

2245

2011-2012 Regular Sessions

I N S E N A T E

January 18, 2011

Introduced by Sen. KRUGER -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs

AN ACT to amend the public authorities law, in relation to creating a veterans long term health care authority and prescribing its powers and duties

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

1 Section 1. Article 8 of the public authorities law is amended by  
2 adding a new title 20 to read as follows:

3 TITLE 20

4 VETERANS LONG TERM HEALTH CARE AUTHORITY

5 SECTION 2489. LEGISLATIVE INTENT.

6 2489-A. VETERANS LONG TERM HEALTH CARE AUTHORITY.

7 2489-B. PURPOSE AND DUTY OF THE AUTHORITY.

8 2489-C. POWERS OF THE AUTHORITY.

9 2489-D. MONEYS OF THE AUTHORITY.

10 2489-E. BONDS OF THE AUTHORITY.

11 2489-F. STATE NOT LIABLE ON BONDS.

12 2489-G. BONDS LEGAL INVESTMENTS FOR PUBLIC OFFICERS AND FIDUCI-  
13 ARIES.

14 2489-H. BONDS TO BE TAX EXEMPT.

15 2489-I. RIGHTS AND REMEDIES OF CREDITORS.

16 2489-J. EXEMPTION FROM TAXATION.

17 2489-K. RULES AND REGULATIONS RELATING TO LONG TERM HEALTH CARE  
18 FACILITIES FOR NEW YORK STATE VETERANS.

19 2489-L. JURISDICTION IN CERTAIN SUITS AGAINST THE AUTHORITY.

20 2489-M. MEMBERS AND EMPLOYEES NOT TO PROFIT.

21 2489-N. EQUAL EMPLOYMENT OPPORTUNITY AND MINORITY AND  
22 WOMEN-OWNED BUSINESS ENTERPRISE PROGRAMS.

23 2489-O. AUDIT AND ANNUAL REPORTS.

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

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1 2489-P. AUTHORITY SUBJECT TO OPEN MEETINGS LAW.

2 2489-Q. TITLE NOT AFFECTED IF IN PART UNCONSTITUTIONAL OR INEF-  
3 FECTIVE.

4 2489-R. INCONSISTENT PROVISIONS IN OTHER ACTS SUPERSEDED.

5 S 2489. LEGISLATIVE INTENT. THE LEGISLATURE HEREBY FINDS AND DECLARES  
6 A NEED FOR CREATION OF A PUBLIC BENEFIT AUTHORITY TO PROVIDE, IN COOPER-  
7 ATION WITH THE U.S. VETERANS ADMINISTRATION, ENHANCED SERVICES FOR THE  
8 STATE'S VETERAN POPULATION THROUGH THE DEVELOPMENT OF ADDITIONAL LONG  
9 TERM HEALTH CARE SERVICES. SUCH AUTHORITY WILL:

10 1. CONSTRUCT AND OPERATE HIGH QUALITY PATIENT CARE DELIVERY TO THE  
11 STATE'S VETERANS;

12 2. RESPOND RAPIDLY TO CHANGES IN THE HEALTH CARE ENVIRONMENT SUCH AS  
13 SHORTAGES IN KEY HEALTH PROFESSIONS LIKE THE CURRENT NURSING AND PHYS-  
14 ICAL THERAPIST SHORTAGES;

15 3. REACT IMMEDIATELY TO PHYSICAL PLANT AND OPERATIONAL PROBLEMS;

16 4. MAKE TO THE EXTENT PRACTICABLE MAXIMUM USE OF FEDERAL FUNDS AND  
17 CAPITAL GRANT FUNDS FROM THE VA STATE HOME PROGRAM TO BE USED FOR  
18 CONSTRUCTION AND RENOVATION OF FACILITIES;

19 5. PROVIDE FOR THE EDUCATION OF PHYSICIANS AND OTHER HEALTH CARE  
20 PROFESSIONALS IN GERONTOLOGY, THE PROVISION OF INNOVATIVE CARE DELIVERY  
21 AND RESPONDING TO EMERGING PUBLIC HEALTH NEEDS OF THE STATE'S VETERANS  
22 POPULATION;

23 6. GUIDE COMPREHENSIVE PLANNING, RESOURCE ALLOCATION AND PATIENT CARE  
24 EVALUATIVE PROCESSES;

25 7. ESTABLISH THE HIGHEST QUALITY OF CARE STANDARDS;

26 8. PROMOTE HIGH SELF-ESTEEM, DIGNITY, AND QUALITY OF LIFE AMONG THE  
27 DESERVING RESIDENTS OF THE VETERANS NURSING HOMES WHO HAVE SERVED THEIR  
28 COUNTRY WITH HONOR, LOYALTY AND DEDICATION;

29 9. ESTABLISH A SUPPORTIVE WORKING ENVIRONMENT FOR THE DIRECT CARE  
30 STAFF, BEING COGNIZANT OF THE VITAL ROLE THEY PLAY IN THE OPERATION OF  
31 THE HOMES, AND THE PHYSICAL AND EMOTIONAL STRAIN CONFRONTING THOSE IN  
32 THE HEALTH CARE PROFESSION;

33 10. PROVIDE THE HIGHEST LEVEL OF CARE AT THE LOWEST POSSIBLE COST TO  
34 THE VETERAN AND FAMILY OF THE VETERAN; AND

35 11. PRESENT A BALANCED BUDGET ACCORDING TO GENERALLY ACCEPTED ACCOUNT-  
36 ING PRINCIPLES.

