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

3692--A

2009-2010 Regular Sessions

I N   S E N A T E

March 27, 2009

Introduced by Sen. PERKINS -- (at request of the State of New York Mortgage Agency) -- 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 New York state interim short-term financing account and to amend chapter 555 of the laws of 1989 amending the public authorities law and other laws, relating to establishing a New York state infrastructure trust fund, in relation to interim short-term financing account within the state of New York mortgage agency mortgage insurance fund

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

Section 1. Section 2425 of the public authorities law is amended by adding a new eleventh undesignated paragraph to read as follows:

ALSO, IT IS HEREBY FOUND AND DECLARED THAT IT IS IN THE PUBLIC INTEREST TO PROVIDE THE OPPORTUNITY FOR INTERIM SHORT-TERM FINANCING FOR THE STATE OF NEW YORK MORTGAGE AGENCY'S MORTGAGE ACQUISITION PROGRAMS TO FURTHER EXPAND THE AGENCY'S MISSION TO PROVIDE AFFORDABLE HOUSING TO LOW AND MODERATE INCOME FIRST-TIME HOMEBUYERS.

S 2. Section 2426 of the public authorities law is amended by adding a new subdivision 23 to read as follows:

23. "INTERIM SHORT-TERM FINANCING SUPPORT". AUTHORITY GRANTED THE STATE OF NEW YORK MORTGAGE AGENCY ("SONYMA") TO USE THE MONIES IN ITS MORTGAGE INSURANCE FUND TO ACQUIRE MORTGAGE LOANS PENDING OBTAINING LONG-TERM FINANCING.

S 3. The opening paragraph of section 2427 of the public authorities law, as amended by chapter 3 of the laws of 2004, is amended and a new subdivision 11 is added to read as follows:

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

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The agency shall have the following additional powers only with respect to insuring mortgage loans [and], providing development corporation credit support, AND INTERIM SHORT-TERM FINANCING SUPPORT:

11. TO PROVIDE FOR INTERIM SHORT-TERM FINANCING SUPPORT FOR THE STATE OF NEW YORK MORTGAGE AGENCY'S SINGLE FAMILY PROGRAMS.

S 4. The public authorities law is amended by adding a new section 2428-b to read as follows:

S 2428-B. INTERIM SHORT-TERM FINANCING SUPPORT. 1. THE AGENCY IS AUTHORIZED, SUBJECT TO THE PROVISIONS OF THIS TITLE, TO PROVIDE SHORT-TERM INTERIM FINANCING SUPPORT FOR THE AGENCY'S MORTGAGE ACQUISITION PROGRAMS BY MAKING MONIES IN THE MORTGAGE INSURANCE FUND AVAILABLE FOR THE PURPOSE OF PROVIDING FUNDS TO ACQUIRE MORTGAGE LOANS UNTIL SUCH TIME AS PERMANENT FINANCING BECOMES AVAILABLE.

2. THE BOARD OF DIRECTORS OF THE AGENCY, BY A VOTE OF A MAJORITY OF ALL OF ITS MEMBERS OR OF A COMMITTEE THEREOF SO EMPOWERED, SHALL APPROVE THE TERMS OF THE INTERIM SHORT-TERM FINANCING LOANS.

3. ON OR BEFORE THE FIFTEENTH DAY OF MAY IN EACH YEAR, THE CHAIRMAN OF THE BOARD OF THE AGENCY SHALL REPORT TO THE MEMBERS ON ANY DISBURSEMENTS MADE FROM THE INTERIM SHORT-TERM FINANCING ACCOUNT FOR THE CONSECUTIVE TWELVE-MONTH PERIOD ENDING ON THE THIRTY-FIRST DAY OF MARCH IN THE PRECEDING YEAR.

