§ 1680. Dormitories at certain educational institutions other than state operated institutions and statutory or contract colleges under the jurisdiction of the state university of New York. 1. For all purposes of this section sixteen hundred eighty, the term "educational institution" shall mean any of the following:

Any institution for higher education, other than a state-operated institution or statutory or contract college under the jurisdiction of State University of New York, as defined in section three hundred fifty of the education law, located in this state, and authorized to confer degrees by law or by the board of regents.

Any non-profit institution or hospital at which the training of nurses is provided by a program approved by the department of education of the state of New York.

New York Academy of Sciences.

Lincoln Center for the Performing Arts, Incorporated.

Center for the Arts at Ithaca, Incorporated.

Affiliated Colleges and Universities, Inc.

Brookdale Hospital Center.

Albany Medical Center Hospital.

St. Vincent's Hospital and Medical Center of New York.

Mount Vernon Hospital.

Onondaga County Historical Museum.

The department of health of the state of New York.

Columbia Memorial Hospital.

New York Medical College of New York, Incorporated.

Highland Hospital of Rochester, Incorporated.

St. Peter's Hospital of the city of Albany.

Geneva General Hospital.

Optometric Center of New York.

Brookhaven Memorial Association, Incorporated, doing business as Brookhaven Memorial Hospital.

Calvary Hospital, Inc.

A local sponsor as defined by subdivision three of section sixty-three hundred one of the education law, or as defined by subdivision four of section sixty-three hundred one of the education law with respect to a community college region, a community college regional board of trustees, or, with respect to locally sponsored community colleges in the city of New York, the city of New York or the board of education, as the case may be.

Beth Israel Medical Center.

Our Lady of Lourdes Memorial Hospital, Inc.

St. Francis Hospital, Poughkeepsie.

The Staten Island Hospital.

Carthage Area Hospital, Inc.

Mount Sinai Hospital.

Hospital for Joint Diseases and Medical Center.

Beekman-Downtown Hospital.

Catholic Medical Center of Brooklyn and Queens, Incorporated.

The Clifton Springs Sanitarium Company.

Children's Hospital of Buffalo.

St. Joseph's Hospital Health Center.

General Hospital of Saranac Lake.

The Church Charity Foundation of Long Island.

Buffalo General Hospital.

Crouse-Irving Memorial Hospital, Inc.

Samaritan Hospital of Brooklyn.

Benedictine Hospital.

The Society of the Home for Incurables.

The White Plains Hospital Association.

Misericordia Hospital Medical Center.

The Cornwall Hospital.

Memorial Hospital, Albany, New York.

The Rochester General Hospital.

Our Lady of Victory Hospital of Lackawanna.

Mercy Hospital Association.

The Hebrew Home for the Aged at Riverdale, Inc.

Charles S. Wilson Memorial Hospital.

Aurelia Osborn Fox Memorial Hospital Society.

Retirement Home of Central New York Conference of the United Methodist Church, Inc.

Gananda educational facilities corporation.

The Trustees of the Jones Fund for the Support of the Poor.

St. Mary's Hospital of Troy.

The Roosevelt Hospital.

Queens Hospital Center of the borough of Queens, city of New York.

A not-for-profit corporation or any political subdivision of the state of New York or the state of New York to provide facilities for the aged.

Franklin General Hospital.

St. Vincent's Medical Center of Richmond.

Long Island Jewish-Hillside Medical Center.

Eastman Dental Center.

United Hospital.

The Brooklyn Educational and Cultural Alliance (B.E.C.A.) when and if incorporated by the Board of Regents of the University of the state of New York.

St. Mary's Hospital at Amsterdam.

The New York Public Library, Astor, Lenox and Tilden Foundations.

The Village Nursing Home, Inc.

The Elizabeth A. Horton Memorial Hospital.

The Community Hospital of Brooklyn, Inc.

Putnam Community Hospital.

Lawrence Hospital.

The New Rochelle Hospital Medical Center.

Methodist Hospital, Brooklyn.

Maimonides Medical Center.

Lutheran Medical Center, Brooklyn.

The Faxton Hospital in the city of Utica.

Booth Memorial Medical Center, Queens, New York.

New York Blood Center, Inc.

South Nassau Communities Hospital, in Oceanside, New York.

Montefiore Hospital and Medical Center.