37 S 2489-A. VETERANS LONG TERM HEALTH CARE AUTHORITY. A BOARD, TO BE  
38 KNOWN AS "VETERANS LONG TERM HEALTH CARE AUTHORITY," IS HEREBY CREATED.  
39 SUCH BOARD SHALL BE A BODY CORPORATE AND POLITIC CONSTITUTING A PUBLIC  
40 BENEFIT AUTHORITY. IT SHALL CONSIST OF THE DIRECTOR OF THE DIVISION OF  
41 VETERANS' AFFAIRS, THE DIRECTOR OF THE STATE OFFICE FOR THE AGING, THE  
42 COMMISSIONER OF HEALTH, THE SUPERINTENDENT OF INSURANCE, THE CHANCELLOR  
43 OF THE STATE UNIVERSITY AND THREE VETERANS EACH TO BE SELECTED BY THE  
44 SPEAKER OF THE ASSEMBLY AND THE SENATE MAJORITY LEADER. THE PRESIDENT OF  
45 THE AUTHORITY SHALL BE THE DIRECTOR OF THE DIVISION OF VETERANS'  
46 AFFAIRS. THE MEMBERS OF THE BOARD SHALL BE ENTITLED TO NO COMPENSATION  
47 FOR THEIR SERVICES, BUT SHALL BE ENTITLED TO REIMBURSEMENT FOR ALL  
48 EXPENSES INCURRED OR TO BE INCURRED, IN CONNECTION THEREWITH. THE POWER  
49 OF SUCH AUTHORITY SHALL BE VESTED IN AND EXERCISED BY THE BOARD AND A  
50 MAJORITY OF THE MEMBERS OF THE BOARD THEN IN OFFICE SHALL CONSTITUTE A  
51 QUORUM. THE BOARD MAY DELEGATE TO ONE OR MORE OF ITS MEMBERS, OR TO ITS  
52 AGENTS AND EMPLOYEES, SUCH POWERS AND DUTIES AS IT MAY DEEM PROPER. THE  
53 BOARD SHALL BE DEEMED A HEALTH CARE PROVIDER FOR PURPOSES OF ARTICLE  
54 TWENTY-EIGHT OF THE PUBLIC HEALTH LAW. THE STAFF OF THE AUTHORITY SHALL  
55 BE DEEMED PUBLIC EMPLOYEES FOR ALL PURPOSES INCLUDING RETIREMENT  
56 PURPOSES. THE MEMBERS OF THE BOARD AND EMPLOYEES OF THE BOARD SHALL BE

1 GRANTED DEFENSE AND INDEMNIFICATION PRIVILEGES GRANTED TO STATE OFFICERS  
2 AND EMPLOYEES PURSUANT TO SECTION SEVENTEEN OF THE PUBLIC OFFICERS LAW.  
3 S 2489-B. PURPOSE AND DUTY OF THE AUTHORITY. THE PURPOSE AND DUTY OF  
4 THE AUTHORITY IS TO ACQUIRE LAND IN THE STATE AND TO DEVELOP, IMPROVE,  
5 EMBELLISH, MAINTAIN AND OPERATE ON SUCH LAND LONG TERM HEALTH CARE  
6 FACILITIES FOR NEW YORK STATE VETERANS, AND TO DETERMINE AND CHARGE FEES  
7 FOR ADMISSION THERETO AND THE USE THEREOF SUFFICIENT WITH OTHER REVENUES  
8 TO MEET ITS EXPENSES AND PAY ALL DEBTS CONTRACTED BY IT, AND THE AUTHOR-  
9 ITY SHALL HAVE POWER TO DO ALL THINGS NECESSARY OR CONVENIENT TO CARRY  
10 OUT SUCH PURPOSE AND DUTY IN ADDITION TO THE EXPRESS POWERS CONFERRED IN  
11 THIS TITLE.

12 S 2489-C. POWERS OF THE AUTHORITY. THE AUTHORITY SHALL HAVE POWER:

13 1. TO SUE AND BE SUED;

14 2. TO HAVE A SEAL AND ALTER THE SAME AT PLEASURE;

15 3. TO ACQUIRE, HOLD AND DISPOSE OF REAL AND PERSONAL PROPERTY OR  
16 INTERESTS THEREIN IN ITS OWN NAME, SUBJECT TO MORTGAGES OR OTHER LIENS  
17 OR OTHERWISE AND TO PAY THEREFOR IN CASH OR ON CREDIT, AND TO GIVE MORT-  
18 GAGES THEREON IN FULL OR PART PAYMENT THEREFOR OR OTHERWISE TO SECURE OR  
19 PROCURE PAYMENT OF ALL OR ANY PART OF THE PURCHASE PRICE THEREOF, ON  
20 SUCH TERMS AND CONDITIONS AS IT SHALL DETERMINE;

21 4. TO MAKE BY-LAWS FOR THE MANAGEMENT AND REGULATION OF ITS AFFAIRS;

22 5. TO APPOINT OFFICERS, AGENTS AND EMPLOYEES AND FIX THEIR COMPEN-  
23 SATION; SUBJECT, HOWEVER, TO THE PROVISIONS OF THE CIVIL SERVICE LAW;

24 6. TO MAKE CONTRACTS AND INCUR DEBTS AND TO EXECUTE ALL INSTRUMENTS  
25 NECESSARY OR CONVENIENT;

26 7. TO CHARGE FEES FOR ADMISSION TO LONG TERM HEALTH CARE FACILITIES  
27 FOR NEW YORK STATE VETERANS AND FOR THE USE OF THE FACILITIES THEREIN  
28 SUBJECT TO AND IN ACCORDANCE WITH SUCH AGREEMENTS WITH HOLDERS OF BONDS  
29 AS MAY BE MADE AS HEREINAFTER PROVIDED;

30 8. TO RENT, BUY, SELL AND DEAL IN, GOODS, WARES AND MERCHANDISE IN  
31 ANY WAY CONNECTED WITH THE LONG TERM HEALTH CARE FACILITIES, OR TO LEASE  
32 THE RIGHT TO EXERCISE SUCH POWERS;

33 9. TO OPERATE RESTAURANTS, CAFES AND OTHER PLACES FOR SERVING FOOD  
34 AND REFRESHMENTS AND TO LEASE THE RIGHT TO EXERCISE SUCH POWER;

35 10. TO LEASE THE RIGHT TO CONSTRUCT AND/OR USE SUCH FACILITIES ON  
36 SUCH TERMS AND FOR SUCH CONSIDERATIONS AS IT SHALL DETERMINE, PROVIDED,  
37 HOWEVER, THAT NO LEASE SHALL BE MADE FOR A PERIOD OF MORE THAN TEN YEARS  
38 FROM THE DATE WHEN IT IS MADE;

39 11. TO ISSUE NEGOTIABLE BONDS AND TO PROVIDE FOR THE RIGHTS OF THE  
40 HOLDERS THEREOF, AND TO SECURE THE SAME BY A MORTGAGE OR DEED OF TRUST  
41 ON ITS PROPERTY;

42 12. TO ENTER ON ANY LANDS, WATERS AND PREMISES FOR THE PURPOSE OF  
43 MAKING SURVEYS, SOUNDINGS, BORINGS AND EXAMINATIONS;

44 13. TO ACT AS LIAISON AND AGENT FOR THE STATE WITH THE FEDERAL VETER-  
45 ANS' ADMINISTRATION FOR PURPOSES OF RECEIVING FEDERAL FUNDS FOR  
46 CONSTRUCTION OF SUCH LONG TERM HEALTH CARE FACILITIES; AND

47 14. TO DO ALL THINGS NECESSARY OR CONVENIENT TO CARRY OUT THE POWERS  
48 EXPRESSLY GIVEN IN THIS ARTICLE.

