on the dormitory authority's website and presented to the
45 governor, the majority leader of the senate and the speaker of the
46 assembly, no later than September thirtieth, two thousand twenty-two and
47 quarterly thereafter.

48 § 3. Section 1678 of the public authorities law is amended by adding
49 two new subdivisions 30 and 31 to read as follows:

50 30. To enter into one or more agreements with the office of cannabis
51 management, the cannabis control board, or any private debt or equity
52 fund, in which the state or any state agency, public authority, public
53 benefit corporation, or division thereof has invested and is formed for
54 the limited purpose of funding the fixed capital costs associated with
55 establishing adult-use cannabis retail dispensaries for operation by



1 social and economic equity applicants duly licensed pursuant to article
2 four of the cannabis law, for the following purposes:

3 (a) To acquire by purchase, condemnation, gift, devise, lease, or
4 other agreement such real property or an interest therein as may be
5 necessary or convenient for the acquisition, construction, recon-
6 struction, rehabilitation, improvement, or provision of adult-use canna-
7 bis retail dispensaries for operation by social and economic equity
8 licensees;

9 (b) To prepare or cause to be prepared plans, specifications, designs,
10 and estimates of costs for the design, construction, reconstruction,
11 rehabilitation, improvement, furnishing or equipping of adult-use canna-
12 bis retail dispensaries for operation by social and economic equity
13 licensees;

14 (c) To design, construct, reconstruct, rehabilitate, or improve
15 adult-use cannabis retail dispensaries for operation by social and
16 economic equity licensees and to enter into contracts to cause such
17 facilities to be designed, constructed, reconstructed, rehabilitated,
18 improved, furnished, or equipped;

19 (d) To enter, as lessor or as agent for the lessor, into leases,
20 subleases, or other agreements with the social and economic equity
21 licensees operating the adult-use cannabis retail dispensaries;

22 (e) To enter, as lender or as agent for the lender, into loan or other
23 agreements with the social and economic equity licensees operating the
24 adult-use cannabis retail dispensaries; and

25 (f) To sell, convey, lease, sublease or otherwise transfer any real
26 property or interest therein held by the authority to any person, firm,
27 association, corporation, or agency, including a public body, for the
28 purpose of constructing an adult-use cannabis retail dispensary,
29 provided that, simultaneously therewith, the authority enters into an
30 agreement for the reconveyance, purchase, lease, sublease, or other
31 acquisition of such dispensary.

32 31. (a) To form one or more subsidiaries for the purpose of limiting
33 the potential liability of the authority when exercising the powers and
34 duties conferred upon the authority by subdivision thirty of this
35 section in connection with certain work performed on behalf of the
36 office of cannabis management, the cannabis control board, or any
37 private debt or equity fund in which the state or any state agency,
38 public authority, public benefit corporation, or division thereof has
39 invested and is formed for the limited purpose of funding the fixed
40 capital costs associated with establishing adult-use cannabis retail
41 dispensaries for operation by social and economic equity applicants duly
42 licensed pursuant to article four of the cannabis law. Such subsidiary
43 created pursuant to this subdivision may exercise and perform one or
44 more of the purposes, powers, duties, functions, rights and responsibil-
45 ities of the authority other than the issuance of indebtedness, in
46 connection with real and personal property with respect to which the
47 authority holds title or a leasehold interest including, but not limited
48 to: (i) bidding for, taking, holding, selling, conveying, assigning or
49 transferring title to such property; (ii) entering into leases,
50 subleases, or other arrangements with regard to such property and acting
51 in a manner consistent with the rights, obligations or responsibilities
52 of the owner, landlord or tenant of such property pursuant to such lease
53 or sublease agreements; (iii) servicing loan payments; (iv) furnishing
54 property management services; and (v) providing general operational and
55 administrative support services.



1 (b) Such subsidiary authorized by paragraph (a) of this subdivision
2 shall be established in the form of a public benefit corporation by
3 executing and filing with the secretary of state a certificate of incor-
4 poration which shall identify the authority as the entity organizing
5 such subsidiary and set forth the name of such subsidiary public benefit
6 corporation, its duration, the location of its principal office and its
7 corporate purposes as provided in this subdivision and which certificate
8 may be amended from time to time by the filing of amendments thereto
9 with the secretary of state. Such subsidiary shall be organized as a
10 public benefit corporation, shall be a body politic and corporate, and
11 shall have all the privileges, immunities, tax exemptions and other
12 exemptions of the authority. The members of such subsidiary shall be the
13 same as the members of the authority and the provisions of subdivision
14 two of section sixteen hundred ninety-one of this title shall in all
15 respects apply to such members when acting in such capacity.

16 (c) Nothing in this subdivision shall be construed to impose any
17 liabilities, obligations, or responsibilities of such subsidiary upon
18 the authority and the authority shall have no liability or responsibil-
19 ity therefor unless the authority expressly agrees to assume the same.

20 (d) Such subsidiary created pursuant to this subdivision shall be
21 subject to any other provision of this chapter pertaining to subsid-
22 iaries of public authorities.

23 § 4. Paragraph (b) of subdivision 2 of section 1676 of the public
24 authorities law is amended by adding three undesignated paragraphs to
25 read as follows:

26 the office of cannabis management.

27 the cannabis control board.

28 any private debt or equity fund in which the state or any state agen-
29 cy, public authority or public benefit corporation, or division thereof,
30 has invested and is formed for the limited purpose of funding the fixed
31 capital costs associated with establishing adult-use cannabis retail
32 dispensaries for operation by social and economic equity applicants duly
33 licensed pursuant to article four of the cannabis law.

34 § 5. Subdivision 1 of section 1680 of the public authorities law is
35 amended by adding three undesignated paragraphs to read as follows:

36 the office of cannabis management.

37 the cannabis control board.

38 any private debt or equity fund in which the state or any agency,
39 authority or division thereof has invested and is formed for the limited
40 purpose of funding the fixed capital costs associated with establishing
41 adult-use cannabis retail dispensaries for operation by social and
42 economic equity applicants, duly licensed pursuant to article four of
43 the cannabis law.

44 § 6. This act shall take effect immediately.

45 PART JJ

46 Section 1. Subdivision 24-e of section 10 of the highway law is
47 REPEALED.

48 § 2. Section 7 of the transportation corporations law is REPEALED.

49 § 3. This act shall take effect immediately.

50 PART KK

51 Intentionally Omitted



1

PART LL

2

Intentionally Omitted

3

PART MM

4 Section 1. Subdivision 1 and the opening paragraph of subdivision 2 of
5 section 27-1905 of the environmental conservation law, as amended by
6 section 1 of part E of chapter 58 of the laws of 2019, are amended to
7 read as follows:

8 1. Until December thirty-first, two thousand [twenty-two] twenty-five,
9 accept from a customer, waste tires of approximately the same size and
10 in a quantity equal to the number of new tires purchased or installed by
11 the customer; and

12 Until December thirty-first, two thousand [twenty-two] twenty-five,
13 post written notice in a prominent location, which must be at least
14 eight and one-half inches by fourteen inches in size and contain the
15 following language:

16 § 2. Subdivisions 1, 2, 3 and paragraph (a) of subdivision 6 of
17 section 27-1913 of the environmental conservation law, as amended by
18 section 2 of part E of chapter 58 of the laws of 2019, are amended to
19 read as follows:

20 1. Until December thirty-first, two thousand [twenty-two] twenty-five,
21 a waste tire management and recycling fee of two dollars and fifty cents
22 shall be charged on each new tire sold. The fee shall be paid by the
23 purchaser to the tire service at the time the new tire or new motor
24 vehicle is purchased.

25 The waste tire management and recycling fee does not apply to:

26 (a) recapped or resold tires;

27 (b) mail-order sales; or

28 (c) the sale of new motor vehicle tires to a person solely for the
29 purpose of resale provided the subsequent retail sale in this state is
30 subject to such fee.

31 2. Until December thirty-first, two thousand [twenty-two] twenty-five,
32 the tire service shall collect the waste tire management and recycling
33 fee from the purchaser at the time of the sale and shall remit such fee
34 to the department of taxation and finance with the quarterly report
35 filed pursuant to subdivision three of this section.

36 (a) The fee imposed shall be stated as an invoice item separate and
37 distinct from the selling price of the tire.

38 (b) The tire service shall be entitled to retain an allowance of twen-
39 ty-five cents per tire from fees collected.

40 3. Until March thirty-first, two thousand [twenty-three] twenty-six,
41 each tire service maintaining a place of business in this state shall
42 make a return to the department of taxation and finance on a quarterly
43 basis, with the return for December, January, and February being due on
44 or before the immediately following March thirty-first; the return for
45 March, April, and May being due on or before the immediately following
46 June thirtieth; the return for June, July, and August being due on or
47 before the immediately following September thirtieth; and the return for
48 September, October, and November being due on or before the immediately
49 following December thirty-first.

50 (a) Each return shall include:

51 (i) the name of the tire service;

52 (ii) the address of the tire service's principal place of business and
53 the address of the principal place of business (if that is a different



1 address) from which the tire service engages in the business of making
2 retail sales of tires;

3 (iii) the name and signature of the person preparing the return;

4 (iv) the total number of new tires sold at retail for the preceding
5 quarter and the total number of new tires placed on motor vehicles prior
6 to original retail sale;

7 (v) the amount of waste tire management and recycling fees due; and

8 (vi) such other reasonable information as the department of taxation
9 and finance may require.

10 (b) Copies of each report shall be retained by the tire service for
11 three years.

12 If a tire service ceases business, it shall file a final return and
13 remit all fees due under this title with the department of taxation and
14 finance not more than one month after discontinuing that business.

15 (a) Until December thirty-first, two thousand [twenty-two]
16 twenty-five, any additional waste tire management and recycling costs of
17 the tire service in excess of the amount authorized to be retained
18 pursuant to paragraph (b) of subdivision two of this section may be
19 included in the published selling price of the new tire, or charged as a
20 separate per-tire charge on each new tire sold. When such costs are
21 charged as a separate per-tire charge: (i) such charge shall be stated
22 as an invoice item separate and distinct from the selling price of the
23 tire; (ii) the invoice shall state that the charge is imposed at the
24 sole discretion of the tire service; and (iii) the amount of such charge
25 shall reflect the actual cost to the tire service for the management and
26 recycling of waste tires accepted by the tire service pursuant to
27 section 27-1905 of this title, provided however, that in no event shall
28 such charge exceed two dollars and fifty cents on each new tire sold.

