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

57

Eighth Extraordinary Session

I N S E N A T E

June 29, 2009

Introduced by COMMITTEE ON RULES -- (at request of the Governor) -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the public authorities law, in relation to granting the New York State Bridge Authority the power to issue bonds and notes in an aggregate principal amount not to exceed $153,255,000

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

Section 1. Subdivision 1 of section 532 of the public authorities law, as amended by chapter 584 of the laws of 1993, is amended to read as follows:

1. The authority shall have power and is hereby authorized from time to time to issue [after January first, nineteen hundred ninety-three] its negotiable bonds in conformity with applicable provisions of the uniform commercial code for any corporate purpose in the aggregate principal amount [of] not [exceeding one hundred million dollars] TO EXCEED ONE HUNDRED FIFTY-THREE MILLION TWO HUNDRED FIFTY-FIVE THOUSAND DOLLARS.

S 2. Subdivision 2 of section 532 of the public authorities law, as amended by chapter 584 of the laws of 1993, is amended to read as follows:

2. In addition to the bonds authorized in subdivision one of this section, the authority shall have power from time to time and whenever it deems refunding expedient, to issue bonds in such principal amount as the authority may determine for the purpose of refunding bonds then outstanding and to issue such additional bonds as may be necessary to pay the costs incurred in connection with said refunding, whether the bonds to be refunded have or have not matured. The refunding bonds may be exchanged for the bonds to be refunded with such cash adjustments as may be agreed, or may be sold and the proceeds applied to the purchase, redemption or payment of the bonds to be refunded, provided, however, that upon any such refunding or repayment the aggregate principal amount

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

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of outstanding bonds may be greater than [one hundred million dollars] ONE HUNDRED FIFTY-THREE MILLION TWO HUNDRED FIFTY-FIVE THOUSAND DOLLARS only if the present value of the aggregate debt service of the refunding or repayment bonds to be issued shall not exceed the present value of the aggregate debt service of the bonds so to be refunded or repaid. For purposes hereof, the present values of the aggregate debt service of the refunding or repayment bonds and of the aggregate debt service of the bonds so refunded or repaid, shall be calculated by utilizing the effective interest rate of the refunding or repayment bonds, which shall be that rate arrived at by doubling the semi-annual interest rate (compounded semi-annually) necessary to discount the debt service payments on the refunding or repayment bonds from the payment dates thereof to the date of issue of the refunding or repayment bonds and to the price bid including estimated accrued interest or proceeds received by the authority including estimated accrued interest from the sale thereof.

S 3. Section 532-a of the public authorities law, as amended by chapter 584 of the laws of 1993, is amended to read as follows:

S 532-a. Notes of the authority. The authority shall have power from time to time to issue its negotiable notes in conformity with applicable provisions of the uniform commercial code and from time to time to issue renewal notes, maturing not later than five years from their respective dates in an amount which together with bonds shall not exceed [the amount of bonds authorized to be issued after January first, nineteen hundred ninety-three] ONE HUNDRED FIFTY-THREE MILLION TWO HUNDRED FIFTY-FIVE THOUSAND DOLLARS pursuant to subdivision one of section five hundred thirty-two of this chapter, excluding bonds issued to fund said notes. Subject to any agreements with bondholders or noteholders thereof the authority may pledge such moneys or revenues for the payment of the notes and may in addition secure the notes in the same manner and with the same effect as herein provided for bonds. The notes shall be issued in the same manner as bonds. The authority shall have power to make contracts for the future sale from time to time of the notes, by which the purchasers shall be committed to purchase the notes from time to time on terms and conditions stated in such contracts, and the authority shall have power to pay such consideration as it shall deem proper for such commitments. In case of default on its notes, or violation of any of the obligations of the authority to the noteholders, the noteholders shall have all the remedies provided herein for bondholders.

S 4. This act shall take effect immediately.