S 5. Section 2429-a of the public authorities law, as amended by chapter 3 of the laws of 2004, is amended to read as follows:

S 2429-a. Payment of insurance [and], development corporation credit support, AND INTERIM SHORT-TERM FINANCING SUPPORT. 1. The agency shall establish procedures to be followed by a mortgagee in the event of a default under the terms of any mortgage insured by the agency. The agency may require that prior to submitting a claim to the agency for payment of insurance the mortgagee shall take such actions with respect to the property securing the defaulted mortgage as may be specified by the agency to be satisfactory evidence of a continuing default, including but not limited to the following: (i) becoming lawfully the mortgagee in possession thereof; (ii) causing a receiver to be appointed of such property; (iii) obtaining voluntary conveyance of the mortgagor's right and title to such property; or (iv) obtaining by foreclosure clear and unencumbered title to such property, all in such manner as the agency may require. Following submission of a valid claim the agency shall pay an amount which shall not exceed the lesser of (1) the then outstanding insured principal amount of the mortgage multiplied by the per centum of such outstanding amount insured by the agency and a per centum of the mortgagee's cost arising from the default, inclusive of public liens and delinquent and unpaid interest, all as the agency may from time to time allow, which per centum shall not exceed the per centum of the outstanding principal indebtedness insured by the agency or (2) the insured amount of the mortgage at the date of execution of the insurance contract or its latest amendment, if any, except that the agency shall pay the greater of the two amounts on claims by a public employee pension fund, or by a public benefit corporation derived from the sale of notes or bonds issued by said corporation, provided that no more than the actual loss suffered by such public employee pension fund or public benefit corporation shall be paid. Such payment may be made by the agency in a lump sum, or in partial payments made within such period of time as may be agreed to between the agency and the mortgagee, all in accordance with procedures to be established by the agency.

2. The agency shall establish, by contract or otherwise, procedures to be followed with respect to development corporation credit support for

which the development corporation credit support account has been determined by the agency to be a source or potential source of payment.

3. THE AGENCY SHALL ESTABLISH BY CONTRACT OR OTHERWISE, PROCEDURES TO BE FOLLOWED WITH RESPECT TO MAKING INTERIM SHORT-TERM FINANCING SUPPORT FOR THE TEMPORARY ACQUISITION OF MORTGAGE LOANS.

S 6. Section 2429-b of the public authorities law, as amended by section 13 of chapter 3 of the laws of 2004, is amended to read as follows:

S 2429-b. Mortgage insurance fund. 1. (a) The agency shall create and establish a mortgage insurance fund. Within such fund, the agency shall establish: (i) a special account, which shall be divided into sub-accounts for each region as defined in subdivision nine of section twenty-four hundred twenty-six of this title; (ii) a single family pool insurance account; (iii) a project pool insurance account; [and] (iv) a development corporation credit support account; AND (V) AN INTERIM SHORT-TERM FINANCING ACCOUNT. The single family pool insurance account shall be used for all business relating to the insurance of mortgages on properties with one to four dwelling units, the project pool insurance account shall be used for all business relating to the insurance of mortgages on properties other than those with one to four dwelling units, [and] the development corporation credit support account shall be used for all business relating to development corporation credit support, AND THE INTERIM SHORT-TERM FINANCING ACCOUNT SHALL BE USED FOR ALL BUSINESS RELATING TO INTERIM SHORT-TERM FINANCING SUPPORT. Separate sub-accounts may be established within the special account, the pool insurance accounts, [and] the development corporation credit support account AND THE INTERIM SHORT-TERM FINANCING ACCOUNT as deemed appropriate by the agency.