29 § 3. Subdivision 3 of section 27-1913 of the environmental conserva-
30 tion law, as amended by section two of this act, is amended to read as
31 follows:

32 3. [Each] Until March thirty-first, two thousand twenty-six, each tire
33 service maintaining a place of business in this state shall make a
34 return to the department of taxation and finance [on a quarterly basis,
35 with the return for December, January, and February being due on or
36 before the immediately following March thirty-first; the return for
37 March, April, and May being due on or before the immediately following
38 June thirtieth; the return for June, July, and August being due on or
39 before the immediately following September thirtieth; and the return for
40 September, October, and November being due on or before the immediately
41 following December thirty-first.

42 (a) Each return shall include:

43 (i) the name of the tire service;

44 (ii) the address of the tire service's principal place of business and
45 the address of the principal place of business (if that is a different
46 address) from which the tire service engages in the business of making
47 retail sales of tires;

48 (iii) the name and signature of the person preparing the return;

49 (iv) the total number of new tires sold at retail for the preceding
50 quarter and the total number of new tires placed on motor vehicles prior
51 to original retail sale;

52 (v) the amount of waste tire management and recycling fees due; and

53 (vi) such other reasonable information as the department of taxation
54 and finance may require.

55 (b) Copies of each report shall be retained by the tire service for
56 three years.

1 If a tire service ceases business, it shall file a final return and
2 remit all fees due under this title with the department of taxation and
3 finance not more than one month after discontinuing that business] on
4 such form and including such information as the commissioner of taxation
5 and finance may require. Such returns shall be due at the same time and
6 for the same periods as the sales tax return of such tire service, in
7 accordance with section eleven hundred thirty-six of the tax law, and
8 payment of all fees due for such periods shall be remitted with such
9 returns.

10 § 4. Subdivision 5 of section 27-1913 of the environmental conserva-
11 tion law, as added by section 2 of part E of chapter 686 of the laws of
12 2003, is amended to read as follows:

13 5. (a) The provisions of article [twenty-seven] twenty-eight of the
14 tax law, including the provisions relating to definitions, exemptions,
15 returns, personal liability for the tax, collection of tax from the
16 customer, payment of tax and the administration of the tax imposed,
17 shall apply to the provisions of this section in the same manner and
18 with the same force and effect as if the language of such article had
19 been incorporated in full into this section and had expressly referred
20 to the fee under this section, except to the extent that any provision
21 of such article is either inconsistent with a provision of this section
22 or is not relevant to this section. For purposes of this section, any
23 reference to a tax or the taxes imposed by article twenty-eight of the
24 tax law shall be deemed also to refer to the waste tire management and
25 recycling fee imposed under the authority of this section unless a
26 different meaning is clearly required.

27 (b) Notwithstanding the provisions of paragraph (a) of this subdivi-
28 sion, the exemptions provided in section eleven hundred sixteen of the
29 tax law shall not apply to this section except with respect to the enti-
30 ties described in paragraphs one, two, three and six of subdivision (a)
31 of such section.

32 § 5. This act shall take effect immediately; provided that sections
33 three and four of this act shall take effect on March 1, 2023; provided,
34 further, that the return for the quarterly period ending on the last day
35 of February, 2023 shall be due March 31, 2023, and any fees required to
36 be collected and paid for such period must be remitted with such return.

37 PART NN

38 Section 1. Sections 1, 2, and 3 of section 1 and section 2 of part TT
39 of chapter 59 of the laws of 2021 authorizing the creation of state debt
40 in the amount of three billion dollars, in relation to creating the
41 environmental bond act of 2022 "restore mother nature" for the purposes
42 of environmental improvements that preserve, enhance, and restore New
43 York's natural resources and reduce the impact of climate change; and
44 providing for the submission to the people of a proposition or question
45 therefor to be voted upon at the general election to be held in Novem-
46 ber, 2022, are amended to read as follows:

47 § 1. Short title. This act shall be known and may be cited as the
48 "clean water, clean air, and green jobs environmental bond act of 2022
49 [restore mother nature]".

50 § 2. Creation of state debt. The creation of state debt in an amount
51 not exceeding in the aggregate [three] five billion dollars
52 [(\$3,000,000,000)] (\$5,000,000,000) is hereby authorized to provide
53 moneys for the single purpose of making environmental improvements that
54 preserve, enhance, and restore New York's natural resources and reduce

1 the impact of climate change by funding capital projects for: restora-
 2 tion and flood risk reduction not less than one billion dollars
 3 (\$1,000,000,000); open space land conservation and recreation up to
 4 [five] six hundred fifty million dollars [(\$550,000,000)]
 5 (\$650,000,000); climate change mitigation up to two billion seven
 6 hundred million dollars [(\$700,000,000)] (\$2,700,000,000); and, water
 7 quality improvement and resilient infrastructure not less than [five]
 8 six hundred fifty million dollars [(\$550,000,000)] (\$650,000,000).

9 § 3. Bonds of the state. The state comptroller is hereby authorized
 10 and empowered to issue and sell bonds of the state up to the aggregate
 11 amount of [three] five billion dollars [(\$3,000,000,000)]
 12 (\$5,000,000,000) for the purposes of this act, subject to the provisions
 13 of article 5 of the state finance law. The aggregate principal amount of
 14 such bonds shall not exceed [three] five billion dollars
 15 [(\$3,000,000,000)] (\$5,000,000,000) excluding bonds issued to refund or
 16 otherwise repay bonds heretofore issued for such purpose; provided,
 17 however, that upon any such refunding or repayment, the total aggregate
 18 principal amount of outstanding bonds may be greater than [three] five
 19 billion dollars [(\$3,000,000,000)] (\$5,000,000,000) only if the present
 20 value of the aggregate debt service of the refunding or repayment bonds
 21 to be issued shall not exceed the present value of the aggregate debt
 22 service of the bonds to be refunded or repaid. The method for calculat-
 23 ing present value shall be determined by law.

24 § 2. This act shall take effect immediately, provided that the
 25 provisions of section one of this act shall not take effect unless and
 26 until this act shall have been submitted to the people at the general
 27 election to be held in November 2022 and shall have been approved by a
 28 majority of all votes cast for and against it at such general election.
 29 Upon approval by the people, section one of this act shall take effect
 30 immediately. The ballots to be furnished for the use of voters upon
 31 submission of this act shall be in the form prescribed by the election
 32 law and the proposition or question to be submitted shall be printed
 33 thereon in the following form, namely "To address and combat the impact
 34 of climate change and damage to the environment, the "Clean Water, Clean
 35 Air, and Green Jobs Environmental Bond Act of 2022 ["Restore Mother
 36 Nature]" authorizes the sale of state bonds up to [three] five billion
 37 dollars to fund environmental protection, natural restoration, resilien-
 38 cy, and clean energy projects. Shall the Environmental Bond Act of 2022
 39 be approved?".

40 § 2. This act shall take effect immediately.

41

PART OO

42 Section 1. The article heading of article 58 of the environmental
 43 conservation law, as added by section 1 of part UU of chapter 59 of the
 44 laws of 2021, is amended to read as follows:

45 IMPLEMENTATION OF THE ENVIRONMENTAL BOND ACT OF 2022 "[RESTORE MOTHER
 46 NATURE] CLEAN WATER, CLEAN AIR, AND GREEN JOBS"

47 § 2. Subdivision 1 of section 58-0101 of the environmental conserva-
 48 tion law, as added by section 1 of part UU of chapter 59 of the laws of
 49 2021, is amended and two new subdivisions 16 and 17 are added to read as
 50 follows:

51 1. "Bonds" shall mean general obligation bonds issued pursuant to the
 52 environmental bond act of 2022 "[restore mother nature] clean water,



1 clean air, and green jobs" in accordance with article VII of the New
2 York state constitution and article five of the state finance law.

3 16. "Prevailing wage" for the purposes of this article, means compli-
4 ance with section two hundred twenty and article eight of the labor law,
5 in addition to section two hundred thirty-one and article nine of the
6 labor law.

7 17. "Project Labor Agreement" for purposes of this article means a
8 pre-hire collective bargaining agreement with a bona fide building and
9 construction trade labor organization establishing the labor organiza-
10 tion as the collective bargaining representative for all persons who
11 will perform construction work on a project associated with this arti-
12 cle, and which provides that only contractors and subcontractors who
13 sign a pre-negotiated agreement with the labor organization can perform
14 project work.

15 § 3. Section 58-0103 of the environmental conservation law, as added
16 by section 1 of part UU of chapter 59 of the laws of 2021, is amended to
17 read as follows:

18 § 58-0103. Allocation of moneys.

19 The moneys received by the state from the sale of bonds pursuant to
20 the environmental bond act of 2022 shall be disbursed in the following
21 amounts pursuant to appropriations as specifically provided for in
22 titles three, five, seven, and nine of this article:

23 1. Not less than one billion dollars (\$1,000,000,000) for restoration
24 and flood risk reduction as set forth in title three of this article.

25 2. Up to [five] six hundred fifty million dollars [(\$550,000,000)]
26 (\$650,000,000) for open space land conservation and recreation as set
27 forth in title five of this article.

28 3. Up to two billion seven hundred million dollars [(\$700,000,000)]
29 (\$2,700,000,000) for climate change mitigation as set forth in title
30 seven of this article.

31 4. Not less than [five] six hundred fifty million dollars
32 [(\$550,000,000)] (\$650,000,000) for water quality improvement and resil-
33 ient infrastructure as set forth in title nine of this article.

34 § 4. Subdivision 1 of section 58-0105 of the environmental conserva-
35 tion law, as added by section 1 of part UU of chapter 59 of the laws of
36 2021, is amended to read as follows:

37 1. Administer funds generated pursuant to the environmental bond act
38 of 2022 "[restore mother nature] clean water, clean air, and green
39 jobs".

40 § 5. Intentionally Omitted.

41 § 6. Section 58-0501 of the environmental conservation law, as added
42 by section 1 of part UU of chapter 59 of the laws of 2021, is amended to
43 read as follows:

44 § 58-0501. Allocation of moneys.