The Saratoga Hospital.

St. Joseph's Hospital, Yonkers, New York.

St. Elizabeth's Hospital at Utica.

Arden Hill Hospital, Goshen, New York

St. Luke's Hospital of Newburgh, New York.

Vassar Brothers Hospital

The Nyack Hospital, North Midland Avenue, Nyack, New York.

Yonkers General Hospital.

Nassau Hospital, Mineola, Long Island, New York.

Manhattan Eye, Ear and Throat Hospital.

Sheehan Memorial Emergency Hospital, Buffalo.

Good Samaritan Hospital, West Islip, New York.

The Community Hospital at Glen Cove.

Flushing Hospital and Medical Center.

Cortland Memorial Hospital.

St. John's Riverside Hospital at Yonkers.

The Moses Ludington Hospital.

Jamaica Hospital of Jamaica, New York

Ellis Hospital, Schenectady, New York.

Society of New York Hospital.

Jewish Board of Family and Children's Services, Inc.

Dobbs Ferry Hospital, Dobbs Ferry, New York.

New York state teachers' retirement system.

The Metropolitan Museum of Art

F.I.T. student housing corporation.

Community Memorial Hospital, Inc., Hamilton, New York.

The College Entrance Examination Board.

Museum of American Folk Art.

The Human Resources Center.

The Museums at Stony Brook.

Memorial Sloan-Kettering Cancer Center.

Associated Universities, Inc.

New York Zoological Society

The New York Foundling Charitable Corporation.

International House, Inc.

New York State Association for Retarded Children, Inc., Albany County Chapter.

March of Dimes Birth Defects Foundation.

YM and YWHA of Mid-Westchester of the Associated YM-YWHA's of Greater New York.

Association for the Help of Retarded Children, Suffolk Chapter.

New York Society for the Deaf.

Hillside Children's Center

United Way of Tri-State, Inc.

New Dimensions in Living, Inc.

Associated Residential Centers, Inc.

Snug Harbor Cultural Center, Inc.

The National Center for the Study of Wilson's Disease, Inc.

The Westchester School for Special Children, Westchester County.

The Devereux Foundation for the financing, construction and equipping of facilities subject to the approval of the commissioner of education, the commissioner of social services and the commissioner of the office for people with developmental disabilities for a residential and educational program for children with handicapping conditions, as such term is defined in subdivision one of section forty-four hundred one of the education law, including, but not limited to, those students who were publicly placed at the Rhinebeck Country School during the nineteen hundred eighty-six--eighty-seven school year and in the furtherance of the state's overall goal of reducing the number of children with handicapping conditions requiring out-of-state placements: nothing in the foregoing shall be deemed to authorize The Devereux Foundation to apply any funds or credits obtained pursuant to this section toward the financing, construction or equipping of facilities on any other property or properties it presently owns or controls or owns or controls in the future.

New Hope Community, Inc., a not-for-profit corporation, for the financing, construction and development of residences for adults with a

developmental disability on forty acres of land purchased from Leon and Dave Scharf, d.b.a. New Hope Rehabilitation Center, located on State Route 52 in the Town of Fallsburg, to replace existing residential facilities operated by New Hope Rehabilitation Center.

For the financing, construction, reconstruction, improvement, renovation of or otherwise provided for United Cerebral Palsy of New York City, Inc., for (1) an intermediate care facility for the developmentally disabled at Avenue S and Lake Street, Brooklyn; (2) a pre-school program service facility at Mason and Seaview Avenues, Staten Island; (3) a children and adult program service facility at Stillwell Avenue, Bronx; (4) a children and adult program service facility at Lawrence Avenue, Brooklyn; (5) a pre-school program service building at Lawrence Avenue, Brooklyn; (6) an adult program service building at Port Richmond Avenue, Staten Island; (7) children's program services building at Lawrence Avenue, Brooklyn; and for the leasehold improvements to Manhattan and adult programs services sites.

Special act school districts listed in chapter five hundred sixty-six of the laws of nineteen hundred sixty-seven, as amended.

State-supported schools for the instruction of deaf and blind students and children with other handicapping conditions pursuant to article eighty-five of the education law and chapter one thousand sixty of the laws of nineteen hundred seventy-four.