(b) (i) The mortgage insurance fund shall be used as a revolving fund for carrying out the provisions of this title with respect to mortgages insured and development corporation credit support AND INTERIM SHORT-TERM FINANCING SUPPORT, provided thereunder. (ii) The agency shall pay into such fund all moneys which may be made available to the agency for the purposes of such fund from any source, including but not limited to the moneys received from recording officers pursuant to the provisions of subdivision two of section two hundred sixty-one of the tax law. The agency shall credit the amount of moneys received from the recording officer of each county, pursuant to subdivision two of section two hundred sixty-one of the tax law, to the special account. In any fiscal year, no more than fifty per centum of the amount received from the recording officers during the consecutive twelve month period ending on the preceding March thirty-first may be used by the agency for the purpose of insuring mortgages on property located in any one region pursuant to section two thousand four hundred twenty-eight of this part, provided, however, that this provision shall not include or be applied to pool insurance OR PRIMARY MORTGAGE INSURANCE of mortgage loans purchased by the agency. The agency shall credit any other moneys which may be made available to the agency for the purposes of such fund from any other source to the special account, the single family pool insurance account, the project pool insurance account, [or] the development corporation credit support account, OR THE INTERIM SHORT-TERM FINANCING ACCOUNT as appropriate. Any income or interest earned by, or increment to, the mortgage insurance fund due to the investment thereof shall be credited to the special account, the applicable pool insurance account, [or] the development corporation credit support account, OR INTERIM SHORT-TERM FINANCING ACCOUNT, as appropriate.

(c) The agency may credit from the special account to the single family pool insurance account, to the project pool insurance account and to the development corporation credit support account such moneys as are required to satisfy the mortgage insurance fund requirement of such accounts, except that during any twelve-month period ending on March thirty-first the aggregate amount credited to the development corporation credit support account (excluding amounts described in the last sentence of paragraph (b) of this subdivision) shall not exceed the lesser of (i) fifty million dollars or (ii) the aggregate of the amounts required under the contracts executed by the agency to provide development corporation support. THE AGENCY MAY CREDIT FROM THE SPECIAL ACCOUNT TO THE INTERIM SHORT-TERM FINANCING ACCOUNT SUCH MONEYS AS ARE IN EXCESS OF THE AMOUNTS REQUIRED TO SATISFY THE MORTGAGE INSURANCE FUND REQUIREMENTS OF THE SINGLE FAMILY POOL INSURANCE ACCOUNT, THE PROJECT POOL INSURANCE ACCOUNT, AND THE DEVELOPMENT CORPORATION CREDIT SUPPORT ACCOUNT.

(d) Moneys, investments and cash equivalents of the special account, the single family pool insurance account, the project pool insurance account [and], the development corporation credit support account, AND THE INTERIM SHORT-TERM FINANCING ACCOUNT shall be kept separate and shall not be commingled with each other or with any other accounts which may be established from time to time, except as otherwise authorized by this section.

(e) Moneys, investments and cash equivalents of the pool insurance accounts [and], the development corporation credit support account, AND THE INTERIM SHORT-TERM FINANCING ACCOUNT shall be excluded from the excess balance calculation set forth in subdivision two of this section. However, if at any time the moneys, investments and cash equivalents (valued as determined by the agency) of either pool insurance account [or], the development corporation credit support account, OR THE INTERIM SHORT-TERM FINANCING ACCOUNT exceed the amount necessary to attain and maintain the credit rating or, with respect to development corporation credit support, credit worthiness (as determined by the agency) required to accomplish the purposes of such account the agency shall transfer such excess to the special account and such excess shall be included in the excess balance calculation.

1-a. All moneys held in the mortgage insurance fund, except as hereinafter provided, shall be used, as required, solely for the payment of the agency's liabilities arising from mortgages insured as provided in section twenty-four hundred twenty-nine-a of this part [and], from the provision of development corporation credit support as provided in section twenty-four hundred twenty-eight-a of this part, AND FROM THE PROVISION OF INTERIM SHORT-TERM FINANCING SUPPORT AS PROVIDED IN SECTION TWENTY-FOUR HUNDRED TWENTY-EIGHT-B OF THIS PART; provided, however, that no moneys shall be withdrawn from any account at any time in such amount as would reduce the amount of, as applicable, the special account, either pool insurance account or the development corporation credit support account to less than its applicable mortgage insurance fund requirement, except for the purpose of paying such liabilities as the same become due and for the payment of which other moneys of the agency are not available. All payments pursuant to section twenty-four hundred twenty-nine-a of this part, and expenses attributable thereto shall be debited to the special account or the single family pool insurance account or the project pool insurance account or the development corporation credit support account OR THE INTERIM SHORT-TERM FINANCING ACCOUNT, as appropriate, within the mortgage insurance fund. All other operating expenses of the agency with respect to insurance of mortgages [and], providing development corporation credit support, AND INTERIM SHORT-TERM FINANCING SUPPORT shall be debited to the special account, the single family pool insurance account, the project pool insurance account [or] the development corporation credit support account OR THE INTERIM SHORT-TERM FINANCING ACCOUNT within the mortgage insurance fund, as appropriate.