45 Of the moneys received by the state from the sale of bonds pursuant to
46 the environmental bond act of 2022 to be used for open space land
47 conservation and recreation projects, up to [five] six hundred fifty
48 million dollars [(\$550,000,000)] (\$650,000,000) shall be available for
49 programs, plans, and projects developed pursuant to section 58-0503 of
50 this title, however, not more than seventy-five million dollars
51 (\$75,000,000) shall be made available for the creation of a fish hatch-
52 ery, or the improvement, expansion, repair or maintenance of existing
53 fish hatcheries, not less than [two] three hundred fifty million dollars
54 [(\$200,000,000)] (\$350,000,000) shall be made available for open space
55 land conservation projects pursuant to paragraph a of subdivision one of
56 section 58-0503 of this title and not less than [one] two hundred

1 million dollars [(\$100,000,000)] (\$200,000,000) shall be made available
2 for farmland protection pursuant to paragraph b of subdivision one of
3 section 58-0503 of this title.

4 § 7. Section 58-0701 of the environmental conservation law, as added
5 by section 1 of part UU of chapter 59 of the laws of 2021, is amended to
6 read as follows:

7 § 58-0701. Allocation of moneys.

8 Of the moneys received by the state from the sale of bonds pursuant to
9 the environmental bond act of 2022, up to two billion seven hundred
10 million dollars [(\$700,000,000)] (\$2,700,000,000) shall be made avail-
11 able for disbursements for climate change mitigation projects developed
12 pursuant to section 58-0703 of this title. Not less than [three] eight
13 hundred fifty million dollars [(\$350,000,000)] (\$850,000,000) of this
14 amount shall be available for green buildings projects, up to fifty
15 million dollars (\$50,000,000) shall be available for urban forestry
16 projects pursuant to paragraph d of subdivision one of section 58-0703
17 of this title, not less than two hundred million dollars (\$200,000,000)
18 for projects to reduce urban heat island effect, pursuant to paragraph e
19 of subdivision one of section 58-0703 of this title, not less than three
20 hundred million dollars (\$300,000,000) for projects to reduce or elimi-
21 nate air pollution affecting environmental justice communities pursuant
22 to paragraph f of subdivision one of section 58-0703 of this title, not
23 less than two hundred fifty million dollars (\$250,000,000) for projects
24 to reduce or eliminate water pollution affecting environmental justice
25 communities pursuant to paragraph g of subdivision one of section
26 58-0703 of this title, and up to four hundred fifty million dollars
27 (\$450,000,000) for costs associated with implementing climate
28 adaptation and mitigation projects pursuant to paragraph c of subdivi-
29 sion one of section 58-0703 of this title.

30 § 8. Section 58-0901 of the environmental conservation law, as added
31 by section 1 of part UU of chapter 59 of the laws of 2021, is amended to
32 read as follows:

33 § 58-0901. Allocation of moneys.

34 Of the moneys received by the state from the sale of bonds pursuant to
35 the environmental bond act of 2022 for disbursements for state assist-
36 ance for water quality improvement projects as defined by title one of
37 this article, not less than [five] six hundred fifty million dollars
38 [(\$550,000,000)] (\$650,000,000) shall be available for water quality
39 improvement projects developed pursuant to section 58-0903 of this
40 title. Not less than two hundred million dollars (\$200,000,000) of this
41 amount shall be available for wastewater infrastructure projects under-
42 taken pursuant to the New York state water infrastructure improvement
43 act of 2017 pursuant to paragraph e of subdivision one of section
44 58-0903 of this title, and not less than [one] two hundred fifty million
45 dollars [(\$100,000,000)] (\$250,000,000) shall be available for municipal
46 stormwater projects pursuant to paragraph a of subdivision one of
47 section 58-0903 of this title.

48 § 8-a. The title heading of title 11 of article 58 of the environ-
49 mental conservation law, as added by section 1 of part UU of chapter 59
50 of the laws of 2021, is amended to read as follows:

51 ENVIRONMENTAL JUSTICE, GREEN JOBS AND REPORTING

52 § 8-b. Section 58-1101 of the environmental conservation law, as added
53 by section 1 of part UU of chapter 59 of the laws of 2021, is amended to
54 read as follows:

55 § 58-1101. Benefits of funds.

1 1. The department shall make every effort practicable to ensure that
2 thirty-five percent of the funds pursuant to this article benefit envi-
3 ronmental justice communities.

4 2. All projects associated with funds allocated pursuant to this arti-
5 cle shall require compliance with prevailing wage.

6 3. All projects associated with funds allocated pursuant to this
7 article shall require use of apprenticeship agreements as defined by
8 article twenty-three of the labor law.

9 4. (a) Any state entity or municipality receiving at least five
10 million dollars from funds allocated pursuant to this article for a
11 project which involves the construction, reconstruction, alteration,
12 maintenance, moving, demolition, excavation, development or other
13 improvement of any building, structure or land, shall be subject to
14 section two hundred twenty-two of the labor law.

15 (b) Any privately owned project which receives funds allocated pursu-
16 ant to this article and which utilizes a project labor agreement on such
17 project will not be subject to any requirements to comply with article
18 eight the of labor law, as provided by subdivision two of this section.

19 5. If determined applicable, a municipality or state entity may
20 require that the private owner of a project, or a third party acting on
21 the owner's behalf, as a condition of any state assistance payment, as
22 defined by this article, shall stipulate that it will enter into a labor
23 peace agreement with at least one bona fide labor organization either
24 where such bona fide labor organization is actively representing non-
25 construction employees or upon notice by a bona fide labor organization
26 that is attempting to represent non-construction employees. For
27 purposes of this section "labor peace agreement" means an agreement
28 between an entity and labor organization that, at a minimum, protects
29 the state's proprietary interests by prohibiting labor organizations
30 and members from engaging in picketing, work stoppages, boycotts,
31 and any other economic interference.

32 6. (a) Any municipality or state entity, in each contract for
33 construction, reconstruction, alteration, repair, improvement or mainte-
34 nance of a covered project under this article, or a third party acting
35 on behalf and for the benefit of the municipality or state entity, the
36 "public work" for the purposes of this subdivision, shall ensure that
37 such contract shall contain a provision that the iron and structural
38 steel used or supplied in the performance of the contract or any subcon-
39 tract thereto and that is permanently incorporated into the public
40 work, shall be produced or made in whole or substantial part in the
41 United States, its territories or possessions. In the case of a
42 structural iron or structural steel product all manufacturing must
43 take place in the United States, from the initial melting stage through
44 the application of coatings, except metallurgical processes involving
45 the refinement of steel additives. For the purposes of this subdivi-
46 sion, "permanently incorporated" shall mean an iron or steel product
47 that is required to remain in place at the end of the project contract,
48 in a fixed location, affixed to the public work to which it was incor-
49 porated. Iron and steel products that are capable of being moved from
50 one location to another are not permanently incorporated into a public
51 work.

52 (b) The provisions of paragraph (a) of this subdivision shall not
53 apply if the head of the department or agency constructing the public
54 work, in his or her sole discretion, determines that the provisions
55 would not be in the public interest, would result in unreasonable costs,
56 or that obtaining such steel or iron in the United States would increase

1 the cost of the contract by an unreasonable amount, or such iron or
2 steel, including without limitation structural iron and structural steel
3 cannot be produced or made in the United States in sufficient and
4 reasonably available quantities and of satisfactory quality. The head of
5 the department or agency constructing the public works shall include
6 this determination in an advertisement or solicitation of a request for
7 proposal, invitation for bid, or solicitation of proposal, or any other
8 method provided for by law or regulation for soliciting a response from
9 offerors intending to result in a contract pursuant to this subdivision.
10 The provisions of paragraph (a) of this subdivision shall not apply for
11 equipment purchased prior to the effective date of this chapter.

12 § 9. Subdivision 1 of section 58-1103 of the environmental conserva-
13 tion law, as added by section 1 of part UU of chapter 59 of the laws of
14 2021, is amended to read as follows:

15 1. No later than sixty days following the end of each fiscal year,
16 each department, agency, public benefit corporation, and public authori-
17 ty receiving an allocation or allocations of appropriation financed from
18 the [restore mother nature] clean water, clean air, and green jobs envi-
19 ronmental bond act of 2022 shall submit to the commissioner in a manner
20 and form prescribed by the department, the following information as of
21 March thirty-first of such fiscal year, within each category listed in
22 this title: the total appropriation; total commitments; year-to-date
23 disbursements; remaining uncommitted balances; and a description of each
24 project.

25 § 10. Section 97-tttt of the state finance law, as added by section 2
26 of part UU of chapter 59 of the laws of 2021, is amended to read as
27 follows:

28 § 97-tttt. [Restore mother nature] Clean water, clean air, and green
29 jobs bond fund. 1. There is hereby established in the joint custody of
30 the state comptroller and the commissioner of taxation and finance a
31 special fund to be known as the "[restore mother nature] clean water,
32 clean air, and green jobs bond fund".

33 2. The state comptroller shall deposit into the [restore mother
34 nature] clean water, clean air, and green jobs bond fund all moneys
35 received by the state from the sale of bonds and/or notes for uses
36 eligible pursuant to section four of the environmental bond act of 2022
37 "[restore mother nature] clean water, clean air, and green jobs".

38 3. Moneys in the [restore mother nature] clean water, clean air, and
39 green jobs bond fund, following appropriation by the legislature and
40 allocation by the director of the budget, shall be available only for
41 reimbursement of expenditures made from appropriations from the capital
42 projects fund for the purpose of the [restore mother nature] clean
43 water, clean air, and green jobs bond fund, as set forth in the environ-
44 mental bond act of 2022 "[restore mother nature] clean water, clean air,
45 and green jobs".

46 4. No moneys received by the state from the sale of bonds and/or notes
47 sold pursuant to the environmental bond act of 2022 "[restore mother
48 nature] clean water, clean air, and green jobs" shall be expended for
49 any project until funds therefor have been allocated pursuant to the
50 provisions of this section and copies of the appropriate certificates of
51 approval filed with the chair of the senate finance committee, the chair
52 of the assembly ways and means committee and the state comptroller.