49 S 2489-D. MONEYS OF THE AUTHORITY. 1. THE MONEYS OF THE AUTHORITY  
50 SHALL, EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, BE DEPOSITED IN A  
51 GENERAL ACCOUNT AND SUCH OTHER ACCOUNTS AS THE AUTHORITY MAY DEEM NECES-  
52 SARY FOR THE TRANSACTION OF ITS BUSINESS AND SHALL BE PAID OUT ON CHECKS  
53 SIGNED BY THE PRESIDENT OF THE AUTHORITY OR BY SUCH OTHER PERSON OR  
54 PERSONS AS THE AUTHORITY MAY AUTHORIZE.

55 2. ALL MONEYS OF THE AUTHORITY DERIVED FROM STATE APPROPRIATIONS OR  
56 THE SALE OF BONDS AND ALL MONEYS CONSTITUTING RESERVE FUNDS SHALL BE

1 PAID TO THE COMPTROLLER OF THE STATE AS AGENT OF THE AUTHORITY, WHO  
2 SHALL NOT COMMINGLE SUCH MONEYS WITH OTHER MONEYS. SUCH MONEYS SHALL BE  
3 DEPOSITED IN A SEPARATE BANK ACCOUNT OR ACCOUNTS. THE MONEYS IN SUCH  
4 ACCOUNTS SHALL BE PAID OUT ON CHECK OF THE COMPTROLLER ON REQUISITION OF  
5 THE PRESIDENT OF THE AUTHORITY OR OF SUCH OTHER PERSON OR PERSONS AS THE  
6 AUTHORITY MAY AUTHORIZE TO MAKE SUCH REQUISITIONS. ALL DEPOSITS OF SUCH  
7 MONEYS SHALL, IF REQUIRED BY THE COMPTROLLER OR THE AUTHORITY, BE  
8 SECURED BY OBLIGATIONS OF THE UNITED STATES OF AMERICA OR OF THE STATE  
9 OF NEW YORK OF A MARKET VALUE EQUAL AT ALL TIMES TO THE AMOUNT OF THE  
10 DEPOSIT AND ALL BANKS AND TRUST COMPANIES ARE AUTHORIZED TO GIVE SUCH  
11 SECURITY FOR SUCH DEPOSITS.

12 S 2489-E. BONDS OF THE AUTHORITY. 1. THE AUTHORITY SHALL HAVE POWER  
13 AND IS HEREBY AUTHORIZED FROM TIME TO TIME TO ISSUE ITS NEGOTIABLE BONDS  
14 IN CONFORMITY WITH APPLICABLE PROVISIONS OF THE UNIFORM COMMERCIAL CODE  
15 IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING TWENTY-FIVE MILLION  
16 DOLLARS FOR ANY CORPORATE PURPOSE. THE AUTHORITY SHALL HAVE POWER FROM  
17 TIME TO TIME TO REFUND ANY BONDS BY THE ISSUANCE OF NEW BONDS, WHETHER  
18 THE BONDS TO BE REFUNDED HAVE OR HAVE NOT MATURED, AND MAY ISSUE BONDS  
19 PARTLY TO REFUND BONDS THEN OUTSTANDING AND PARTLY FOR ANY OTHER CORPO-  
20 RATE PURPOSE. IN COMPUTING THE TOTAL AMOUNT OF BONDS OF THE AUTHORITY  
21 WHICH MAY AT ANY TIME BE OUTSTANDING THE AMOUNT OF THE OUTSTANDING BONDS  
22 TO BE REFUNDED FROM THE PROCEEDS OF THE SALE OF NEW BONDS OR BY EXCHANGE  
23 FOR NEW BONDS SHALL BE EXCLUDED.

24 2. SUCH BONDS SHALL BE AUTHORIZED BY RESOLUTION OF THE BOARD AND  
25 SHALL BE ISSUED IN ONE OR MORE SERIES, SHALL BEAR SUCH DATE OR DATES,  
26 MATURE AT SUCH TIME OR TIMES, NOT EXCEEDING FORTY YEARS FROM THEIR  
27 RESPECTIVE DATES, BEAR INTEREST AT SUCH RATE OR RATES, NOT EXCEEDING  
28 FIVE PER CENTUM PER ANNUM PAYABLE SEMI-ANNUALLY, BE IN SUCH DENOMI-  
29 NATIONS, BE IN SUCH FORM, EITHER COUPON OR REGISTERED, CARRY SUCH REGIS-  
30 TRATION PRIVILEGES, BE EXECUTED IN SUCH MANNER, BE PAYABLE IN SUCH MEDI-  
31 UM OF PAYMENT, AT SUCH PLACE OR PLACES, BE SUBJECT TO SUCH TERMS OF  
32 REDEMPTION, AND BE DECLARED OR BECOME DUE BEFORE THE MATURITY DATE THERE-  
33 EOF, AS SUCH RESOLUTION OR RESOLUTIONS MAY PROVIDE. SUCH BONDS MAY BE  
34 ISSUED FOR MONEY OR PROPERTY (AT PUBLIC OR PRIVATE SALE FOR SUCH PRICE  
35 OR PRICES) AS THE AUTHORITY SHALL DETERMINE, PROVIDED THAT THE INTEREST  
36 COST TO MATURITY OF THE MONEY OR PROPERTY (AT ITS VALUE AS DETERMINED BY  
37 THE BOARD, THE DETERMINATION OF WHICH SHALL BE CONCLUSIVE) RECEIVED FOR  
38 ANY ISSUE OF SUCH BONDS, SHALL NOT EXCEED FIVE PER CENTUM PER ANNUM.  
39 REFUNDING BONDS EXCHANGED FOR OUTSTANDING BONDS MAY BE EXCHANGED ON SUCH  
40 TERMS AND WITH SUCH CASH ADJUSTMENTS AS THE AUTHORITY SHALL DETERMINE.