2. On or before March twentieth in each year, the board of directors of the agency shall determine the amount estimated to be received by the agency from the additional tax imposed pursuant to subdivision one-a of section two hundred fifty-three of the tax law and deposited in the mortgage insurance fund and credited to the special account plus any other monies deposited in such account plus the amount of reserves available in such special account with respect to mortgage loans that were previously insured in accordance with section twenty-four hundred twenty-eight OF THIS PART, or development corporation credit support previously provided pursuant to section twenty-four hundred twenty-eight-a of this part under contracts or commitments that have been satisfied or cancelled, OR INTERIM SHORT-TERM FINANCING SUPPORT PREVIOUSLY MADE AVAILABLE PURSUANT TO SECTION TWENTY-FOUR HUNDRED TWENTY-EIGHT-B OF THIS PART THAT HAS BEEN REPAID, pursuant to subdivision one of this section, except charges and fees levied by the agency pursuant to section twenty-four hundred twenty-nine-c of this part, which shall be added in the computation only when such a commitment is cancelled or expires or when the insurance or contractual arrangement to provide development corporation credit support OR INTERIM SHORT-TERM FINANCING SUPPORT applied for is declared effective. Such determination made on or before March twentieth in each year shall be made for the consecutive twelve-month period ending on the subsequent March thirty-first. The board shall then determine the estimated excess balance, if any, in such special account by determining the amount by which such credits exceed twenty per centum, or such other per centums or amounts as may have been established by the board of directors of the agency pursuant to subdivision seven of section twenty-four hundred twenty-eight of this part, of the amounts insured or committed to be insured and the amounts of development corporation credit support established by the board of directors of the agency pursuant to section twenty-four hundred twenty-eight-a of this part, AND THE AMOUNTS OF INTERIM SHORT-TERM FINANCING SUPPORT AS MAY HAVE BEEN ESTABLISHED BY THE BOARD OF DIRECTORS OF THE AGENCY PURSUANT TO SECTION TWENTY-FOUR HUNDRED TWENTY-EIGHT-B OF THIS PART to be provided during such twelve-month period plus any payments by the agency during such twelve-month period on account of a mortgage [or], development corporation credit support contract entered into OR INTERIM SHORT-TERM FINANCING SUPPORT PROVIDED during such twelve-month period ending on such March thirty-first, plus the operating expenses of the agency during such twelve-month period with respect to insurance of mortgages or provision of development corporation credit support OR INTERIM SHORT-TERM FINANCING SUPPORT, which amount may not exceed an amount determined and certified by the director of the budget, with notification to the chairman of the senate finance committee and chairman of the assembly ways and means committee. On or before May fifteenth, the board shall determine any adjustment to the estimated excess balance necessary to reflect the variance, if any, between such estimated excess balance and the actual excess balance computed as of March thirty-first, and shall certify such adjustment to the director of the budget. The agency shall include such adjustment in

the estimated excess balance determination for the following fiscal year, unless otherwise instructed by the director of the budget. The agency shall submit to the director of the budget an estimate of such operating expenses on or before the tenth business day in March of each year and the director of the budget shall make such certification before March twentieth of each year.