53 § 11. Subdivision 32 of section 61 of the state finance law, as added
54 by section 3 of part UU of chapter 59 of the laws of 2021, is amended to
55 read as follows:

1 32. Thirty years. For the payment of "[restore mother nature] clean
2 water, clean air, and green jobs" projects, as defined in article
3 fifty-eight of the environmental conservation law and undertaken pursu-
4 ant to a chapter of the laws of two thousand twenty-one, enacting and
5 constituting the environmental bond act of 2022 "[restore mother nature]
6 clean water, clean air, and green jobs". Thirty years for flood control
7 infrastructure, other environmental infrastructure, wetland and other
8 habitat restoration, water quality projects, acquisition of land,
9 including acquisition of real property, and renewable energy projects.
10 Notwithstanding the foregoing, for the purposes of calculating annual
11 debt service, the state comptroller shall apply a weighted average peri-
12 od of probable life of [restore mother nature] clean water, clean air,
13 and green jobs projects, including any other works or purposes to be
14 financed with state debt. Weighted average period of probable life shall
15 be determined by computing the sum of the products derived from multi-
16 plying the dollar value of the portion of the debt contracted for each
17 work or purpose (or class of works or purposes) by the probable life of
18 such work or purpose (or class of works or purposes) and dividing the
19 resulting sum by the dollar value of the entire debt after taking into
20 consideration any original issue premium or discount.

21 § 12. Section 5 of part UU of chapter 59 of the laws of 2021 amending
22 the environmental conservation law and the state finance law relating to
23 the implementation of the environmental bond act of 2022 "restore mother
24 nature", is amended to read as follows:

25 § 5. This act shall take effect only in the event that section 1 of
26 part TT of the chapter of the laws of 2021 enacting the environmental
27 bond act of 2022 "[restore mother nature] clean water, clean air, and
28 green jobs" is submitted to the people at the general election to be
29 held in November 2022 and is approved by a majority of all votes cast
30 for and against it at such election. Upon such approval, this act shall
31 take effect immediately; provided that the commissioner of environmental
32 conservation shall notify the legislative bill drafting commission upon
33 the occurrence of the enactment of section 1 of part TT of the chapter
34 of the laws of 2021 enacting the environmental bond act of 2022
35 "[restore mother nature] clean water, clean air, and green jobs", in
36 order that the commission may maintain an accurate and timely effective
37 data base of the official text of the laws of the state of New York in
38 furtherance of effectuating the provisions of section 44 of the legisla-
39 tive law and section 70-b of the public officers law. Effective imme-
40 diately, the addition, amendment, and/or repeal of any rule or regu-
41 lation necessary for the implementation of the foregoing sections of
42 this act are authorized [and directed] to be made and completed on or
43 before such effective date.

44 § 13. This act shall take effect immediately; provided, however that
45 sections one, two, three, four, five, six, seven, eight, eight-a,
46 eight-b, nine, ten and eleven of this act shall take effect on the same
47 date and in the same manner as part UU of chapter 59 of the laws of
48 2021, takes effect.

49

PART PP

50 Section 1. Subdivision (a) of section 1421 of the tax law, as amended
51 by section 4 of part 000 of chapter 59 of the laws of 2019, is amended
52 to read as follows:

53 (a) From the taxes, interest and penalties attributable to the tax
54 imposed pursuant to section fourteen hundred two of this article, the

1 amount of one hundred ninety-nine million three hundred thousand dollars
2 shall be deposited by the comptroller in the environmental protection
3 fund established pursuant to section ninety-two-s of the state finance
4 law for the fiscal year beginning April first, two thousand nine; the
5 amount of one hundred nineteen million one hundred thousand dollars
6 shall be deposited in such fund for the fiscal year beginning April
7 first, two thousand ten; the amount of two hundred fifty-seven million
8 three hundred fifty thousand dollars shall be deposited into such fund
9 for the fiscal year beginning April first, two thousand twenty-two; and
10 for each fiscal year thereafter. On or before June twelfth, nineteen
11 hundred ninety-five and on or before the twelfth day of each month ther-
12 eafter (excepting the first and second months of each fiscal year), the
13 comptroller shall deposit into such fund from the taxes, interest, and
14 penalties collected pursuant to such section fourteen hundred two of
15 this article which have been deposited and remain to the comptroller's
16 credit in the banks, banking houses or trust companies referred to in
17 section one hundred seventy-one-a of this chapter at the close of busi-
18 ness on the last day of the preceding month, an amount equal to one-
19 tenth of the annual amount required to be deposited in such fund pursu-
20 ant to this section for the fiscal year in which such deposit is
21 required to be made. In the event such amount of taxes, interest and
22 penalties so remaining to the comptroller's credit is less than the
23 amount required to be deposited in such fund by the comptroller, an
24 amount equal to the shortfall shall be deposited in such fund by the
25 comptroller with subsequent deposits, as soon as the revenue is avail-
26 able. Beginning April first, nineteen hundred ninety-seven, the comp-
27 troller shall transfer monthly to the clean water/clean air fund estab-
28 lished pursuant to section ninety-seven-bbb of the state finance law,
29 all moneys remaining from such taxes, interest and penalties collected
30 that are not required for deposit in the environmental protection fund.
31 § 2. This act shall take effect immediately.

32 PART QQ
33 Intentionally Omitted

34 PART RR
35 Intentionally Omitted

36 PART SS
37 Intentionally Omitted

38 PART TT
39 Intentionally Omitted

40 PART UU
41 Intentionally Omitted

1

PART VV

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Intentionally Omitted

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PART WW

4 Section 1. Subdivision 3 of section 2251 of the vehicle and traffic
5 law, as amended by section 5 of part G of chapter 59 of the laws of
6 2009, is amended to read as follows:

7 3. Fees. The triennial fee for registration of a vessel shall be:
8 twenty-two dollars and fifty cents [and a vessel surcharge of three
9 dollars and seventy-five cents,] if less than sixteen feet in length;
10 forty-five dollars [and a vessel surcharge of twelve dollars and fifty
11 cents,] if sixteen feet or over but less than twenty-six feet in length;
12 seventy-five dollars [and a vessel surcharge of eighteen dollars and
13 seventy-five cents,] if twenty-six feet or over. [All funds derived from
14 the collection of the vessel access surcharge pursuant to this subdivi-
15 sion are to be deposited in a subaccount of the "I love NY waterways"
16 vessel access account established pursuant to section ninety-seven-
17 nn of the state finance law. The vessel access surcharge shall not be consid-
18 ered a registration fee for purposes of section seventy-nine-b of the
19 navigation law.

20 Notwithstanding any inconsistent provision of this section, the differ-
21 ence collected between the fees set forth in this subdivision in effect
22 on and after September first, two thousand nine and the fees set forth
23 in this subdivision prior to such date shall be deposited to the credit
24 of the dedicated highway and bridge trust fund. Notwithstanding any
25 inconsistent provision of this section, the difference collected between
26 the vessel surcharge set forth in this subdivision in effect on and
27 after September first, two thousand nine and the vessel surcharge set
28 forth in this subdivision in effect prior to such date shall be deposit-
29 ed to the credit of the dedicated highway and bridge trust fund.]

30 § 2. Subdivision 2 of section 97-
31 nn of the state finance law, as added
32 by chapter 524 of the laws of 2008, is amended to read as follows:

33 2. The "I love NY waterways" fund shall consist of [two accounts: (a)]
34 the "I love NY waterways" boating safety account[; and (b) the "I love
35 NY waterways" vessel access account. Moneys in each account shall be
36 kept separate and not commingled with any other moneys of the state].

37 § 3. Subdivision 4 of section 97-
38 nn of the state finance law, as
39 amended by chapter 524 of laws of 2008, is REPEALED.

§ 4. This act shall take effect immediately; provided, however, that
sections two and three of this act shall take effect April 1, 2024.

40

PART XX

41 Section 1. Section 15-2115 of the environmental conservation law is
42 amended to read as follows:

43 § 15-2115. Taxation of real estate.

44 Lands owned by the state and acquired pursuant to the provisions of
45 title 21 of this article, exclusive of the improvements erected thereon
46 by the regulating districts, shall be assessed and taxed in the same
47 manner as state lands subject to taxation pursuant to title 2 of article
48 5 of the Real Property Tax Law, provided, however, that the aggregate
49 assessed valuations of such lands in any town shall not be reduced below
50 the aggregate assessed valuations thereof with the improvements thereon

1 at the time of their acquisition by the regulating districts, and
2 provided further that in case of a general increase in assessments in
3 any town the assessed valuations of the lands and improvements at the
4 time of their acquisition by the regulating districts shall be deemed to
5 have been increased proportionately with the increase of other real
6 property in such tax district. [The taxes levied thereon shall be paid
7 by the river regulating district under whose authority the land was
8 acquired.]

9 § 2. Section 532 of the real property tax law is amended by adding a
10 new subdivision (1) to read as follows:

11 (1) lands owned by the state and acquired pursuant to the provisions
12 of title twenty-one of article fifteen of the environmental conservation
13 law exclusive of the improvements erected thereon erected by the regu-
14 lating districts.

15 § 3. This act shall take effect immediately.

16 PART YY

17 Intentionally Omitted

18 PART ZZ

19 Intentionally Omitted

20 PART AAA

21 Section 1. Expenditures of moneys by the New York state energy
22 research and development authority for services and expenses of the
23 energy research, development and demonstration program, including
24 grants, the energy policy and planning program, the zero emissions vehi-
25 cle and electric vehicle rebate program, and the Fuel NY program shall
26 be subject to the provisions of this section. Notwithstanding the
27 provisions of subdivision 4-a of section 18-a of the public service law,
28 all moneys committed or expended in an amount not to exceed \$22,875,000
29 shall be reimbursed by assessment against gas corporations, as defined
30 in subdivision 11 of section 2 of the public service law and electric
31 corporations as defined in subdivision 13 of section 2 of the public
32 service law, where such gas corporations and electric corporations have
33 gross revenues from intrastate utility operations in excess of \$500,000
34 in the preceding calendar year, and the total amount assessed shall be
35 allocated to each electric corporation and gas corporation in proportion
36 to its intrastate electricity and gas revenues in the calendar year
37 2020. Such amounts shall be excluded from the general assessment
38 provisions of subdivision 2 of section 18-a of the public service law.
39 The chair of the public service commission shall bill such gas and/or
40 electric corporations for such amounts on or before August 10, 2022 and
41 such amounts shall be paid to the New York state energy research and
42 development authority on or before September 10, 2022. Upon receipt, the
43 New York state energy research and development authority shall deposit
44 such funds in the energy research and development operating fund estab-
45 lished pursuant to section 1859 of the public authorities law. The New
46 York state energy research and development authority is authorized and
47 directed to: (1) transfer up to \$4 million to the state general fund for
48 climate change related services and expenses of the department of envi-

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

29 § 2. This act shall take effect immediately and shall be deemed to
30 have been in full force and effect on and after April 1, 2022.