41 3. IN CONNECTION WITH THE ISSUANCE OF BONDS OR IN ORDER TO SECURE THE  
42 PAYMENT OF ITS BONDS THE AUTHORITY SHALL HAVE POWER:

43 (A) TO MORTGAGE ALL OR ANY PART OF ITS PROPERTY, REAL OR PERSONAL,  
44 THEN OWNED OR THEREAFTER ACQUIRED;

45 (B) TO PLEDGE ALL OR ANY PART OF ITS REVENUES;

46 (C) TO COVENANT AGAINST MORTGAGING ALL OR ANY PART OF ITS PROPERTY,  
47 REAL OR PERSONAL, THEN OWNED OR THEREAFTER ACQUIRED OR AGAINST PERMIT-  
48 TING OR SUFFERING ANY LIEN THEREON;

49 (D) TO COVENANT AGAINST PLEDGING ALL OR ANY PART OF ITS REVENUES TO  
50 WHICH ITS RIGHT THEN EXISTS OR THE RIGHT TO WHICH MAY THEREAFTER COME  
51 INTO EXISTENCE;

52 (E) TO PROVIDE FOR THE RELEASE OF PROPERTY OR REVENUES FROM ANY  
53 PLEDGE OR MORTGAGE, AND TO RESERVE RIGHTS AND POWERS IN, OR THE RIGHT TO  
54 DISPOSE OF, PROPERTY WHICH IS SUBJECT TO A PLEDGE OR MORTGAGE;

55 (F) TO COVENANT AS TO THE BONDS TO BE ISSUED PURSUANT TO ANY MORT-  
56 GAGE, DEED OF TRUST OR OTHER INSTRUMENT AND AS TO THE ISSUANCE OF SUCH

1 BONDS IN ESCROW OR OTHERWISE, AND AS TO THE USE AND DISPOSITION OF THE  
2 PROCEEDS THEREOF;

3 (G) TO COVENANT AS TO WHAT OTHER, OR ADDITIONAL DEBT MAY BE INCURRED  
4 BY IT;

5 (H) TO PROVIDE FOR THE TERMS, FORM, REGISTRATION, EXCHANGE, EXECUTION  
6 AND AUTHENTICATION OF BONDS;

7 (I) TO PROVIDE FOR THE REPLACEMENT OF LOST, DESTROYED OR MUTILATED  
8 BONDS;

9 (J) TO COVENANT THAT THE AUTHORITY WARRANTS THE TITLE TO THE PREM-  
10 ISES;

11 (K) TO COVENANT AS TO THE FEES AND RENTALS TO BE CHARGED, THE AMOUNT  
12 (CALCULATED AS MAY BE DETERMINED) TO BE RAISED EACH YEAR OR OTHER PERIOD  
13 OF TIME BY FEES, RENTALS, AND OTHER REVENUES AND AS TO THE USE AND  
14 DISPOSITION TO BE MADE THEREOF;

15 (L) TO COVENANT AS TO THE USE OF ANY OR ALL OF ITS PROPERTY, REAL OR  
16 PERSONAL;

17 (M) TO COVENANT TO SET ASIDE OR PAY OVER RESERVES AND SINKING FUNDS  
18 AND AS TO THE DISPOSITION THEREOF;

19 (N) TO REDEEM THE BONDS, AND TO COVENANT FOR THEIR REDEMPTION, AND TO  
20 PROVIDE THE TERMS AND CONDITIONS THEREOF;

21 (O) TO COVENANT AGAINST EXTENDING THE TIME FOR THE PAYMENT OF BOND  
22 INTEREST, DIRECTLY OR INDIRECTLY, BY ANY MEANS OR IN ANY MANNER;

23 (P) TO COVENANT TO MAINTAIN OFFICES AND AGENCIES FOR ANY PURPOSE  
24 CONNECTED WITH ITS BONDS;

25 (Q) TO COVENANT AS TO THE MAINTENANCE OF ITS PROPERTY, THE REPLACE-  
26 MENT THEREOF, THE INSURANCE TO BE CARRIED THEREON AND THE USE AND DISPO-  
27 SITION OF INSURANCE MONEYS;

28 (R) TO COVENANT AS TO ITS BOOKS OF ACCOUNT AND AS TO THE INSPECTION  
29 AND AUDIT THEREOF AND AS TO THE ACCOUNTING METHODS;

30 (S) TO COVENANT AND PRESCRIBE AS TO THE EVENTS OF DEFAULT AND TERMS  
31 AND CONDITIONS UPON WHICH ANY OR ALL OF ITS BONDS SHALL BECOME OR MAY BE  
32 DECLARED DUE BEFORE MATURITY AND AS TO THE TERMS AND CONDITIONS UPON  
33 WHICH SUCH DECLARATION AND ITS CONSEQUENCES MAY BE WAIVED;

34 (T) TO COVENANT AS TO THE RIGHTS, LIABILITIES, POWERS AND DUTIES  
35 ARISING UPON THE BREACH BY IT OF ANY COVENANT, CONDITION, OR OBLIGATION;

36 (U) TO VEST IN A TRUSTEE OR TRUSTEES THE RIGHT TO ENFORCE ANY COVEN-  
37 ANT MADE TO SECURE, TO PAY OR IN RELATION TO THE BONDS, OR TO FORECLOSE  
38 ANY MORTGAGE, TO PROVIDE FOR THE POWERS AND DUTIES OF SUCH TRUSTEE OR  
39 TRUSTEES, TO LIMIT LIABILITIES THEREOF AND TO PROVIDE THE TERMS AND  
40 CONDITIONS UPON WHICH THE TRUSTEE OR TRUSTEES OR THE HOLDERS OF BONDS OR  
41 ANY PROPORTION OF THEM MAY ENFORCE ANY SUCH COVENANT OR EXERCISE THE  
42 RIGHT OF FORECLOSURE;

43 (V) TO MAKE COVENANTS IN ADDITION TO THE COVENANTS HEREIN EXPRESSLY  
44 AUTHORIZED, OF LIKE OR DIFFERENT CHARACTER;

45 (W) TO EXECUTE ALL MORTGAGES, BILLS OF SALE, CONVEYANCES, DEEDS OF  
46 TRUST AND OTHER INSTRUMENTS NECESSARY OR CONVENIENT IN THE EXERCISE OF  
47 THE POWERS HEREIN GRANTED OR IN THE PERFORMANCE OF ITS COVENANTS OR  
48 DUTIES; AND

49 (X) TO MAKE SUCH COVENANTS AND TO DO ANY AND ALL SUCH ACTS AND THINGS  
50 AS MAY BE NECESSARY OR CONVENIENT OR DESIRABLE IN ORDER TO SECURE ITS  
51 BONDS, OR IN THE ABSOLUTE DISCRETION OF THE BOARD TEND TO MAKE THE BONDS  
52 MORE MARKETABLE, NOTWITHSTANDING THAT SUCH COVENANTS, ACTS OR THINGS MAY  
53 NOT BE ENUMERATED HEREIN AND NOTWITHSTANDING THAT SUCH COVENANTS, ACTS  
54 OR THINGS MAY RESTRICT OR INTERFERE WITH THE CARRYING OUT OF ITS CORPO-  
55 RATE PURPOSE; IT BEING THE INTENTION HEREOF TO GIVE THE AUTHORITY POWER  
56 TO DO ALL THINGS IN THE ISSUANCE OF BONDS, AND FOR THEIR SECURITY THAT A

1 BUSINESS AUTHORITY CAN DO UNDER THE GENERAL LAWS OF THE STATE AND NO  
2 CONSENT OR APPROVAL OF ANY JUDGE OR COURT SHALL BE REQUIRED THEREFOR.