The education department of the state of New York, including the New York state school for the blind, the New York state school for the deaf, and schools established by the commissioner of education pursuant to section forty-one hundred one of the education law, for facilities owned, operated by, or provided by the state for the use of, the education department of the state of New York, including, but not limited to, the premises commonly known as the education department building, located at 89 Washington Avenue in the city of Albany, New York, the New York state school for the blind, located at Richmond Avenue in the city of Batavia, New York, the New York state school for the deaf, located at 401 Turin Street in the city of Rome, New York,

schools established by the commissioner of education pursuant to the provisions of subdivision one of section four thousand one hundred one of the education law, and the premises commonly known as the cultural education center located in the empire state plaza in the city of Albany, New York, and attendant and related facilities.

Vesta Community Housing Development Board, Inc. of Altamont for the financing, construction and equipping of facilities for persons recovering from an addiction to alcohol or a controlled substance.

The Utica College Foundation, for the financing, refinancing, reimbursement and development of student dormitory and academic facilities at its Utica campus, including Burrstone House to serve as a dormitory for students residing at the college; provided, however, that the aggregate sum of such issuance of bonds shall not exceed thirty-five million dollars.

Gateway Youth and Family Services for the financing, construction and development of new facilities for a diagnostic and evaluation program and a pre-independent living program, and to expand existing facilities in a special education school on real property located on Main Street, Williamsville, county of Erie.

Orleans County Chapter-New York State Association for Retarded Children, Inc. for the financing, construction and development, of a preschool facility and necessary ancillary and related facilities in Orleans county to replace the existing preschool facility now operated by the Orleans County Chapter-New York State Association for Retarded Children, Inc. at 151 Platt Street, Albion, N.Y. 14411.

New York State Association for Retarded Children, Inc., for the financing, construction and development, of a preschool facility and necessary ancillary and related facilities in Westchester county to replace the existing preschool facilities now operated by the New York State Association for Retarded Children, Inc., Westchester County Chapter at 12 Green Street, Mt. Kisco, New York and 50 Washington Avenue, New Rochelle, New York.

New York State Association for Retarded Children, Inc.-Livingston-Wyoming County Chapter for the financing, acquisition and rehabilitation, of a preschool facility and necessary ancillary and related facilities in Livingston county to expand existing preschool facilities now operated by the New York State Association for Retarded Children, Inc.-Livingston-Wyoming County Chapter located at 18 Main Street, Mount Morris, N.Y. 14510.

New York Association for the Learning Disabled, Capital District Chapter, Inc., renamed Wildwood Programs, Inc., for the acquisition, financing, refinancing, construction, reconstruction, improvement, renovation, development, expansion, furnishing, equipping or otherwise providing for facilities for Wildwood Programs, Inc.

AMDA INC./The American Musical and Dramatic Academy, for the financing, refinancing, reimbursement and development of a dormitory for students residing at the academy and an academic facility.

Private not-for-profit schools.

For the financing, construction, reconstruction, improvement, renovation of or otherwise provide for United Cerebral Palsy of Westchester County, Inc., for (1) a twelve bed intermediate care facility for the developmentally disabled and (2) for expansion of the day program service facility at Rye Brook, New York. Notwithstanding any other provision of law, United Cerebral Palsy of Westchester County, Inc. shall have full power and authority to assign and pledge to the authority any and all public funds to be apportioned or otherwise made payable by the state, a political subdivision, as defined in section one hundred of the general municipal law, or any social services district in the state in an amount sufficient to make all payments required to be made by United Cerebral Palsy of Westchester County, Inc. pursuant to any lease, sublease or other agreement entered into between such organization and the authority. All state and local officers are hereby authorized and required to pay all such funds so assigned and pledged to the authority or upon the direction of the authority, to any trustee of

any authority bond or note issued pursuant to a certificate filed with any such state or local officer by the authority pursuant to the provisions of this paragraph. No agreement or lease by United Cerebral Palsy of Westchester County, Inc. shall be effective unless and until it is approved by or on behalf of the commissioners of the various state agencies that have jurisdiction over the project.

Hospice, Buffalo, for the financing, construction and development of new and renovated facilities for the care and treatment of terminally ill individuals.

The National Sports Academy at Lake Placid, for the financing, refinancing, reimbursement and development of a dormitory for students residing at the academy and an academic facility.