31

PART BBB

32 Section 1. Notwithstanding any other law, rule or regulation to the
33 contrary, expenses of the department of health public service education
34 program incurred pursuant to appropriations from the cable television
35 account of the state miscellaneous special revenue funds shall be deemed
36 expenses of the department of public service. No later than August 15,
37 2023, the commissioner of the department of health shall submit an
38 accounting of expenses in the 2022--2023 state fiscal year to the chair
39 of the public service commission for the chair's review pursuant to the
40 provisions of section 217 of the public service law.

41 § 2. This act shall take effect immediately and shall be deemed to
42 have been in full force and effect on and after April 1, 2022 and shall
43 expire and be deemed repealed April 1, 2023.

44

PART CCC

45

Intentionally Omitted

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PART DDD

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Intentionally Omitted



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PART EEE

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Intentionally Omitted

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PART FFF

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Intentionally Omitted

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PART GGG

6 Section 1. Paragraph (d) of subdivision 5 of section 502 of the vehi-
7 cle and traffic law, as added by chapter 618 of the laws of 2021, is
8 amended to read as follows:

9 (d) (i) The commissioner shall not issue a class A commercial driver's
10 license to a person who is eighteen, nineteen or twenty years old
11 unless, in addition to meeting the requirements of this chapter with
12 respect to the issuance of commercial driver's licenses, such person
13 submits [acceptable], in a form prescribed by the commissioner, proof of
14 successful completion of the commercial driver's license (CDL) class A
15 young adult training program established [by the commissioner of trans-
16 portation pursuant to subdivision thirty-six of section fourteen of the
17 transportation law,] pursuant to subparagraph (ii) of this paragraph and
18 proof of completion of the minimum hours of supervised driving required
19 by such [subdivision] subparagraph. The commissioner shall place an
20 "intrastate only" restriction on any class A commercial driver's license
21 issued to a person who is eighteen, nineteen or twenty years old and
22 such restriction shall remain until such person turns twenty-one years
23 of age.

24 (ii) The commissioner, in consultation with the commissioner of trans-
25 portation, shall establish and implement a commercial driver's license
26 (CDL) class A young adult training program for young adult class A
27 commercial driver's license applicants. The commissioner shall provide
28 for the requirements and criteria of such training program which shall
29 include the entry-level driver training requirements prescribed by the
30 federal motor carrier safety administration under appendices A, C, D and
31 E of part 380 of title 49 of the code of federal regulations, as may be
32 amended from time to time, and include no less than three hundred hours
33 of behind-the-wheel training under the immediate supervision and control
34 of an experienced driver. For purposes of this paragraph, the following
35 terms shall have the following meanings:

36 (A) "Young adult" shall mean an individual who is eighteen, nineteen
37 or twenty years old.

38 (B) "Experienced driver" shall mean an individual who:

39 (1) is not less than twenty-one years of age;

40 (2) holds a valid class A commercial driver's license which is not
41 suspended, revoked or cancelled pursuant to the provisions of this chap-
42 ter, the transportation law, or rules and regulations promulgated there-
43 under and has held such commercial driver's license for at least two
44 years;

45 (3) has not, for at least a one-year period: been the operator of a
46 motor vehicle involved in an accident reportable to the federal motor
47 carrier safety administration, or been the operator of a commercial
48 motor vehicle involved in an accident reportable to the commissioner, or
49 been convicted of a serious traffic violation, or been convicted of any



1 violation of title VII of this chapter for which the commissioner
2 assesses points, or been disqualified from operating a commercial motor
3 vehicle pursuant to this chapter, the transportation law, or rules and
4 regulations promulgated thereunder; and

5 (4) has a minimum of one year of experience driving, in commerce, a
6 commercial motor vehicle which can only be operated with a class A
7 commercial driver's license.

8 (C) "Serious traffic violation" shall have the same meaning as such
9 term is defined in subdivision four of section five hundred ten-a of
10 this chapter.

11 § 2. Subdivision 36 of section 14 of the transportation law, as added
12 by chapter 618 of the laws of 2021, is REPEALED.

13 § 3. This act shall be deemed repealed if any federal agency deter-
14 mines in writing that this act would render New York state ineligible
15 for the receipt of federal funds or any court of competent jurisdiction
16 finally determines that this act would render New York state out of
17 compliance with federal law or regulation.

18 § 4. Severability. If any clause, sentence, subdivision, paragraph,
19 section or part of this act be adjudged by any court of competent juris-
20 diction to be invalid, such judgment shall not affect, impair or invali-
21 date the remainder thereof, but shall be confined in its operation to
22 the clause, sentence, subdivision, paragraph, section or part thereof
23 directly involved in the controversy in which such judgment shall have
24 been rendered.

25 § 5. This act shall take effect on the same date and in the same
26 manner as chapter 618 of the laws of 2021 takes effect; provided that
27 the commissioner of motor vehicles shall notify the legislative bill
28 drafting commission upon the occurrence of the repeal of this act
29 provided for in section three of this act in order that the commission
30 may maintain an accurate and timely effective data base of the official
31 text of the laws of the state of New York in furtherance of effectuating
32 the provisions of section 44 of the legislative law and section 70-b of
33 the public officers law.

34

PART HHH

35 Section 1. Paragraph (a) of subdivision 1 of section 16-n of
36 section 1 of chapter 174 of the laws of 1968 constituting the New
37 York state urban development corporation act, as added by section 2 of
38 part C-2 of chapter 109 of the laws of 2006, is amended and three new
39 paragraphs (d), (e) and (f) are added to read as follows:

40 (a) For the purposes of this section "deconstruction" shall mean the
41 careful disassembly of buildings of architectural or historic signif-
42 icance with the intent to rehabilitate, reconstruct the building or
43 salvage the material disassembled from the building[;].

44 (d) For the purposes of this section "municipality" shall mean any
45 county, city, town or village within the state of New York except a city
46 having a population of one million or more.

47 (e) For the purposes of this section "residential apartment unit"
48 shall mean a multiple dwelling consisting of one or more rooms contain-
49 ing at least one bathroom and arranged to be occupied by the members of
50 a family, which room or rooms are separated and set apart from all other
51 rooms within a multiple dwelling.

52 (f) For the purposes of this section "affordable housing units" shall
53 mean permanent housing that is affordable to low- and moderate-income
54 households, such that the new housing achieves income averaging at or



1 below fifty percent of the area median income, with residents' eligibil-
2 ity capped at a maximum of eighty percent of the area median income at
3 the start of their lease.

4 § 2. Subdivisions 3, 4 and 5 of section 16-n of section 1 of chapter
5 174 of the laws of 1968 constituting the New York state urban develop-
6 ment corporation act, as added by section 2 of part C-2 of chapter 109
7 of the laws of 2006, are amended to read as follows:

8 3. Property assessment list. To be eligible for the demolition and
9 deconstruction program or rehabilitation and reconstruction program
10 assistance, as established in subdivisions four and five of this
11 section, municipalities shall conduct an assessment of vacant, aban-
12 doned, surplus or condemned buildings in communities within their juris-
13 diction. Such real property may include both residential and commercial
14 real properties. Such properties shall be selected for the purpose of
15 revitalizing urban centers and rural areas, encouraging commercial
16 investment [and], adding value to the municipal housing stock, and
17 increasing the amount of affordable housing units available to low- and
18 moderate-income households. The property assessment list shall be
19 organized to indicate the location, size, whether the building is resi-
20 dential or commercial and whether the building will be demolished,
21 deconstructed, rehabilitated or reconstructed. Such properties shall be
22 published in a local daily newspaper for no less than three consecutive
23 days. Additionally, the municipality shall conduct public hearings in
24 the communities where the buildings are identified.

25 4. Demolition and deconstruction program. Real property in need of
26 demolition or deconstruction on the property assessment list may receive
27 grants of up to [twenty] thirty thousand dollars per residential real
28 property. The corporation shall determine the cost of demolition and
29 deconstruction of commercial properties on a per-square foot basis and
30 establish maximum grant awards accordingly. The corporation shall also
31 consider geographic differences in the cost of demolition and decon-
32 struction in the establishment of maximum grant awards.

33 5. Rehabilitation and reconstruction program. (a) Real property in
34 need of rehabilitation or reconstruction on the property assessment list
35 may receive grants of up to one hundred fifty thousand dollars per resi-
36 dential real property provided further that such real property may
37 receive an additional grant of up to seventy thousand dollars per resi-
38 dential apartment unit within such real property. The corporation shall
39 make awards prioritizing the rehabilitation or reconstruction of real
40 property pursuant to this subdivision for the purpose of creating
41 affordable housing units.

42 (b) The corporation shall determine the cost of rehabilitation and
43 reconstruction of commercial properties on a per-square foot basis and
44 establish maximum grant awards accordingly. The corporation shall also
45 consider geographic differences in the cost of rehabilitation and recon-
46 struction in the establishment of maximum grant awards. Provided,
47 however, to the extent possible, all such rehabilitation and recon-
48 struction program real property shall be architecturally consistent with
49 nearby and adjacent properties or in a manner consistent with a local
50 revitalization or urban development plan. Provided, further, such grant
51 may be used for site development needs including but not limited to
52 water, sewer and parking.

53 § 3. Paragraph (b) of subdivision 6 of section 16-n of section 1 of
54 chapter 174 of the laws of 1968 constituting the New York state urban
55 development corporation act, as added by section 2 of part C-2 of chap-
56 ter 109 of the laws of 2006, is amended to read as follows:

1 (b) Priority in granting such assistance shall be given to properties
2 eligible under this section that have approved applications or are
3 receiving grants pursuant to other state or federal redevelopment, reme-
4 diation or planning programs including, but not limited to, to the
5 brownfield opportunity areas program adopted pursuant to section 970-r
6 of the general municipal law or [empire zone development plans pursuant
7 to article 18-B] an investment zone designated pursuant to paragraph (i)
8 of subdivision (a) or subdivision (d) of section 958 of the general
9 municipal law.

10 § 4. This act shall take effect immediately.