3 S 2489-F. STATE NOT LIABLE ON BONDS. THE BONDS AND OTHER OBLIGATIONS  
4 OF THE AUTHORITY SHALL NOT BE A DEBT OF THE STATE AND THE STATE SHALL  
5 NOT BE LIABLE THEREON, NOR SHALL THEY BE PAYABLE OUT OF ANY FUNDS OTHER  
6 THAN THOSE OF THE AUTHORITY, PROVIDED, HOWEVER, THAT THE STATE SHALL  
7 ASSUME WHATEVER LIABILITY IS REQUIRED FOR FEDERAL VETERANS' ADMINIS-  
8 TRATION PARTICIPATION IN THE CONSTRUCTING OF LONG TERM HEALTH CARE  
9 FACILITIES FOR VETERANS AND PER DIEM PAYMENTS ON BEHALF OF VETERANS IN  
10 SUCH FACILITIES.

11 S 2489-G. BONDS LEGAL INVESTMENTS FOR PUBLIC OFFICERS AND FIDUCIARIES.  
12 THE BONDS ARE HEREBY MADE SECURITIES IN WHICH ALL PUBLIC OFFICERS AND  
13 BODIES OF THIS STATE AND ALL MUNICIPALITIES AND MUNICIPAL SUBDIVISIONS,  
14 ALL INSURANCE COMPANIES AND ASSOCIATIONS AND OTHER PERSONS CARRYING ON  
15 AN INSURANCE BUSINESS, ALL BANKS, BANKERS, TRUST COMPANIES, SAVINGS  
16 BANKS AND SAVINGS ASSOCIATIONS, INCLUDING SAVINGS AND LOAN ASSOCIATIONS,  
17 BUILDING AND LOAN ASSOCIATIONS, INVESTMENT COMPANIES AND OTHER PERSONS  
18 CARRYING ON A BANKING BUSINESS, ALL ADMINISTRATORS, GUARDIANS, EXECU-  
19 TORS, TRUSTEES AND OTHER FIDUCIARIES AND ALL OTHER PERSONS WHATSOEVER  
20 WHO ARE NOW OR MAY HEREAFTER BE AUTHORIZED TO INVEST IN BONDS OR OTHER  
21 OBLIGATIONS OF THE STATE, MAY PROPERLY AND LEGALLY INVEST FUNDS, INCLUD-  
22 ING CAPITAL, IN THEIR CONTROL OR BELONGING TO THEM. THE BONDS ARE ALSO  
23 HEREBY MADE SECURITIES WHICH MAY BE DEPOSITED WITH AND SHALL BE RECEIVED  
24 BY ALL PUBLIC OFFICERS AND BODIES OF THIS STATE AND ALL MUNICIPALITIES  
25 AND MUNICIPAL SUBDIVISIONS FOR ANY PURPOSE FOR WHICH THE DEPOSIT OF  
26 BONDS OR OTHER OBLIGATIONS OF THIS STATE IS NOW OR MAY HEREAFTER BE  
27 AUTHORIZED.

28 S 2489-H. BONDS TO BE TAX EXEMPT. THE BONDS SHALL BE EXEMPT FROM  
29 TAXATION EXCEPT FOR TRANSFER AND ESTATE TAXES.

30 S 2489-I. RIGHTS AND REMEDIES OF CREDITORS. 1. ALL REAL AND PERSONAL  
31 PROPERTY, INCLUDING FEES AND REVENUES OF THE AUTHORITY AND DEBTS OWING  
32 TO IT ARE EXEMPT FROM LEVY AND SALE BY VIRTUE OF AN EXECUTION AND NO  
33 EXECUTION OR OTHER JUDICIAL PROCESS SHALL ISSUE AGAINST THE SAME. NO  
34 JUDGMENT AGAINST THE AUTHORITY SHALL BE A CHARGE UPON REAL PROPERTY OR  
35 CHATTELS REAL OF THE AUTHORITY. THIS CLAUSE SHALL NOT LIMIT THE RIGHTS  
36 OF MORTGAGEES AND PLEDGEEES TO ENFORCE THEIR LIEN OR OTHER RIGHTS BY ANY  
37 APPROPRIATE SUIT, ACTION OR PROCEEDING.

38 2. ANY PURCHASER AT A SALE OF PROPERTY OF THE AUTHORITY PURSUANT TO A  
39 JUDGMENT IN AN ACTION TO FORECLOSE A MORTGAGE THEREON SHALL OBTAIN TITLE  
40 FREE FROM ANY TRUST OR OTHER OBLIGATION TO OPERATE OR MAINTAIN SUCH  
41 PROPERTY AS A LONG TERM HEALTH CARE FACILITY FOR NEW YORK STATE VETERANS  
42 AND FREE FROM ANY OBLIGATION TO THE PUBLIC OR THE STATE AS TO ITS USE OR  
43 DISPOSITION.

44 3. ANY CREDITOR OF THE AUTHORITY, INCLUDING A TRUSTEE FOR BONDHOLD-  
45 ERS, SHALL HAVE THE RIGHT, SUBJECT TO ANY CONTRACTUAL LIMITATIONS BIND-  
46 ING UPON SUCH CREDITOR OR TRUSTEE, AND SUBJECT TO THE PRIOR OR SUPERIOR  
47 RIGHTS OF OTHERS,

48 (A) BY SUIT, ACTION OR SPECIAL PROCEEDING, TO ENFORCE HIS RIGHTS  
49 AGAINST THE AUTHORITY AND THE BOARD, INCLUDING THE RIGHT TO REQUIRE THE  
50 AUTHORITY AND THE BOARD TO COLLECT FEES AND REVENUES ADEQUATE TO CARRY  
51 OUT ANY AGREEMENT AS TO, OR PLEDGE OF, SUCH FEES AND REVENUES AND TO  
52 REQUIRE THE AUTHORITY AND THE BOARD TO CARRY OUT ANY OTHER COVENANTS AND  
53 AGREEMENTS AND TO PERFORM ITS AND THEIR DUTIES UNDER THIS ARTICLE;

54 (B) BY ACTION OR SUIT IN EQUITY TO REQUIRE THE AUTHORITY TO ACCOUNT AS  
55 IF IT WERE THE TRUSTEE OF AN EXPRESS TRUST;

1 (C) BY ACTION OR SUIT IN EQUITY TO ENJOIN ANY ACTS OR THINGS WHICH MAY  
2 BE UNLAWFUL OR IN VIOLATION OF THE RIGHTS OF SUCH CREDITOR;