Ferncliff Manor as a not-for-profit residential school serving children who are severely mentally disabled and medically involved, who will also on a not-for-profit basis operate an intermediate care facility, for the financing, construction, reconstruction, improvement, renovation and development of five twelve bed dormitories in Westchester County for such children, subject to the approval of the commissioners of education, social services, and the office for people with developmental disabilities, and subject further to the approval of the director of the budget as to project need and project cost. Except to the extent otherwise prohibited by law, Ferncliff Manor shall have full power and authority to assign and pledge to the authority, together with any pledge of its own assets and other income, any and all public funds to be apportioned or otherwise made payable by the state, a political subdivision, as defined in section one hundred of the general municipal law, or any social services district in the state in an amount sufficient to make all payments required to be made by Ferncliff Manor pursuant to any lease, sublease or other agreement entered into between Ferncliff Manor and the authority. All state and local officers are hereby authorized and required to pay all such funds so assigned and pledged to the authority or upon the direction of the authority, to any trustee of any authority bond or note issued pursuant to a certificate filed with any such state or local officer by the authority pursuant to

the provisions of this section. No agreement or lease by Ferncliff Manor shall be effective unless and until it is approved by or on behalf of the commissioners of education, social services, and the office for people with developmental disabilities, and subject further to the approval of the director of the budget as to project need and project cost.

The Leake and Watts Children's Home (Incorporated), Yonkers, New York for the financing, construction, reconstruction, improvement, renovation or otherwise for (1) a new school building for the junior high and high school vocational programs including a field house; (2) a new children's cottage and renovation and reconstruction of eight existing children's cottages to provide more efficient heating and cooling systems, more secure supervision and to increase the number of beds; (3) renovation and reconstruction of the main building to provide new electrical and plumbing systems and internal rehabilitation; and (4) renovation and reconstruction of the old school building for multiple use; subject to the approval of the commissioners of education, social services and the office for people with developmental disabilities, and subject further to the approval of the director of the budget including as to project need and project cost. Notwithstanding any other provision of law, The Leake and Watts Children's Home (Incorporated) shall have full power and authority to assign and pledge to the authority, together with any other assets so pledged, any and all property rights to, and property interests in, any and all public funds to be apportioned or otherwise made payable by the state, a political subdivision, as defined in section one hundred of the general municipal law, or any social services district in the state in an amount sufficient to make all payments required to be made by The Leake and Watts Children's Home (Incorporated) pursuant to any lease, sublease or other agreement entered into between The Leake and Watts Children's Home (Incorporated) and the authority. All state and local officers are hereby authorized and required to pay all such funds so assigned and pledged to the authority or upon the direction of the authority, to any trustee of any authority bond or note issued pursuant to a certificate filed with any such state or local officer by the authority pursuant to the provisions of this section. No lease, sublease or other agreement by The Leake and

Watts Children's Home (Incorporated) shall be effective unless and until it is approved by or on behalf of the commissioners of education, social services and the office for people with developmental disabilities and subject further to the approval of the director of the budget including as to project need and project cost.

Oxford University and the Oxford University Press, Incorporated; or either of them for the financing, acquisition, construction, reconstruction, renovation and rehabilitation of facilities to be located at thirty-fourth street and Madison avenue in the borough of Manhattan, in the city of New York.

Berkshire Farm Center and Services for Youth, Canaan, New York for the financing, construction, reconstruction, improvement, renovation, equipping or otherwise providing for a dining facility on the existing campus of Berkshire Farm Center and Services for Youth in Canaan, New York.

Notwithstanding any other provision of law, Berkshire Farm Center and Services for Youth shall have full power and authority to assign and pledge to the dormitory authority, any and all public funds to be apportioned or otherwise made payable by the state, a political subdivision, as defined in section one hundred of the general municipal law, or any social services district in the state in an amount sufficient to make all payments required to be made by Berkshire Farm Center and Services for Youth pursuant to any lease, sublease or other agreement entered into between Berkshire Farm Center and Services for Youth and the dormitory authority. All state and local officers are hereby authorized and required to pay all such funds so assigned and pledged to the dormitory authority or upon the direction of the dormitory authority, to any trustee of any dormitory authority bond or note issued pursuant to a certificate filed with any such state or local officer by the dormitory authority pursuant to the provisions of this section.

A public library.

South Street Seaport Museum, Inc.

