S T A T E O F N E W Y O R K

2653--A

2009-2010 Regular Sessions

I N S E N A T E

February 26, 2009

Introduced by Sen. HUNTLEY -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public authorities law, in relation to the construction and financing of facilities by the dormitory authority for the Alliance of Long Island Agencies, Inc. and InterAgency Council of Mental Retardation and Developmental Disabilities Agencies, Inc.

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

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

NOT-FOR-PROFIT MEMBERS OF THE ALLIANCE OF LONG ISLAND AGENCIES, INC., FOR THE ACQUISITION, FINANCING, REFINANCING, CONSTRUCTION, RECONSTRUCTION, RENOVATION, DEVELOPMENT, IMPROVEMENT, EXPANSION AND EQUIPPING OF CERTAIN EDUCATIONAL, ADMINISTRATIVE, DAY PROGRAM AND RESIDENTIAL FACILITIES TO BE LOCATED IN THE STATE OF NEW YORK.

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

NOT-FOR-PROFIT MEMBERS OF THE ALLIANCE OF LONG ISLAND AGENCIES, INC., FOR THE ACQUISITION, FINANCING, REFINANCING, CONSTRUCTION, RECONSTRUCTION, RENOVATION, DEVELOPMENT, IMPROVEMENT, EXPANSION AND EQUIPPING OF CERTAIN EDUCATIONAL, ADMINISTRATIVE, DAY PROGRAM AND RESIDENTIAL FACILITIES TO BE LOCATED IN THE STATE OF NEW YORK. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, NOT-FOR-PROFIT MEMBERS OF THE ALLIANCE OF LONG ISLAND AGENCIES, INC. SHALL HAVE FULL POWER AND AUTHORITY TO ASSIGN AND PLEDGE TO THE DORMITORY AUTHORITY, ANY AND ALL PUBLIC FUNDS TO BE APPORTIONED OR OTHERWISE MADE PAYABLE BY THE UNITED STATES, ANY AGENCY THEREOF, THE STATE, ANY AGENCY THEREOF, A POLITICAL SUBDIVISION, AS DEFINED IN SECTION ONE HUNDRED OF THE GENERAL MUNICIPAL LAW, ANY SOCIAL SERVICES

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

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DISTRICT IN THE STATE OR ANY OTHER GOVERNMENTAL ENTITY IN AN AMOUNT SUFFICIENT TO MAKE ALL PAYMENTS REQUIRED TO BE MADE BY SUCH MEMBERS PURSUANT TO ANY LEASE, SUBLEASE OR OTHER AGREEMENT ENTERED INTO BETWEEN SUCH MEMBERS AND THE DORMITORY AUTHORITY. ALL STATE AND LOCAL OFFICERS ARE HEREBY AUTHORIZED AND REQUIRED TO PAY ALL SUCH FUNDS SO ASSIGNED AND PLEDGED TO THE DORMITORY AUTHORITY OR, UPON THE DIRECTION OF THE DORMITORY AUTHORITY, TO ANY TRUSTEE OF ANY DORMITORY AUTHORITY BOND OR NOTE ISSUED, PURSUANT TO A CERTIFICATE FILED WITH ANY SUCH STATE OR LOCAL OFFICER BY THE DORMITORY AUTHORITY PURSUANT TO THE PROVISIONS OF THIS SECTION.

S 3. Paragraph (b) of subdivision 2 of section 1676 of the public authorities law is amended by adding a new undesignated paragraph to read as follows:

NOT-FOR-PROFIT MEMBERS OF INTERAGENCY COUNCIL OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES AGENCIES, INC., FOR THE ACQUISITION, FINANCING, REFINANCING, CONSTRUCTION, RECONSTRUCTION, RENOVATION, DEVELOPMENT, IMPROVEMENT, EXPANSION AND EQUIPPING OF CERTAIN EDUCATIONAL, ADMINISTRATIVE, DAY PROGRAM AND RESIDENTIAL FACILITIES TO BE LOCATED IN THE STATE OF NEW YORK.

S 4. Subdivision 1 of section 1680 of the public authorities law is amended by adding a new undesignated paragraph to read as follows:

NOT-FOR-PROFIT MEMBERS OF INTERAGENCY COUNCIL OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES AGENCIES, INC., FOR THE ACQUISITION, FINANCING, REFINANCING, CONSTRUCTION, RECONSTRUCTION, RENOVATION, DEVELOPMENT, IMPROVEMENT, EXPANSION AND EQUIPPING OF CERTAIN EDUCATIONAL, ADMINISTRATIVE, DAY PROGRAM AND RESIDENTIAL FACILITIES TO BE LOCATED IN THE STATE OF NEW YORK. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, NOT-FOR-PROFIT MEMBERS OF THE INTERAGENCY COUNCIL OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES AGENCIES, INC. SHALL HAVE FULL POWER AND AUTHORITY TO ASSIGN AND PLEDGE TO THE DORMITORY AUTHORITY, ANY AND ALL PUBLIC FUNDS TO BE APPORTIONED OR OTHERWISE MADE PAYABLE BY THE UNITED STATES, ANY AGENCY THEREOF, THE STATE, ANY AGENCY THEREOF, A POLITICAL SUBDIVISION, AS DEFINED IN SECTION ONE HUNDRED OF THE GENERAL MUNICIPAL LAW, ANY SOCIAL SERVICES DISTRICT IN THE STATE OR ANY OTHER GOVERNMENTAL ENTITY IN AN AMOUNT SUFFICIENT TO MAKE ALL PAYMENTS REQUIRED TO BE MADE BY SUCH MEMBERS PURSUANT TO ANY LEASE, SUBLEASE OR OTHER AGREEMENT ENTERED INTO BETWEEN SUCH MEMBERS AND THE DORMITORY AUTHORITY. ALL STATE AND LOCAL OFFICERS ARE HEREBY AUTHORIZED AND REQUIRED TO PAY ALL SUCH FUNDS SO ASSIGNED AND PLEDGED TO THE DORMITORY AUTHORITY OR, UPON THE DIRECTION OF THE DORMITORY AUTHORITY, TO ANY TRUSTEE OF ANY DORMITORY AUTHORITY BOND OR NOTE ISSUED, PURSUANT TO A CERTIFICATE FILED WITH ANY SUCH STATE OR LOCAL OFFICER BY THE DORMITORY AUTHORITY PURSUANT TO THE PROVISIONS OF THIS SECTION.

S 5. Any contracts entered into by the dormitory authority pursuant to this act shall be deemed state contracts within the meaning of that term as set forth in article 15-A of the executive law, and the authority shall be deemed, for the purposes of this act, a contracting agency as that term is used in such article.

S 6. The expiration and repeal of sections one, two, three and four of this act shall not affect or impair in any manner any bonds issued, or any loan made to any borrower, pursuant to the provisions of this act prior to the expiration of such sections.

S 7. This act shall take effect immediately.