3 (D) IN THE DISCRETION OF THE COURT TO THE APPOINTMENT OF A RECEIVER OF  
4 THE PROPERTY OF THE AUTHORITY OR ANY PART OR PARTS THEREOF, WHO MAY  
5 ENTER AND TAKE POSSESSION OF THE PROPERTY OF THE AUTHORITY OR ANY PART  
6 OR PARTS THEREOF, AND OPERATE AND MAINTAIN THE SAME AND COLLECT AND  
7 RECEIVE ALL FEES, RENTALS AND OTHER REVENUES THEREAFTER ARISING THERE-  
8 FROM IN THE SAME MANNER AS THE AUTHORITY ITSELF MIGHT DO, AND SHALL  
9 DEPOSIT ALL SUCH MONEYS IN A SEPARATE ACCOUNT AND APPLY THE SAME IN  
10 ACCORDANCE WITH THE OBLIGATIONS OF THE AUTHORITY AS THE COURT SHALL  
11 DIRECT. THE AUTHORITY MAY GIVE THE HOLDERS OF ITS BONDS OR ANY TRUSTEE  
12 FOR THEIR BENEFIT BY AGREEMENT THE RIGHT TO THE APPOINTMENT OF A RECEIV-  
13 ER.

14 S 2489-J. EXEMPTION FROM TAXATION. THE CONSTRUCTION, MAINTENANCE AND  
15 OPERATION OF ANY LONG TERM HEALTH CARE FACILITY FOR NEW YORK STATE  
16 VETERANS BY THE AUTHORITY IS IN ALL RESPECTS FOR THE BENEFIT OF THE  
17 PEOPLE OF THE STATE OF NEW YORK FOR THE INCREASE OF THEIR HEALTH,  
18 CONVENIENCE AND WELFARE, AND THE AUTHORITY SHALL BE REGARDED AS PERFORM-  
19 ING A GOVERNMENTAL FUNCTION IN CARRYING OUT ITS CORPORATE PURPOSE AND  
20 SHALL BE REQUIRED TO PAY NO TAXES OR ASSESSMENTS OF ANY KIND WHATSOEVER  
21 UPON ANY OF THE PROPERTY ACQUIRED BY IT, WHICH SAID PROPERTY SHALL BE  
22 EXEMPT FROM TAXATION SO LONG AS THE SAME IS OWNED OR POSSESSED BY THE  
23 AUTHORITY, OR UPON ITS ACTIVITIES IN THE OPERATION AND MAINTENANCE OF  
24 SUCH VETERANS FACILITIES OR UPON ANY REVENUES OR OTHER INCOME RECEIVED  
25 BY IT, AND ANY MORTGAGE OF REAL PROPERTY EXECUTED, GIVEN OR MADE BY THE  
26 AUTHORITY SHALL BE EXEMPT FROM ANY TAX IMPOSED ON THE RECORDING THEREOF  
27 AND ANY PERSON OR CORPORATION OWNING ANY DEBT OR OBLIGATION OF THE  
28 AUTHORITY SECURED BY ANY MORTGAGE OF ITS REAL PROPERTY SHALL BE EXEMPT  
29 FROM ANY TAX ON THE RECORDING OF SUCH MORTGAGE. NOTHING IN THIS SECTION  
30 SHALL BE CONSTRUED, HOWEVER, TO IMPRESS ANY TRUST UPON SUCH PROPERTY AS  
31 SUCH OR TO LIMIT THE ABSOLUTE CHARACTER OF ANY TITLE WHICH MAY BE  
32 DERIVED THROUGH THE AUTHORITY BY SALE OR THE FORECLOSURE OF ANY LIEN OR  
33 MORTGAGE THEREON.

34 S 2489-K. RULES AND REGULATIONS RELATING TO LONG TERM HEALTH CARE  
35 FACILITIES FOR NEW YORK STATE VETERANS. THE CONSTRUCTION AND USE OF LONG  
36 TERM HEALTH CARE FACILITIES FOR NEW YORK STATE VETERANS SHALL BE SUBJECT  
37 TO THE RULES AND REGULATIONS OF THE AUTHORITY; PROVIDED, HOWEVER, THAT  
38 THE AUTHORITY SHALL HAVE NO AUTHORITY TO ALTER OR CHANGE ANY OF THE  
39 FACILITIES HEREBY PLACED UNDER THE AUTHORITY OR TO DO ANYTHING WHICH  
40 WILL IMPAIR THE SECURITY OF THE BONDHOLDERS OR VIOLATE LIMITATIONS  
41 CONTAINED IN ANY AGREEMENT WITH THE BONDHOLDERS.

42 S 2489-L. JURISDICTION IN CERTAIN SUITS AGAINST THE AUTHORITY. 1.  
43 EXCLUSIVE JURISDICTION IS HEREBY CONFERRED UPON THE COURT OF CLAIMS TO  
44 HEAR AND DETERMINE THE CLAIMS OF ANY PERSON AGAINST THE AUTHORITY (A)  
45 FOR ITS TORTIOUS ACTS AND THOSE OF ITS AGENTS, AND (B) FOR BREACH OF A  
46 CONTRACT RELATING TO CONSTRUCTION, RECONSTRUCTION, IMPROVEMENT, MAINTE-  
47 NANCE OR OPERATION, IN THE SAME MANNER AND TO THE EXTENT PROVIDED BY AND  
48 SUBJECT TO THE PROVISIONS OF THE COURT OF CLAIMS ACT WITH RESPECT TO  
49 CLAIMS AGAINST THE STATE, AND TO MAKE AWARDS AND RENDER JUDGMENTS THERE-  
50 FOR. ALL AWARDS AND JUDGMENTS ARISING FROM SUCH CLAIMS SHALL BE PAID  
51 OUT OF MONIES OF THE AUTHORITY.

52 2. AN ACTION AGAINST THE AUTHORITY FOR DEATH, PERSONAL INJURY OR PROP-  
53 erty DAMAGE OR FOUNDED ON TORT SHALL NOT BE COMMENCED MORE THAN ONE YEAR  
54 AND NINETY DAYS AFTER THE CAUSE OF ACTION THEREFORE SHALL HAVE OCCURRED,  
55 NOR UNLESS A NOTICE OF CLAIM SHALL BE SERVED ON AN OFFICER OR EMPLOYEE  
56 OF THE AUTHORITY DESIGNATED BY THE AUTHORITY FOR SUCH PURPOSE, WITHIN

1 THE TIME LIMITED BY AND IN COMPLIANCE WITH THE REQUIREMENTS OF SECTION  
2 FIFTY-E OF THE GENERAL MUNICIPAL LAW.

3 S 2489-M. MEMBERS AND EMPLOYEES NOT TO PROFIT. NO OFFICER, MEMBER OR  
4 EMPLOYEE OF THE AUTHORITY SHALL RECEIVE OR MAY BE LAWFULLY ENTITLED TO  
5 RECEIVE ANY PECUNIARY PROFIT FROM THE OPERATION THEREOF EXCEPT REASON-  
6 ABLE COMPENSATION FOR SERVICES IN EFFECTING ONE OR MORE OF ITS PURPOSES  
7 HEREIN SET FORTH.

