

9579

I N   A S S E M B L Y

May 9, 2014

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Introduced by M. of A. BRINDISI -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to the issuance of bonds and notes of the upper Mohawk valley regional water finance authority and to amend the maximum aggregate principal amount limitation

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

1     Section 1. Subdivision 1 of section 1226-1 of the public authorities  
2 law, as added by chapter 647 of the laws of 1994, is amended to read as  
3 follows:  
4     1. The authority shall have the power and is hereby authorized from  
5 time to time to issue bonds, notes or other obligations to pay the cost  
6 of any project or for any other corporate purpose, including the estab-  
7 lishment of reserves to secure the bonds, the payment of principal of,  
8 premium, if any, and interest on the bonds and the payment of incidental  
9 expenses in connection therewith. [The] NO BONDS, NOTES OR OTHER OBLI-  
10 GATIONS SHALL BE ISSUED IF SUCH ISSUANCE WOULD CAUSE THE aggregate prin-  
11 cipal amount of such bonds, notes or other obligations [shall not]  
12 OUTSTANDING TO exceed one hundred FIFTY million dollars ([~~\$100,000,000~~  
13 ~~\$150,000,000~~), excluding bonds, notes or other obligations issued to  
14 refund or otherwise repay bonds, notes or other obligations theretofore  
15 issued for such purposes[; provided, however, that upon any such refund-  
16 ing or repayment the total aggregate principal amount of outstanding  
17 bonds, notes or other obligations may be greater than one hundred  
18 million dollars (~~\$100,000,000~~) only if the present value of the aggre-  
19 gate debt service of the refunding or repayment bonds, notes or other  
20 obligations to be issued shall not exceed the present value of the  
21 aggregate debt service of the bonds, notes or other obligations so to be  
22 refunded or repaid. For purposes hereof, the present values of the  
23 aggregate debt service of the refunding or repayment bonds, notes or  
24 other obligations and of the aggregate debt service of the bonds, notes  
25 or other obligations so refunded or repaid, shall be calculated by  
26 utilizing the effective interest rate of the refunding or repayment

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

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1 bonds, notes or other obligations, which shall be that rate arrived at  
2 by doubling the semi-annual interest rate (compounded semi-annually)  
3 necessary to discount the debt service payments on the refunding or  
4 repayment bonds, notes or other obligations from the payment dates ther-  
5 eof to the date of issue of the refunding or repayment bonds, notes or  
6 other obligations and to the price bid including estimated accrued  
7 interest or proceeds received by the authority including estimated  
8 accrued interest from the sale thereof]. ANY BONDS, NOTES OR OTHER OBLI-  
9 GATIONS ISSUED TO FINANCE OR REFINANCE WATER FACILITIES WHICH HAVE BEEN  
10 DETERMINED BY THE WATER BOARD TO BE REASONABLY NECESSARY TO SERVICE  
11 MANUFACTURING FACILITIES CONSTRUCTED OR TO BE CONSTRUCTED IN THE SERVICE  
12 AREA AFTER JANUARY FIRST, TWO THOUSAND FOURTEEN, SHALL ALSO BE EXCLUDED  
13 FROM THE CALCULATION OF OUTSTANDING PRINCIPAL AMOUNT; PROVIDED THAT SUCH  
14 BONDS, NOTES OR OTHER OBLIGATIONS SHALL REQUIRE STATE COMPTROLLER  
15 APPROVAL PRIOR TO ISSUANCE. The authority shall have power and is hereby  
16 authorized to enter into such agreements and perform such acts as may be  
17 required under any applicable federal legislation to secure a federal  
18 guarantee of any bonds.

19 S 2. This act shall take effect immediately.