United Cerebral Palsy Association of the Capital District, Inc., for the financing, construction, reimbursement, and development of residences and program facilities on lands owned by the Center, at locations within Albany county.

Phoenix House Foundation, Inc., New York, New York, for the acquisition, financing, refinancing, construction, reconstruction, renovation, development, improvement, expansion and equipping of facilities, excluding general hospitals as defined in article twenty-eight of the public health law, located in the county of New York, or at sites owned, leased or operated by Phoenix House at the following locations: 34-01, 34-11 and 34-25 Vernon Boulevard, Long Island City, New York; 480 East 185th Street and 2329 Bassford Avenue, Bronx, New York; 43-44 and 46-50 Jay Street, Brooklyn, New York; and Shrub Oak, Westchester county, New York; for the provision of drug abuse prevention and treatment, medical, psychiatric and clinic services, excluding those services provided by a general hospital as defined in article twenty-eight of the public health law, remedial education, secondary education, vocational training and recreational facilities for adolescent and adult substance and polysubstance abusers, mentally ill chemical abusers, and their families, and related administrative and support services.

Notwithstanding any other provision of law, Phoenix House Foundation, Inc. shall have full power and authority to assign and pledge to the dormitory authority, any and all public funds to be apportioned or otherwise made payable by the state, a political subdivision, as defined in section one hundred of the general municipal law, or any social services district in the state in an amount sufficient to make all payments required to be made by Phoenix House Foundation, Inc. pursuant to any lease, sublease or other agreement entered into between Phoenix House Foundation, Inc. and the dormitory authority. All state and local officers are hereby authorized and required to pay all such funds so assigned and pledged to the dormitory authority or, upon the direction of the dormitory authority, to any trustee of any dormitory authority

bond or note issue, pursuant to a certificate filed with any such state or local officer by the dormitory authority pursuant to the provisions of this section.

Irish American Heritage Museum.

The Crown Heights Jewish Community Council, Inc. a not-for-profit corporation, for the financing, refinancing, acquisition, construction, reconstruction, renovation, rehabilitation of, furnishing, equipping and otherwise providing for buildings to serve as a dormitories for students enrolled in various professional or post-secondary educational institutions.

The Rosalind and Joseph Gurwin Jewish Geriatric Center of Long Island, Inc., a not-for-profit corporation, for the financing, refinancing, construction, reconstruction, furnishing, equipping, improvement, renovation or otherwise providing for facilities to serve the aged, disabled and chronically impaired persons.

Staten Island Institute of Arts & Sciences.

The DePaul Group, Inc. and its affiliates and subsidiaries, for the acquisition, financing, refinancing, construction, reconstruction, renovation, development, improvement, expansion and equipping of certain educational, administrative and residential facilities, to be located in the state of New York.

Notwithstanding any other provision of law, the DePaul Group, Inc. and its affiliates and subsidiaries shall have full power and authority to assign and pledge to the dormitory authority, any and all public funds to be apportioned or otherwise made payable by the state, a political subdivision, as defined in section one hundred of the general municipal law, or any social services district in the state in an amount sufficient to make all payments required to be made by the DePaul Group, Inc. pursuant to any lease, sublease or other agreement entered into between the DePaul Group, Inc. and the dormitory authority. All state and local officers are hereby authorized and required to pay all such

funds so assigned and pledged to the dormitory authority or, upon the direction of the dormitory authority, to any trustee of any dormitory authority bond or note issue, pursuant to a certificate filed with any such state or local officer by the dormitory authority pursuant to the provisions of this section.

University Heights Association, Inc.

Little Flower Children's Services of New York, Brooklyn, New York for the financing, construction, reconstruction, improvement, renovation, equipping or otherwise providing for four residential facilities for learning disabled children, subject to the approval of the commissioners of education and social services and subject further to the approval of the director of the budget as to project need and project cost. Notwithstanding any other provision of law, Little Flower Children's Services of New York shall have full power and authority to assign and pledge to the authority, any and all public funds to be apportioned or otherwise made payable by the state, a political subdivision, as defined in section one hundred of the general municipal law, or any social services district in the state in an amount sufficient to make all payments required to be made by Little Flower Children's Services of New York pursuant to any lease, sublease or other agreement entered into between Little Flower Children's Services of New York and the authority. All state and local officers are hereby authorized and required to pay all such funds so assigned and pledged to the authority, or upon the direction of the authority, to any trustee of any authority bond or note issued pursuant to a certificate filed with any such state or local officer by the authority pursuant to the provisions of this section. No lease, sublease or other agreement by Little Flower Children's Services of New York shall be effective unless and until it is approved by or on behalf of the commissioners of education and social services and further approved by the director of the budget as to project need and project cost.