Upon making the determination of the estimated excess balance, the agency shall certify such determination to the director of the budget, the chairmen of the senate finance committee and the assembly ways and means committee, and the comptroller. Payment of such actual or estimated excess balance shall be made within ninety days after March twentieth. The agency shall, at the direction of the director of the budget, pay such estimated or actual excess balance, if any, from the special account to the comptroller for deposit to the state general fund; provided, however, that if the aggregate amount in the special account as of such date is less than the mortgage insurance fund requirement, the agency shall retain all or that portion of any such estimated or actual excess balance in such special account necessary to increase the aggregate amount in such special account to the mortgage insurance fund requirement. The director of the budget shall notify the chairmen of the senate finance committee and the assembly ways and means committee ten days prior to the issuance of the directive in respect to the payment of the estimated or actual excess balance to the general fund.

Further provided, however, that the budget to be submitted to the legislature by the governor pursuant to article seven of the constitution shall separately state the amount of such estimated or actual excess balance determined as hereinabove prescribed, if any, which shall be included in the monies and revenues estimated to be available during the current and ensuing fiscal years, respectively.

3. The moneys, OTHER THAN THE MONIES IN THE INTERIM SHORT-TERM FINANCING ACCOUNT WHEN INVESTED IN MORTGAGE LOANS, in such fund shall be deposited in one or more banks or trust companies designated in the manner provided by law, as depositories of the funds of the state. The agency may invest the moneys in such fund in obligations specified in subdivision four of this section. Any interest earned or capital gain realized on the money so deposited or invested shall accrue to and become part of such fund. The separate identity of such fund shall be maintained whether its assets consist of cash or investments or both.

4. Moneys in such fund, OTHER THAN MONEYS IN THE INTERIM SHORT-TERM FINANCING ACCOUNT, may be invested (a) in special time deposit accounts in, or certificates of deposit issued by, a bank, trust company, savings bank or savings and loan association located and authorized to do business in this state, provided, however, that such time deposit account or certificate of deposit shall be payable within such time as the proceeds may be needed to meet expenditures estimated to be incurred by the agency and provided further that such time deposit account or certificate of deposit be secured by a pledge of obligations of the United States of America or obligations of the state, any city of the state, or other municipal corporation, school district or district corporation of the state or obligations of agencies of the federal government; or (b) in obligations of the United States of America or the state which may from time to time be legally purchased by savings banks within the state as an investment of funds belonging to them or in their control, or in obligations of the Federal National Mortgage Association provided such obligations shall be payable or redeemable at the option of the owner

within such times as the proceeds may be needed to meet expenditures estimated to be incurred by the agency.

MONEYS IN THE INTERIM SHORT-TERM FINANCING ACCOUNT SHALL BE USED TO ACQUIRE MORTGAGE LOANS OF THE AGENCY PENDING THE AGENCY OBTAINING LONG-TERM FINANCING FOR THE PURCHASE THEREOF, WHICH MORTGAGE LOANS SHALL BE DEEMED INVESTMENTS OF THE INTERIM SHORT-TERM FINANCING ACCOUNT. AT SUCH TIME AS THE AGENCY OBTAINS LONG-TERM FINANCING FOR THE PURCHASE OF MORTGAGE LOANS ON DEPOSIT IN THE INTERIM SHORT-TERM FINANCING ACCOUNT AS INVESTMENTS THEREOF, THE AGENCY SHALL PURCHASE SAID MORTGAGE LOANS AND THE MONEYS SHALL BE DEPOSITED IN THE INTERIM SHORT-TERM FINANCING ACCOUNT. MONEYS IN THE INTERIM SHORT-TERM FINANCING ACCOUNT THAT ARE NOT INVESTED IN MORTGAGE LOANS AS SET FORTH HEREIN SHALL BE INVESTED AS SET FORTH IN PARAGRAPH (B) OF THIS SUBDIVISION.