11 PART III

12 Section 1. Subdivision 6 of section 51 of the public authorities law
13 is REPEALED.

14 § 2. This act shall take effect immediately.

15 PART JJJ

16 Section 1. The second undesignated paragraph of subdivision 1 of
17 section 370 of the vehicle and traffic law, as amended by section 1 of
18 part ZZ of chapter 59 of the laws of 2021, is amended to read as
19 follows:

20 For damages for and incident to death or injuries to persons and inju-
21 ry to or destruction of property: For each motorcycle and for each motor
22 vehicle engaged in the business of carrying or transporting passengers
23 for hire, having a seating capacity of not more than seven passengers, a
24 bond or insurance policy with a minimum liability of twenty-five thou-
25 sand dollars and a maximum liability of fifty thousand dollars for bodi-
26 ly injury, and a minimum liability of fifty thousand dollars and a maxi-
27 mum liability of one hundred thousand dollars for death and a minimum
28 liability of ten thousand dollars for injury to or destruction of prop-
29 erty; for each motor vehicle engaged in the business of carrying or
30 transporting passengers for hire, having a seating capacity of not less
31 than eight passengers, a bond or insurance policy with a combined single
32 limit of at least one million five hundred thousand dollars for bodily
33 injury or death to one or more persons, and because of injury to or
34 destruction of property in any one accident[; provided, further that for
35 commuter vans that are engaged in the business of carrying or transport-
36 ing passengers for hire, having a seating capacity of not less than
37 eight passengers, a bond or insurance policy with a combined single
38 limit of at least five hundred thousand dollars for bodily injury or
39 death to one or more persons, and because of injury to or destruction of
40 property in any one accident. For the purposes of this paragraph, the
41 term "commuter van" shall have the same meaning as such term is defined
42 in section 19-502 of the administrative code of the city of New York].

43 § 2. This act shall take effect immediately.

44 PART KKK

45 Section 1. Section 1 of chapter 174 of the laws of 1968, constituting
46 the New York state urban development corporation act, is amended by
47 adding a new section 58 to read as follows:

48 § 58. Reporting. (1) Definitions. For the purposes of this section,
49 the following terms shall have the following meanings:

1 (a) "Economic development benefits" shall mean and include the follow-
2 ing:

3 (i) available state resources and/or funds including, but not limited
4 to, state grants, loans, loan guarantees, loan interest subsidies,
5 and/or subsidies; and/or

6 (ii) tax credits, tax exemptions or reduced tax rates and/or benefits
7 which are applied for and preapproved or certified by a state agency;
8 and

9 (a-1) "Empire state economic development benefits" shall mean those
10 economic development benefits made available to the urban development
11 corporation and/or the department of economic development to award such
12 benefits to qualified recipients, or those economic development benefits
13 which are allocated to the corporation and/or such department but are
14 subsequently allocated to another state agency or other independent
15 entities for them to make such awards to qualified recipients;

16 (a-2) "Aggregate economic development benefits" shall mean those bene-
17 fits provided for in paragraphs (a) and (a-1) of this subdivision and
18 displayed separately in the database created pursuant to subdivision two
19 of this section;

20 (b) "Qualified participant" shall mean an individual, business, limit-
21 ed liability corporation or any other entity that has applied for and
22 received approval for and/or is the beneficiary of, any aggregate
23 economic development benefits of ten thousand dollars or more per
24 project;

25 (c) "New York state agency" shall mean any state department, board,
26 bureau, division, commission, committee, public authority, public corpo-
27 ration, council, office or other state governmental entity performing a
28 governmental or proprietary function for the state, as well as entities
29 created by any of the preceding or that are governed by a board of
30 directors or similar body a majority of which is designated by one or
31 more state officials;

32 (d) "Full-time job" shall mean a job in which an individual is
33 employed by a qualified participant for at least thirty-five hours a
34 week;

35 (e) "Full-time equivalent" shall mean a unit of measure which is equal
36 to one filled, full-time, annual-salaried position;

37 (f) "Part-time job" shall mean a job in which an individual is
38 employed by a qualified participant for less than thirty-five hours a
39 week; and

40 (g) "Contract job" shall mean a job in which an individual is hired
41 for a season or for a limited period of time.

42 (2) Searchable state subsidy and aggregate economic development bene-
43 fits database. Notwithstanding any laws to the contrary, the corpo-
44 ration, in cooperation with the department of economic development,
45 shall create a searchable database, or modify an existing one, display-
46 ing Empire state economic development benefits that a qualified partic-
47 ipant has been awarded. Such database shall also display other Empire
48 state economic development benefits such qualified participant has
49 received from another state agency provided that it is for the same
50 particular project which received the Empire state economic development
51 benefits. Such searchable database shall include, at a minimum, the
52 following features and functionality:

53 (a) the ability to search the database by each of the reported infor-
54 mation to the corporation and for the public viewer to show a qualified
55 participant which is a recipient of an aggregate economic development

1 benefit and view a list of all types and amounts of benefits received by
2 a qualified participant;

3 (b) for the prior state fiscal year, the following information:

4 (i) a qualified participant's name and project, project location,
5 project's complete address, including the postal or zip code in a sepa-
6 rate searchable field, and the economic region of the state;

7 (ii) the time span over which a qualified participant is to receive or
8 has received aggregate economic development benefits;

9 (iii) the type of such aggregate economic development benefits
10 provided to a qualified participant, including the name of the program
11 or programs through which aggregate economic development benefits are
12 provided;

13 (iv) the total number of employees at all sites utilizing such aggre-
14 gate economic development benefits at the time of the agreement includ-
15 ing the number of permanent full-time jobs, the number of permanent
16 part-time jobs, the number of full-time equivalents, and the number of
17 contract employees;

18 (v) for any aggregate economic development benefit that provides for
19 job retention and creation that a qualified participant receiving aggre-
20 gate economic development benefits is contractually obligated to retain
21 and create over the life of the project utilizing such aggregate econom-
22 ic development benefits, except that such information shall be reported
23 on an annual basis for agreements containing annual job retention or
24 creation requirements, and for each reporting year, the base employment
25 level the entity receiving aggregate economic development benefits
26 agrees to retain over the life of the project utilizing such aggregate
27 economic development benefits, any job creation scheduled to take place
28 as a result of the project utilizing such aggregate economic development
29 benefits and where applicable, any job creation targets for the current
30 reporting year;

31 (vi) the amount of aggregate economic development benefits received by
32 a qualified participant during the year covered by the report, the
33 amount of aggregate economic development benefits received by a quali-
34 fied participant since the beginning of the project period, and the
35 present value of the further aggregate economic development benefits
36 committed to by the state, but not yet received by a qualified partic-
37 ipant for the duration of the project;

38 (vii) for the current reporting year, the total actual number of
39 employees at all sites covered by the project utilizing such aggregate
40 economic development benefits, including the number of permanent full-
41 time jobs, the number of permanent part-time jobs, the number of
42 contract jobs, the number of jobs filled by minorities or women.

43 (viii) a statement of compliance indicating whether, during the
44 current reporting year, the corporation and/or any other state agency
45 has reduced, cancelled or recaptured aggregate economic development
46 benefits from a qualified participant, and, if so, the total amount of
47 the reduction, cancellation or recapture, and any penalty assessed and
48 the reasons therefor.

49 (c) the ability to digitally select defined individual fields corre-
50 sponding to any of the reported information from qualified participants
51 to create unique database views;

52 (d) the ability to download the database in its entirety, or in part,
53 in a common machine readable format;

54 (e) the ability to view and download contracts or award agreements for
55 each aggregate economic development benefit received by the qualified

1 participant to the extent such contracts or award agreements are avail-
2 able to the public pursuant to article six of the public officers law;

3 (f) a definition or description of terms for fields in the database;
4 and

5 (g) a summary of each aggregate economic development benefit available
6 to qualified participants.

7 (3) Certification regarding reporting. The corporation shall certify
8 to the New York state authorities budget office, the corporation's board
9 of directors and post to its website that it has fulfilled all of its
10 reporting requirements as required by law, rules, regulations, or execu-
11 tive orders. The corporation shall provide a list of all reports, the
12 due dates of such reports, and certify to the New York state authorities
13 budget office and the corporation's board of directors, that each report
14 has been submitted to the individual, office, or entity as prescribed by
15 applicable laws, rules, and regulations.

16 (4) Database reporting. The corporation may request any data from
17 qualified participants, which is necessary and required in developing,
18 updating and maintaining the searchable database. Such qualified
19 participants shall provide any such information requested by the corpo-
20 ration. Beginning on June first, two thousand twenty-two, the corpo-
21 ration shall make all reported data on such database available to the
22 public on its website. Such database shall be updated on a quarterly
23 basis with qualified participants added to any programs and any new data
24 provided by existing qualified participants required reporting.

25 (5) Reporting. The corporation's senior staff shall report on a quar-
26 terly basis, to the corporation's board of directors with a status
27 update on the development and maintenance of the searchable database.

28 § 2. Section 100 of the economic development law is amended by adding
29 a new subdivision 18-j to read as follows:

30 18-j. to assist the urban development corporation to establish a
31 searchable database pursuant to section fifty-eight of the urban devel-
32 opment corporation act.

33 § 3. This act shall take effect on the ninetieth day after it shall
34 have become a law. Effective immediately, the addition, amendment and/or
35 repeal of any rule or regulation necessary for the implementation of
36 this act on its effective date are authorized to be made and completed
37 on or before such effective date.

38

PART LLL

39 Section 1. The economic development law is amended by adding a new
40 section 138-a to read as follows:

41 § 138-a. Small business innovation research and small business tech-
42 nology transfer grant program. 1. The commissioner, in consultation with
43 the division for small-business, shall establish a grant program to
44 provide funds to small businesses who have been awarded phase one or
45 phase two grants under the federal small business innovation research
46 program or the small business technology transfer program. Such grants
47 shall be awarded based on a company's potential for commercialization
48 and job growth. As used in this section, "small business" shall have
49 the same meaning as provided for in section one hundred thirty-one of
50 this article.

51 2. The grant program established pursuant to this section shall be
52 staged over a period of three years. The funding amounts for such grant
53 program shall be as follows:



1 (a) For small businesses that have been awarded phase one funding
2 under the federal small business innovation research program or the
3 small business technology transfer program, the amount shall be one
4 hundred thousand dollars in year one, two hundred thousand dollars in
5 year two, and five hundred thousand dollars in year three.