The Roswell Park Cancer Institute corporation and its subsidiary corporations.

The department of audit and control of the state of New York.

The New York state and local employees' retirement system.

The New York state and local police and fire retirement system.

The office of general services of the state of New York.

Harlem Dowling-West Side Center for Children and Family Services, a not-for-profit corporation, for the financing, refinancing, construction, reconstruction, furnishing, equipping, improvement, renovation or otherwise providing for facilities to serve and assist children and their families in crisis and distress.

Yeshiva Beis Leivy.

Roberson Memorial, Inc., doing business as Roberson Museum and Science Center.

* Not-for-profit members of the New York State Rehabilitation Association and the New York Alliance for Inclusion and Innovation and any successor in interest to any such organization, for the acquisition, financing, refinancing, construction, reconstruction, renovation, development, improvement, expansion and equipping of certain educational, administrative, residential, clinical, day programming, job training and workforce development facilities to be located in the state of New York.

Notwithstanding any other provision of law, not-for-profit members of the New York State Rehabilitation Association and the New York Alliance for Inclusion and Innovation and any successor in interest to any such organization, with the concurrence of the applicable association shall have full power and authority to assign and pledge to the dormitory authority, any and all public funds to be apportioned or otherwise made payable by the United States, any agency thereof, the state, any agency thereof to the extent permitted by law, a political subdivision, as defined in section one hundred of the general municipal law, any social services district in the state or any other governmental entity in an

amount sufficient to make all payments required to be made by such members pursuant to any lease, sublease or other agreement entered into between such members and the dormitory authority. All state and local officers are hereby authorized and required to pay all such funds so assigned and pledged to the dormitory authority or, upon the direction of the dormitory authority, to any trustee of any dormitory authority bond or note issue, pursuant to a certificate filed with any such state or local officer by the dormitory authority pursuant to the provisions of this section. The New York State Rehabilitation Association's responsibilities and the responsibilities of the New York Alliance for Inclusion and Innovation and any successor in interest to any such organization, in relation to any lease, sublease, or other agreement between the dormitory authority and the applicable association's members shall include, but not be limited to, coordinating and facilitating any required financial disclosure and any other matters heretofore or hereafter deemed necessary or appropriate.

* NB Repealed December 31, 2028

* NYSARC, Inc. for the acquisition, financing, refinancing, construction, reconstruction, renovation, development, improvement, expansion, and equipping of clinical, day programming and residential facilities and necessary ancillary and related facilities throughout the state.

* NB Repealed December 31, 2028

* Notwithstanding any other provision of law, NYSARC, Inc. shall have full power and authority to assign and pledge to the dormitory authority any and all public funds to be appropriated, apportioned or otherwise made payable by the federal government, any agency thereof, the state of New York, a political subdivision, as defined in section one hundred of the general municipal law, or any social services district in the state of New York in an amount sufficient to make all payments required to be made by such entity pursuant to any necessary or useful agreement entered into between such entity and the dormitory authority.

* NB Repealed December 31, 2028

* All state and local officers are hereby authorized and required to pay all such funds so assigned and pledged to the dormitory authority or, upon the direction of the dormitory authority, to any trustee of any dormitory bond or note issued pursuant to a certificate filed with any

such state or local officer by the dormitory authority pursuant to the provisions of this subdivision.

* NB Repealed December 31, 2028

Educational Housing Services Inc., a not-for-profit corporation, for the acquisition, financing, refinancing, construction, reconstruction, renovation, development, improvement, expansion, and equipping of housing for students and/or faculty at institutions of higher education located within the five boroughs of the city of New York and Westchester county either directly or by creation of a wholly-owned not-for-profit subsidiary corporation or controlled corporations, limited liability companies, or partnerships that are not subject to federal income taxation (except with respect to any unrelated business income).

* Terence Cardinal Cooke Health Care Center for the financing, refinancing, construction, reconstruction, renovation, development, improvement, expansion, and equipping of facilities to serve aged, disabled, and chronically impaired, and persons who have a developmental disability.