5. In computing the amount of the mortgage insurance fund for the purposes of this section, securities in which all or a portion of such fund shall be invested shall be valued at par if purchased at par, or if purchased at other than par, at amortized value. Amortized value, when used with respect to securities purchased at a premium above or a discount below par, shall mean the value as of any given date obtained by dividing the total premiums or discount at which such securities were purchased by the number of interest payments remaining to maturity on such securities after such purchase and by multiplying the amount so calculated by the number of interest payment dates having passed since the date of such purchase; and (i) in the case of securities purchased at a premium by deducting the product thus obtained from the purchase price, and (ii) in the case of securities purchased at a discount by adding the product thus obtained to the purchase price.

6. The agency may create and establish such other fund or funds as may be necessary or desirable for the carrying out of its corporate purposes.

S 7. Subdivision 1 of section 2429-b of the public authorities law, as amended by section 14 of chapter 3 of the laws of 2004, is amended to read as follows:

1. The agency shall create and establish a mortgage insurance fund. Within such fund, the agency shall establish a special account, which shall be divided into sub-accounts for each region as defined in subdivision nine of section twenty-four hundred twenty-six of this part [and]; a development corporation credit support account, AND AN INTERIM SHORT-TERM FINANCING ACCOUNT. The development corporation credit support account shall be used for all business related to development corporation credit support, AND THE INTERIM SHORT-TERM FINANCING ACCOUNT SHALL BE USED FOR ALL BUSINESS RELATING TO INTERIM SHORT-TERM FINANCING SUPPORT. Separate sub-accounts may be established within the development corporation credit support account AND THE INTERIM SHORT-TERM FINANCING ACCOUNT as deemed appropriate by the agency. The mortgage insurance fund shall be used as a revolving fund for carrying out the provisions of this title with respect to mortgages insured and TO development corporation support AND INTERIM SHORT-TERM FINANCING SUPPORT provided thereunder. The agency shall pay into such fund all moneys which may be made available to the agency for the purposes of such fund from any source, including but not limited to the moneys received from recording officers pursuant to the provisions of subdivision two of section two hundred sixty-one of the tax law. The agency shall credit the amount of moneys received from the recording officer of each county, pursuant to subdivision two of section two hundred sixty-one of the tax law, to the special account. In any calendar year, no more than fifty

per centum of the amount received from the recording officers and credited to the special account during the consecutive twelve month period ending on the preceding December thirty-first may be used by the agency for the purpose of insuring mortgages on property located in any one region pursuant to section two thousand four hundred twenty-eight of this part PROVIDED, THAT THIS PROVISION SHALL NOT INCLUDE OR BE APPLIED TO POOL INSURANCE ON PRIMARY MORTGAGE INSURANCE OF MORTGAGE LOANS PURCHASED BY THE AGENCY. The agency shall credit any other moneys which may be made available to the agency for the purposes of such fund from any other source to the special account or the development corporation credit support account OR THE INTERIM SHORT-TERM FINANCING ACCOUNT, as appropriate. Any income or interest earned by, or increment to, the mortgage insurance fund due to the investment thereof shall be credited to the special account or the development corporation credit account OR THE INTERIM SHORT-TERM FINANCING ACCOUNT, as appropriate.

S 8. Subdivision 1-a of section 2429-b of the public authorities law, as amended by section 15 of chapter 3 of the laws of 2004, is amended to read as follows:

1-a. All moneys held in the mortgage insurance fund, except as hereinafter provided, shall be used, as required, solely for the payment of the agency's liabilities arising from mortgages insured as provided in section twenty-four hundred twenty-nine-a of this part and from the provision of development corporation credit support as provided in section twenty-four hundred twenty-eight-a of this part, AND FROM THE PROVISION OF INTERIM SHORT-TERM FINANCING SUPPORT AS PROVIDED IN SECTION TWENTY-FOUR HUNDRED TWENTY-EIGHT-B OF THIS PART; provided, however, that no moneys shall be withdrawn from any account at any time in such amount as would reduce the amount of, as applicable, the special account or the development corporation credit support account to less than its applicable mortgage insurance fund requirement, except for the purpose of paying such liabilities as the same become due and for the payment of which other moneys of the agency are not available. All payments pursuant to section twenty-four hundred twenty-nine-a of this part, and expenses attributable thereto shall be debited to the special account or the development corporation credit support account OR THE INTERIM SHORT-TERM FINANCING ACCOUNT within the mortgage insurance fund. All other operating expenses of the agency with respect to insurance of mortgages and providing development corporation credit support AND PROVIDING INTERIM SHORT-TERM FINANCING SUPPORT shall be debited to the special account or the development corporation credit support account OR THE INTERIM SHORT-TERM FINANCING ACCOUNT within the mortgage insurance fund, as appropriate.

S 9. Section 19 of chapter 555 of the laws of 1989 amending the public authorities law and other laws relating to establishing a New York state infrastructure trust fund, as amended by chapter 230 of the laws of 2007, is amended to read as follows:

S 19. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after June 15, 1989 provided that the amendments to law effected by sections six and nine through seventeen of this act, as amended, shall cease to be of force and effect on and after July 16, [2009] 2011, on which date the provisions of the public authorities law amended by such sections shall be as they were in force and effect immediately prior to this act taking effect, and provided however that the amendments to law effected by sections six and nine through seventeen of this act, as amended, shall continue to apply to all commitments issued or policies or development corporation credit support OR INTERIM SHORT-TERM FINANCING SUPPORT in force on or before July 16, [2009] 2011, and provided further that the amendments to section 2429-b of the public authorities law made by section 13 of chapter 3 of the laws of 2004 which amended this section shall not cease to be of force and effect prior to the time that full payment of all development corporation credit support obligations has been made or provided for, AND PROVIDED FURTHER THAT THE AMENDMENTS TO SECTION 2429-B OF THE PUBLIC AUTHORITIES LAW MADE BY SECTIONS 6, 7 AND 8 OF A CHAPTER OF THE LAWS OF 2009, WHICH AMENDED THIS SECTION SHALL NOT CEASE TO BE OF FORCE AND EFFECT PRIOR TO THE TIME THAT FULL PAYMENT OF ALL INTERIM SHORT-TERM FINANCING SUPPORT OBLIGATIONS HAS BEEN MADE OR PROVIDED FOR.

S 10. Construction. This act and all powers granted hereby shall be liberally construed to effectuate its intent and their purposes, without implied limitations thereon. This act shall constitute full and complete authority for all things herein contemplated to be done. All rights and powers herein granted shall be cumulative with those derived from other sources and shall not, except as expressly stated herein, be construed in limitation thereof. Insofar as the provisions of this act are inconsistent with the provisions of any other act, general or special, the provisions of this act shall be controlling.

S 11. Severability clause. If any clause, sentence, paragraph, section or part of this act be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder hereof but shall be applied in its operation to the clause, sentence, paragraph, section or part hereof directly involved in the controversy in which such judgment shall have been rendered.

S 12. This act shall take effect immediately; provided, however, that:

a. The comptroller of the state of New York shall notify the legislative bill drafting commission upon such enactment and allocation and shall also notify the commissioner when full payment of all obligations, including credit support obligations, has been made or provided for, as enacted by section 19 of chapter 555 of the laws of 1989, as amended by section nine of this act, in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effecting the provisions of section 44 of the legislative law and section 70-b of the public officers law.

b. The amendments to subdivision 1 of section 2429-b of the public authorities law made by section six of this act shall be subject to the expiration and reversion of such subdivision pursuant to section 19 of chapter 555 of the laws of 1989, as amended, when upon such date the provisions of section seven of this act shall take effect.

c. The amendments to subdivision 1-a of section 2429-b of the public authorities law made by section six of this act shall be subject to the expiration and reversion of such subdivision pursuant to section 19 of chapter 555 of the laws of 1989, as amended, when upon such date the provisions of section eight of this act shall take effect.