6 (b) For small businesses that have been awarded phase two funding
7 under the federal small business innovation research program or the
8 small business technology transfer program, the amount shall be one
9 hundred thousand dollars in year one, two hundred thousand dollars in
10 year two, and five hundred thousand dollars in year three.

11 3. (a) In the first year of the program, twenty small businesses shall
12 be awarded grants of one hundred thousand dollars.

13 (b) In the second year of the program, ten small businesses shall be
14 chosen from the companies that were awarded a grant in the first year,
15 to receive grants in the amount of two hundred thousand dollars.

16 (c) In the third year of the program, four small businesses shall be
17 chosen from the companies that were awarded a grant in the second year,
18 to receive grants or equity, depending on the situation, in the amount
19 of five hundred thousand dollars.

20 4. Such funds awarded pursuant to this section shall be used to expe-
21 dite commercialization and generally used to cover expenses not allowed
22 under the federal small business innovation research program or the
23 small business technology transfer program, including but not limited to
24 patents and marketing studies in sales efforts.

25 5. Such funds shall be awarded on condition that the small business
26 recipient remains headquartered in the state for at least two years
27 following the successful commercialization of the business's product or
28 products. Any small business that has received funding under this
29 program that is not headquartered in the state for at least two years
30 following the successful commercialization of the business's product or
31 products shall return all grant awards to the state. If the small busi-
32 ness ceases operations before two years after the commercialization of
33 its product or products, such business shall be eligible for a waiver of
34 this clawback provision, as determined by the commissioner, in consulta-
35 tion with the division of small business.

36 6. The commissioner, in consultation with the division for small busi-
37 ness, shall establish the form and manner in which applications for
38 grant awards shall be submitted and shall establish guidelines for the
39 grant program. The department shall review each application for compli-
40 ance with the eligibility criteria and other requirements set forth in
41 the program guidelines established by the commissioner. The department
42 may approve or reject each application or may return an application for
43 modifications, if necessary.

44 7. The department, beginning on January first, two thousand twenty-
45 three, and annually thereafter, shall submit a report to the governor,
46 the temporary president of the senate, and the speaker of the
47 assembly. Such annual report shall include, but need not be limit-
48 ed to: the number of applicants by stage; the number of applicants
49 approved to receive grants; the total amount of grants awarded, and
50 the average amount of such grants awarded; and such other information as
51 the department determines necessary and appropriate. Such report
52 shall be included on the department's website and any other publicly
53 accessible state databases that list economic development
54 programs, as determined by the commissioner.

55 § 2. This act shall take effect one year after it shall have become a
56 law. Effective immediately, the addition, amendment and/or repeal of any

1 rule or regulation necessary for the implementation of this act on its
2 effective date are authorized to be made and completed on or before such
3 effective date.

4

PART MMM

5 Section 1. The public service law is amended by adding a new section
6 24-c to read as follows:

7 § 24-c. Utility intervenor reimbursement. 1. As used in this
8 section, the following terms shall have the following meanings:

9 (a) "Compensation" means payment, in accordance with rules and regu-
10 lations established by the department, from the utility intervenor
11 account fund established by section ninety-seven-uuuu of the state
12 finance law, for all or part, of reasonable advocate and expert witness
13 fees for preparation and participation in a proceeding, provided, howev-
14 er, such expenses shall not be available for judicial review or liti-
15 gation.

16 (b) "Participant" means a group of persons that apply jointly for an
17 award of compensation under this section and who represent the interests
18 of a significant number of residential or small business customers, or a
19 non-profit organization in this state authorized pursuant to its arti-
20 cles of incorporation or bylaws to represent the interests of residen-
21 tial or small business utility customers. For purposes of this section,
22 a participant does not include a non-profit organization or other organ-
23 ization whose principal interests are the welfare of a public utility or
24 its investors or employees, or the welfare of one or more businesses or
25 industries which receive utility service ordinarily and primarily for
26 use in connection with the profit-seeking manufacture, sale, or distrib-
27 ution of goods or services.

28 (c) "Party" means any interested party, respondent public utility, or
29 commission staff in a hearing or proceeding.

30 (d) "Proceeding" means a complaint, or investigation, rulemaking, or
31 other formal proceeding, including but not limited to a hearing, before
32 the commission, or alternative dispute resolution procedures in lieu of
33 formal proceedings as may be sponsored or endorsed by the commission,
34 provided however such proceedings shall be limited to those arising
35 under and proceeding pursuant to the following articles of this chapter:
36 (1) the regulation of the price of gas and electricity, pursuant to
37 article four of this chapter except those described in subparagraph (ii)
38 of paragraph (c) of subdivision twelve of section sixty-six of this
39 chapter; (2) the regulation of the price of steam, pursuant to article
40 four-A of this chapter; and (3) the submetering, remetering or resale of
41 electricity to residential premises, pursuant to sections sixty-five and
42 sixty-six of this chapter, and pursuant to regulations regarding the
43 submetering, remetering, or resale of electricity adopted by the commis-
44 sion.

45 (e) "Significant financial hardship" means that the participant will
46 be unable to afford, without undue hardship, to pay the costs of effec-
47 tive participation, including advocate's fees and expert witness fees.

48 (f) "Small business" means a business with a gross annual revenue of
49 two hundred fifty thousand dollars or less.

50 (g) "Substantial contribution" means that, in the judgment of the
51 department, the participant may substantially assist the commission in
52 making its decision because the decision may adopt in whole or in part
53 one or more factual contentions, legal contentions, or specific policy
54 or procedural recommendations that will be presented by the participant.



1 2. A participant may apply for compensation under this section in a
2 proceeding in which such participant has sought active party status as
3 defined by the department. The department, in rules and regulations
4 shall determine appropriate procedures for accepting and responding to
5 such applications. At the time of application, such participant shall
6 serve on every party to the proceeding notice of intent to apply for an
7 award of compensation.

8 An application shall include:

9 (a) A statement of the nature and extent and the factual and legal
10 basis of the participant's planned participation in the proceeding as
11 far as it is possible to describe such participation with reasonable
12 specificity at the time the application is filed.

13 (b) At minimum, a reasonably detailed description of anticipated advo-
14 cates and expert witness fees.

15 (c) If participation will impose a significant financial hardship and
16 the participant seeks payment in advance to an award of compensation in
17 order to initiate, continue or complete participation in the proceeding,
18 such participant must include evidence of such significant financial
19 hardship in its application.

20 (d) Any other requirements as required by the department.

21 3. (a) Within thirty days after the filing of an application the
22 department shall issue a decision that determines whether or not the
23 participant may make a substantial contribution to the final decision in
24 the proceeding. If the department finds that the participant requesting
25 compensation may make a substantial contribution, the department shall
26 describe this substantial contribution and determine the amount of
27 compensation to be paid pursuant to subdivision four of this section.

28 (b) Notwithstanding subdivision four of this section, if the depart-
29 ment finds that the participant has a significant financial hardship,
30 the department may direct the public utility or utilities subject to the
31 proceeding to pay all or part of the compensation to the department to
32 be provided to the participant prior to the end of the proceeding. In
33 the event that the participant discontinues its participation in the
34 proceeding without the consent of the department, the department shall
35 be entitled to, in whole or in part, recover any payments made to such
36 participant to be refunded to the public utility or utilities that
37 provided such payment.

38 (c) The computation of compensation pursuant to paragraph (a) of this
39 subdivision shall be made available on an equitable basis in a manner
40 which facilitates broad public participation and take into consideration
41 the market rates paid to persons of comparable training and experience
42 who offer similar services. The compensation awarded may not, in any
43 case, exceed the comparable market rate for services paid by the depart-
44 ment or the public utility, whichever is greater, to persons of compara-
45 ble training and experience who are offering similar services.

46 (d) Any compensation awarded to a participant and not used by such
47 participant shall be returned to the department for refund to the public
48 utility or utilities that provided such payment.

49 (e) The department shall require that participants seeking payment
50 maintain an itemized record of all expenditures incurred as a result of
51 such proceeding.

52 (i) The department may use the itemized record of expenses to verify
53 the claim of financial hardship by a participant seeking payment pursu-
54 ant to paragraph (c) of subdivision two of this section.

55 (ii) The department may use the record of expenditures in determining,
56 after the completion of a proceeding, if any unused funds remain.

1 (iii) The department shall preserve the confidentiality of the partic-
2 ipant's records in making any audit or determining the availability of
3 funds after the completion of a proceeding.

4 (f) In the event that the department finds that two or more partic-
5 ipants' applications have substantially similar interests, the depart-
6 ment may require such participants to apply jointly in order to receive
7 compensation.

8 4. Any compensation pursuant to this section shall be paid at the
9 conclusion of the proceeding by the public utility or utilities subject
10 to the proceeding within thirty days. Such compensation shall be remit-
11 ted to the department which shall then remit such compensation to the
12 participant.

13 5. The department shall deny any award to any participant who attempts
14 to delay or obstruct the orderly and timely fulfillment of the depart-
15 ment's responsibilities.

16 § 2. The state finance law is amended by adding a new section 97-uuuu
17 to read as follows:

18 § 97-uuuu. Utility intervenor account. 1. There is hereby established
19 in the joint custody of the state comptroller and the commissioner of
20 taxation and finance a fund to be known as the utility intervenor
21 account.

22 2. Such account shall consist of all utility intervenor reimbursement
23 monies received from utilities pursuant to section twenty-four-c of the
24 public service law.

25 3. The proceeds of such account shall be disbursed by the department
26 of public service in accordance with eligibility and procedures estab-
27 lished by the department, pursuant to section twenty-four-c of the
28 public service law, for the participation of participants in
29 proceedings.

