

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:

1 Section 1. Paragraph (b) of subdivision 2 of section 1676 of the
2 public authorities law is amended by adding a new undesignated paragraph
3 to read as follows:
4 NOT-FOR-PROFIT MEMBERS OF THE ALLIANCE OF LONG ISLAND AGENCIES, INC.,
5 FOR THE ACQUISITION, FINANCING, REFINANCING, CONSTRUCTION, RECON-
6 STRUCTION, RENOVATION, DEVELOPMENT, IMPROVEMENT, EXPANSION AND EQUIPPING
7 OF CERTAIN EDUCATIONAL, ADMINISTRATIVE, DAY PROGRAM AND RESIDENTIAL
8 FACILITIES TO BE LOCATED IN THE STATE OF NEW YORK.
9 S 2. Subdivision 1 of section 1680 of the public authorities law is
10 amended by adding a new undesignated paragraph to read as follows:
11 NOT-FOR-PROFIT MEMBERS OF THE ALLIANCE OF LONG ISLAND AGENCIES, INC.,
12 FOR THE ACQUISITION, FINANCING, REFINANCING, CONSTRUCTION, RECON-
13 STRUCTION, RENOVATION, DEVELOPMENT, IMPROVEMENT, EXPANSION AND EQUIPPING
14 OF CERTAIN EDUCATIONAL, ADMINISTRATIVE, DAY PROGRAM AND RESIDENTIAL
15 FACILITIES TO BE LOCATED IN THE STATE OF NEW YORK. NOTWITHSTANDING ANY
16 OTHER PROVISION OF LAW, NOT-FOR-PROFIT MEMBERS OF THE ALLIANCE OF LONG
17 ISLAND AGENCIES, INC. SHALL HAVE FULL POWER AND AUTHORITY TO ASSIGN AND
18 PLEDGE TO THE DORMITORY AUTHORITY, ANY AND ALL PUBLIC FUNDS TO BE APPOR-
19 TIONED OR OTHERWISE MADE PAYABLE BY THE UNITED STATES, ANY AGENCY THERE-
20 OF, THE STATE, ANY AGENCY THEREOF, A POLITICAL SUBDIVISION, AS DEFINED
21 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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1 DISTRICT IN THE STATE OR ANY OTHER GOVERNMENTAL ENTITY IN AN AMOUNT
2 SUFFICIENT TO MAKE ALL PAYMENTS REQUIRED TO BE MADE BY SUCH MEMBERS
3 PURSUANT TO ANY LEASE, SUBLEASE OR OTHER AGREEMENT ENTERED INTO BETWEEN
4 SUCH MEMBERS AND THE DORMITORY AUTHORITY. ALL STATE AND LOCAL OFFICERS
5 ARE HEREBY AUTHORIZED AND REQUIRED TO PAY ALL SUCH FUNDS SO ASSIGNED AND
6 PLEDGED TO THE DORMITORY AUTHORITY OR, UPON THE DIRECTION OF THE DORMI-
7 TORY AUTHORITY, TO ANY TRUSTEE OF ANY DORMITORY AUTHORITY BOND OR NOTE
8 ISSUED, PURSUANT TO A CERTIFICATE FILED WITH ANY SUCH STATE OR LOCAL
9 OFFICER BY THE DORMITORY AUTHORITY PURSUANT TO THE PROVISIONS OF THIS
10 SECTION.

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

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

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

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

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

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

53 S 7. This act shall take effect immediately.