8 S 2489-N. EQUAL EMPLOYMENT OPPORTUNITY AND MINORITY AND WOMEN-OWNED  
9 BUSINESS ENTERPRISE PROGRAMS. 1. ALL CONTRACTS ENTERED INTO BY THE  
10 AUTHORITY PURSUANT TO THIS TITLE OF WHATEVER NATURE AND ALL DOCUMENTS  
11 SOLICITING BIDS OR PROPOSALS THEREFOR SHALL CONTAIN OR MAKE REFERENCE TO  
12 THE FOLLOWING PROVISIONS:

13 (A) THE CONTRACTOR WILL NOT DISCRIMINATE AGAINST EMPLOYEES OR APPLI-  
14 CANTS FOR EMPLOYMENT BECAUSE OF RACE, CREED, COLOR, NATIONAL ORIGIN,  
15 SEX, AGE, DISABILITY, OR MARITAL STATUS, AND WILL UNDERTAKE OR CONTINUE  
16 EXISTING PROGRAMS OF AFFIRMATIVE ACTION TO ENSURE THAT MINORITY GROUP  
17 PERSONS AND WOMEN ARE AFFORDED EQUAL OPPORTUNITY WITHOUT DISCRIMINATION.  
18 SUCH PROGRAMS SHALL INCLUDE, BUT NOT BE LIMITED TO, RECRUITMENT, EMPLOY-  
19 MENT, JOB ASSIGNMENT, PROMOTION, UPGRADING, DEMOTION, TRANSFER, LAYOFF,  
20 TERMINATION, RATES OF PAY OR OTHER FORMS OF COMPENSATION, AND SELECTION  
21 FOR TRAINING AND RETRAINING, INCLUDING APPRENTICESHIP AND ON-THE-JOB  
22 TRAINING.

23 (B) AT THE REQUEST OF THE AUTHORITY, THE CONTRACTOR SHALL REQUEST EACH  
24 EMPLOYMENT AGENCY, LABOR UNION, OR AUTHORIZED REPRESENTATIVE OF WORKERS  
25 WITH WHICH IT HAS A COLLECTIVE BARGAINING OR OTHER AGREEMENT OR UNDER-  
26 STANDING AND WHICH IS INVOLVED IN THE PERFORMANCE OF THE CONTRACT WITH  
27 THE AUTHORITY TO FURNISH A WRITTEN STATEMENT THAT SUCH EMPLOYMENT AGEN-  
28 CY, LABOR UNION OR REPRESENTATIVE SHALL NOT DISCRIMINATE BECAUSE OF  
29 RACE, CREED, COLOR, NATIONAL ORIGIN, SEX, AGE, DISABILITY OR MARITAL  
30 STATUS AND THAT SUCH UNION OR REPRESENTATIVE WILL COOPERATE IN THE  
31 IMPLEMENTATION OF THE CONTRACTOR'S OBLIGATIONS HEREUNDER.

32 (C) THE CONTRACTOR SHALL STATE, IN ALL SOLICITATIONS OR ADVERTISEMENTS  
33 FOR EMPLOYEES PLACED BY OR ON BEHALF OF THE CONTRACTOR IN THE PERFORM-  
34 ANCE OF THE CONTRACT WITH THE AUTHORITY THAT ALL QUALIFIED APPLICANTS  
35 WILL BE AFFORDED EQUAL EMPLOYMENT OPPORTUNITY WITHOUT DISCRIMINATION  
36 BECAUSE OF RACE, CREED, COLOR, NATIONAL ORIGIN, SEX, AGE, DISABILITY OR  
37 MARITAL STATUS.

38 (D) THE CONTRACTOR WILL INCLUDE THE PROVISIONS OF PARAGRAPHS (A)  
39 THROUGH (C) OF THIS SUBDIVISION IN EVERY SUBCONTRACT OR PURCHASE ORDER  
40 IN SUCH A MANNER THAT SUCH PROVISIONS WILL BE BINDING UPON EACH SUBCON-  
41 TRACTOR OR VENDOR AS TO ITS WORK IN CONNECTION WITH THE CONTRACT WITH  
42 THE AUTHORITY.

43 2. THE AUTHORITY SHALL ESTABLISH MEASURES, PROCEDURES AND GUIDELINES  
44 TO ENSURE THAT CONTRACTORS AND SUBCONTRACTORS UNDERTAKE MEANINGFUL  
45 PROGRAMS TO EMPLOY AND PROMOTE QUALIFIED MINORITY GROUP MEMBERS AND  
46 WOMEN. SUCH PROCEDURES MAY REQUIRE AFTER NOTICE IN A BID SOLICITATION,  
47 THE SUBMISSION OF A MINORITY AND WOMEN WORKFORCE UTILIZATION PROGRAM  
48 PRIOR TO THE AWARD OF ANY CONTRACT, OR AT ANY TIME THEREAFTER, AND MAY  
49 REQUIRE THE SUBMISSION OF COMPLIANCE REPORTS RELATING TO THE OPERATION  
50 AND IMPLEMENTATION OF ANY WORKFORCE UTILIZATION PROGRAM ADOPTED HERE-  
51 UNDER. THE AUTHORITY MAY TAKE APPROPRIATE ACTION, INCLUDING THE IMPOSI-  
52 TIONS OF SANCTIONS FOR NON-COMPLIANCE TO EFFECTUATE THE PROVISIONS OF  
53 THIS SECTION AND SHALL BE RESPONSIBLE FOR MONITORING COMPLIANCE WITH  
54 THIS TITLE.