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

32

PART NNN

33 Section 1. Subdivisions 2, 3 and 5 of section 16-w of section 1 of
34 chapter 174 of the laws of 1968, constituting the urban development
35 corporation act, subdivision 2 as amended by section 1 of part W of
36 chapter 58 of the laws of 2016, and subdivisions 3 and 5 as amended by
37 section 1 of part FF of chapter 58 of the laws of 2015, are amended to
38 read as follows:

39 2. (a) The corporation shall consult with the department of agricul-
40 ture and markets including the advisory board on beginning farmers, and
41 organizations working with or representing socially disadvantaged farm-
42 ers or ranchers as defined in federal law or immigrant farmers or veter-
43 an farmers, and a farm credit bureau or member of the farm credit
44 system or a banking institution with a demonstrated ability to provide
45 financial assistance and service to agricultural producers in order to
46 establish such criteria governing the award of grants as authorized
47 herein, as the corporation and such department deem necessary. Such
48 criteria shall include, but not be limited to, farmers who have not
49 [produced an "agricultural product" as defined by] farmed land used in
50 agricultural production pursuant to section three hundred [twenty-eight]
51 one of the agriculture and markets law and filed a tax return with farm
52 receipts, for more than ten consecutive years, and who will materially
53 and substantially participate in [the production of an agricultural
54 product] farming such land within a region of the state and may include



1 urban farmers. Such criteria shall also include priority for applicants
2 who are economically or socially disadvantaged farmers, including, but
3 not limited to, minority and women-owned businesses, veteran-owned busi-
4 nesses, service-disabled veteran-owned businesses, and immigrant farm-
5 ers.

6 (b) The corporation is authorized to enter into an agreement with
7 not-for-profit organizations that provide financial assistance, includ-
8 ing capital assistance, to socially disadvantaged or immigrant or veter-
9 an farmers to award grants as authorized in this section.

10 3. Appropriations to the beginning farmers NY fund may be used for the
11 following purposes:

12 (a) to assist farmers in [demonstrating innovative] developing or
13 scaling up agricultural [techniques] production or processing or
14 products, including, but not limited to, agriculture practices that are
15 innovative, technological, value-added, and organic [farming] or regen-
16 erative, and specialty crops, that would contribute to the long-term
17 financial viability of such farms.

18 (b) capital grants in accordance with a business plan to improve farm
19 profitability. Upon completion of such business plan, recipients shall
20 be eligible for capital grants to enhance the profitability of farming
21 operations, including on land under lease by the recipient. Such grants
22 may be used for purposes including, but not limited to, the purchase of
23 machinery or the construction or improvement of physical structures,
24 including semi-permanent structures. [Any capital grant shall be issued
25 with a one-to-one match between the state and recipient.]

26 (c) capital grants in accordance with a business plan to establish a
27 farming operation. Upon completion of such business plan, recipients
28 shall be eligible for capital grants to establish a farming operation.
29 Such grants may be used for purposes including, but not limited to,
30 the purchase of agricultural land and physical structures thereon, the
31 purchase of machinery or the construction or improvement of physical
32 structures, including semi-permanent structures.

33 5. The beginning farmers NY fund shall not invest an amount in any
34 single beneficiary that exceeds two hundred fifty thousand dollars,
35 subject to any exceptions to be established by guidelines of the corpo-
36 ration. Awards to recipients for the purpose of subdivision three of
37 this section shall not be less than five thousand dollars. Any capital
38 grant shall be issued with a required match from the recipient of no
39 more than twenty percent of the grant amount.

40 § 2. This act shall take effect immediately.

41

PART 000

42 Section 1. Section 54-1523 of the environmental conservation law, as
43 added by section 5 of part U of chapter 58 of the laws of 2016, para-
44 graphs f and g of subdivision 1 as amended and paragraph h of subdivi-
45 sion 1 as added by chapter 106 of the laws of 2019, is amended to read
46 as follows:

47 § 54-1523. Climate adaptation and mitigation projects.

48 1. The commissioner is authorized to provide on a competitive basis,
49 within amounts appropriated, state assistance payments to a municipality
50 toward the cost of any climate adaptation or mitigation projects. Such
51 projects shall include:

52 a. the construction of natural resiliency measures, conservation or
53 restoration of riparian areas and tidal marsh migration areas;

1 b. nature-based solutions such as wetland protections to address phys-
2 ical climate risk due to sea level rise, and/or storm surges and/or
3 flooding, based on available data predicting the likelihood of future
4 extreme weather events, including hazard risk analysis data if applica-
5 ble;

6 c. relocation or retrofit of facilities to address physical climate
7 risk due to sea level rise, and/or storm surges and/or flooding based on
8 available data predicting the likelihood of future extreme weather
9 events, including hazard risk analysis data if applicable;

10 d. flood risk reduction;

11 e. greenhouse gas emission reductions outside the power sector;

12 f. enabling communities to become certified under the climate smart
13 communities program, including by developing natural resources invento-
14 ries, right sizing of municipal fleets and developing climate adaptation
15 strategies;

16 g. climate change adaptation planning and supporting studies, includ-
17 ing but not limited to vulnerability assessment and risk analysis of
18 municipal drinking water, wastewater, and transportation infrastructure;
19 [and]

20 h. to establish and implement easily-replicated renewable energy
21 projects, including solar arrays, heat pumps and wind turbines in public
22 low-income housing in suburban, urban and rural areas; and

23 i. land acquisition, including but not limited to flood mitigation and
24 coastal riparian resiliency; provided, however, no monies shall be
25 expended for acquisition by eminent domain.

26 2. To the fullest extent practicable, it is the policy of the state to
27 promote an equitable regional distribution of climate adaptation and
28 mitigation projects, consistent with the purpose of this title, taking
29 into account regional differences in climate change risks, socioeconomic
30 conditions and ecological resources.

31 [3. No monies shall be expended for land acquisition.]

32 § 2. The environmental conservation law is amended by adding a new
33 section 54-1525 to read as follows:

34 § 54-1525. Restriction on alienation.

35 Real property acquired, developed, improved, restored or rehabilitated
36 by a municipality pursuant to this title with funds made available
37 pursuant to this title shall not be sold or disposed of or used for
38 other than public purposes without the express authority of an act of
39 the legislature, which shall provide for the substitution of other lands
40 of equal environmental and fair market value and reasonably equivalent
41 usefulness and location to those to be discontinued, sold or disposed
42 of, and such other requirements as shall be approved by the commission-
43 er.

44 § 3. Subdivision 6 of section 15-3303 of the environmental conserva-
45 tion law, as added by section 2 of part T of chapter 57 of the laws of
46 2017, is amended to read as follows:

47 6. Real property acquired, developed, improved, restored or rehabili-
48 tated by or through a municipality, county soil and water conservation
49 district or not-for-profit corporation with funds made available pursu-
50 ant to this title shall not be sold, leased, exchanged, donated or
51 otherwise disposed of or used for other than the public purposes of this
52 title without the express authority of an act of the legislature, which
53 shall provide for the substitution of other lands of equal environmental
54 value and fair market value and reasonably equivalent usefulness and
55 location to those to be discontinued, sold or disposed of, and such
56 other requirements as shall be approved by the commissioner.

1 § 4. This act shall take effect immediately.

2

PART PPP

3 Section 1. Section 1854 of the public authorities law is amended by
4 adding a new subdivision 22 to read as follows:

5 22. To utilize twenty-three million dollars for projects identified in
6 the regional greenhouse gas initiative operating plan amendment for two
7 thousand twenty-two, from proceeds collected by the authority from the
8 auction or sale of carbon dioxide emissions allowances allocated by the
9 department of environmental conservation on or before March thirty-
10 first, two thousand twenty-three, including fifteen million dollars for
11 the Charge Ready NY component of the Charge NY program to install
12 publicly available charging stations at workplaces, municipal parking
13 lots, and multifamily buildings, six million dollars to support energy
14 efficiency and electrification projects in affordable housing in consul-
15 tation with the division of homes and community renewal, New York city
16 housing preservation and development, and New York city housing authori-
17 ty, and for the clean green schools initiative for low carbon solutions
18 for schools in disadvantaged communities as defined pursuant to section
19 75-0101 of the environmental conservation law, and two million dollars
20 for the on-the-job training program to expand the workforce development
21 talent pipeline and provide on-the-job training and wage subsidies for
22 clean energy jobs for priority populations. Such job training programs
23 shall be conducted in consultation with the department of labor.

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

25

PART QQQ

26 Section 1. The public authorities law is amended by adding a new
27 section 1874 to read as follows:

28 § 1874. Comprehensive electric vehicle fast charging station implemen-
29 tation plan. 1. The authority, in consultation with the New York power
30 authority, the department of transportation, the department of environ-
31 mental conservation, the department of public service and the Fast
32 Charge NY working group established pursuant to subdivision five of this
33 section shall, no later than six months after the effective date of this
34 section, develop a comprehensive electric vehicle fast charging station
35 implementation plan to facilitate the deployment of fast electric vehi-
36 cle charging stations statewide, hereafter referred to as "the plan".

37 2. Such plan shall at a minimum include:

38 (a) methods to increase public availability;

39 (b) geographic information pertaining to current fast charger deploy-
40 ment including specific information relating to the fast chargers being
41 deployed. Such information shall include, but not be limited to the
42 number of ports and charging capacity;

43 (c) the number and location of fast chargers currently in development
44 and estimated future needs for the next five years;

45 (d) each state and utility-administered program currently, or within
46 the prior two years, providing funding or oversight of electrical vehi-
47 cle charging stations, including but not limited to Charge NY and Charge
48 Ready NY;

49 (e) methods to prevent overlap of state programs and maximize fast
50 charger coverage;

51 (f) guidance to municipalities for technical and planning assistance
52 to facilitate the adoption of curbside charging;



1 (g) support and guidance to facilitate the deployment of charging
2 stations for existing commercial fleets to help offset air pollution in
3 disadvantaged communities, as defined in section 75-0101 of the environ-
4 mental conservation law; and

5 (h) areas currently underserved by fast charger coverage.

6 3. Once completed, the authority shall publish the plan on its website
7 and provide for a thirty-day public comment period prior to adoption of
8 such plan.

9 4. The authority shall publish a final report following adoption of
10 the plan that shall include guidance for the deployment of electric
11 vehicle fast charging stations statewide.

12 5. (a) The authority shall establish a "Fast Charge NY working group"
13 consisting of five members, including one member from each of the
14 following: statewide municipal organizations; environmental justice
15 groups; statewide environmental groups; public utilities; and charging
16 station developers. Such working group members shall be appointed as
17 follows: three members shall be appointed by the governor; one member
18 shall be appointed by the temporary president of the senate and one
19 member shall be appointed by the speaker of the assembly.

20 (b) Members of the working group shall be reimbursed for their neces-
21 sary and actual expenses incurred in the performance of their duties as
22 members of the working group.

23 6. The authority shall update the plan annually.

24 § 2. This act shall take effect immediately.

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

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