55 3. IN THE PERFORMANCE OF PROJECTS PURSUANT TO THIS TITLE, MINORITY AND  
56 WOMEN-OWNED BUSINESS ENTERPRISES SHALL BE GIVEN THE OPPORTUNITY FOR

1 MEANINGFUL PARTICIPATION. THE AUTHORITY SHALL ESTABLISH QUANTIFIABLE  
2 STANDARDS AND MEASURES AND PROCEDURES TO SECURE MEANINGFUL PARTICIPATION  
3 AND IDENTIFY THOSE CONTRACTS AND ITEMS OF WORK FOR WHICH MINORITY AND  
4 WOMEN-OWNED BUSINESS ENTERPRISES MAY BEST BID TO ACTIVELY AND AFFIRMA-  
5 TIVELY PROMOTE AND ASSIST THEIR PARTICIPATION IN PROJECTS, SO AS TO  
6 FACILITATE THE AWARD OF A FAIR SHARE OF CONTRACTS TO SUCH ENTERPRISES;  
7 PROVIDED, HOWEVER, THAT NOTHING IN THIS TITLE SHALL BE CONSTRUED TO  
8 LIMIT THE ABILITY OF THE AUTHORITY TO ASSURE THAT QUALIFIED MINORITY AND  
9 WOMEN-OWNED BUSINESS ENTERPRISES MAY PARTICIPATE IN THE PROGRAM. FOR  
10 PURPOSES HEREOF, MINORITY BUSINESS ENTERPRISE SHALL MEAN ANY BUSINESS  
11 ENTERPRISE WHICH IS AT LEAST FIFTY-ONE PER CENTUM OWNED BY, OR IN THE  
12 CASE OF A PUBLICLY OWNED BUSINESS, AT LEAST FIFTY-ONE PER CENTUM OF THE  
13 STOCK OR OTHER VOTING INTEREST IS OWNED BY CITIZENS OR PERMANENT RESI-  
14 DENT ALIENS WHO ARE BLACK, HISPANIC, ASIAN, AMERICAN INDIAN, PACIFIC  
15 ISLANDER, OR ALASKAN NATIVE, AND SUCH OWNERSHIP INTEREST IS REAL,  
16 SUBSTANTIAL AND CONTINUING AND HAS THE AUTHORITY TO INDEPENDENTLY  
17 CONTROL THE DAY TO DAY BUSINESS DECISIONS OF THE ENTITY FOR AT LEAST ONE  
18 YEAR; AND WOMEN-OWNED BUSINESS ENTERPRISE SHALL MEAN ANY BUSINESS ENTER-  
19 PRISE WHICH IS AT LEAST FIFTY-ONE PER CENTUM OWNED BY, OR IN THE CASE OF  
20 A PUBLICLY OWNED BUSINESS, AT LEAST FIFTY-ONE PER CENTUM OF THE STOCK TO  
21 OTHER VOTING INTERESTS OF WHICH IS OWNED BY CITIZENS OR PERMANENT RESI-  
22 DENT ALIENS WHO ARE WOMEN, AND SUCH OWNERSHIP INTEREST IS REAL, SUBSTAN-  
23 TIAL AND CONTINUING AND HAS THE AUTHORITY TO INDEPENDENTLY CONTROL THE  
24 DAY TO DAY BUSINESS DECISIONS OF THE ENTITY FOR AT LEAST ONE YEAR.

25 THE PROVISIONS OF THIS SUBDIVISION SHALL NOT BE CONSTRUED TO LIMIT THE  
26 ABILITY OF ANY MINORITY BUSINESS ENTERPRISE TO BID ON ANY CONTRACT.

27 4. IN ORDER TO IMPLEMENT THE REQUIREMENTS AND OBJECTIVES OF THIS  
28 SECTION, THE AUTHORITY SHALL ESTABLISH PROCEDURES TO MONITOR CONTRACTORS  
29 COMPLIANCE WITH PROVISIONS HEREOF, PROVIDE ASSISTANCE IN OBTAINING  
30 COMPETING QUALIFIED MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISES TO  
31 PERFORM CONTRACTS PROPOSED TO BE AWARDED, IMPOSE CONTRACTUAL SANCTIONS  
32 FOR NON-COMPLIANCE, AND TAKE OTHER APPROPRIATE MEASURES TO IMPROVE THE  
33 ACCESS OF MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISES TO THESE  
34 CONTRACTS.

35 S 2489-O. AUDIT AND ANNUAL REPORTS. THE ACCOUNTS OF THE AUTHORITY  
36 SHALL BE SUBJECT TO THE SUPERVISION OF THE STATE COMPTROLLER AND AN  
37 ANNUAL AUDIT SHALL BE PERFORMED BY AN INDEPENDENT CERTIFIED ACCOUNTANT  
38 SELECTED BY THE STATE DIVISION OF THE BUDGET. THE AUTHORITY SHALL SUBMIT  
39 ANNUALLY TO THE GOVERNOR, THE STATE COMPTROLLER, THE TEMPORARY PRESIDENT  
40 OF THE SENATE AND THE SPEAKER OF THE ASSEMBLY, A DETAILED REPORT PURSU-  
41 ANT TO THE PROVISIONS OF SECTION TWENTY-EIGHT HUNDRED OF THIS CHAPTER,  
42 WHICH REPORT SHALL BE VERIFIED BY THE PRESIDENT OF THE AUTHORITY. THE  
43 AUTHORITY SHALL COMPLY WITH THE PROVISIONS OF SECTIONS TWENTY-EIGHT  
44 HUNDRED ONE, TWENTY-EIGHT HUNDRED TWO AND TWENTY-EIGHT HUNDRED THREE OF  
45 THIS CHAPTER.

46 S 2489-P. AUTHORITY SUBJECT TO OPEN MEETINGS LAW. THE AUTHORITY SHALL  
47 BE SUBJECT TO THE PROVISIONS OF ARTICLE SEVEN OF THE PUBLIC OFFICERS LAW  
48 RELATING TO THE OPEN MEETINGS LAW.

49 S 2489-Q. TITLE NOT AFFECTED IF IN PART UNCONSTITUTIONAL OR INEFFEC-  
50 TIVE. IF ANY SECTION, CLAUSE OR PROVISION OF THIS TITLE SHALL BE UNCON-  
51 STITUTIONAL OR BE INEFFECTIVE IN WHOLE OR IN PART, TO THE EXTENT THAT IT  
52 IS NOT UNCONSTITUTIONAL OR INEFFECTIVE IT SHALL BE VALID AND EFFECTIVE  
53 AND NO OTHER SECTION, CLAUSE OR PROVISION SHALL ON ACCOUNT THEREOF BE  
54 DEEMED INVALID OR INEFFECTIVE.

55 S 2489-R. INCONSISTENT PROVISIONS IN OTHER ACTS SUPERSEDED. INSOFAR  
56 AS THE PROVISIONS OF THIS TITLE ARE INCONSISTENT WITH THE PROVISIONS OF

1 ANY OTHER ACT, GENERAL OR SPECIAL, THE PROVISIONS OF THIS TITLE SHALL BE  
2 CONTROLLING.  
3 S 2. This act shall take effect immediately.