Notwithstanding any other provision of law, Terence Cardinal Cooke Health Care Center shall have full power and authority to assign and pledge to the dormitory authority any and all public funds to be appropriated, apportioned or otherwise made payable by the federal government, any agency thereof, the state of New York, a political subdivision, as defined in section one hundred of the general municipal law, or any social services district in the state of New York in an amount sufficient to make all payments required to be made by such entity pursuant to any necessary or useful agreement entered into between such entity and the dormitory authority.

All state and local officers are hereby authorized and required to pay all such funds so assigned and pledged to the dormitory authority or, upon the direction of the dormitory authority, to any trustee of any dormitory bond or note issued pursuant to a certificate filed with any such state or local officer by the dormitory authority pursuant to the provisions of this subdivision.

* NB Repealed December 31, 2028

United States Military Academy for the purpose of providing construction related services in connection with the construction, reconstruction, improvement, renovation, development or expansion of facilities owned by the United States Military Academy located at West Point, New York.

The Helen Keller National Center for Deaf-Blind Youths and Adults, a not-for-profit corporation located in Sands Point, New York, for the acquisition, financing, refinancing, construction, reconstruction, renovation, development, improvement, expansion and equipping of facilities.

The Green Chimneys Children's Services, Inc., Brewster, New York for the financing, refinancing, construction, reconstruction, improvement, renovation, equipping or otherwise for new children's cottages. Notwithstanding any other provision of law, The Green Chimneys Children's Services, Inc. shall have full power and authority to assign and pledge to the authority any and all public funds to be apportioned or otherwise made payable by the state, a political subdivision, as defined in section one hundred of the general municipal law, or any social services district in the state in an amount sufficient to make all payments required to be made by The Green Chimneys Children's Services, Inc. pursuant to any lease, sublease or other agreement entered into between The Green Chimneys Children's Services, Inc. and the authority. All state and local officers are hereby authorized and required to pay all such funds so assigned and pledged to the authority or upon the direction of the authority, to any trustee of any authority bond or note issued pursuant to a certificate filed with any such state or local officer by the authority pursuant to the provisions of this section. No agreement or lease by The Green Chimneys Children's Services, Inc. shall be effective unless and until it is approved by or on behalf of the commissioners of the various state agencies that have jurisdiction over the project.

The state university construction fund or any other public or private entity in connection with financing, refinancing, acquisition, design,

construction, reconstruction, rehabilitation, improvement, furnishing and equipping of or otherwise providing for, a pharmaceutical research, development, which may also include a manufacturing facility at the state university of New York college of technology at Farmingdale. The authority shall exercise only those powers or duties set forth in this section as shall be set forth in an agreement by and between the state university construction fund, the authority and any such public or private entity.

MSMC realty corporation, a support organization of the Mount Sinai hospital, Mount Sinai school of medicine of the city university of New York and the Mount Sinai medical center, inc. (collectively, "Mount Sinai"), for the purpose of providing facilities and equipment for Mount Sinai. As used in this paragraph and for purposes of chapter five hundred fifty-four of the laws of nineteen hundred ninety-nine, MSMC Realty Corporation shall be deemed to include any other entity created by MSMC Realty Corporation or Mount Sinai for the purpose of entering into an agreement with the dormitory authority pursuant to this paragraph.

Notwithstanding any other provision of law, MSMC realty corporation shall have full power and authority to assign and pledge to the dormitory authority any and all public funds to be appropriated, apportioned or otherwise made payable by the federal government, any agency thereof, the state of New York, a political subdivision, as defined in section one hundred of the general municipal law, or any social services district in the state of New York in an amount sufficient to make all payments required to be made by such entity pursuant to any necessary or useful agreement entered into between such entity and the dormitory authority.

All state and local officers are hereby authorized and required to pay all such funds so assigned and pledged to the dormitory authority or, upon the direction of the dormitory authority, to any trustee of any dormitory authority bond or note issue pursuant to a certificate filed with any such state or local officer by the dormitory authority pursuant to the provisions of this subdivision.

The state university construction fund or any other public or private entity in connection with financing, refinancing, acquisition, design, construction, reconstruction, rehabilitation, improvement, furnishing and equipping of or otherwise providing for approved university-related economic development projects authorized by section three hundred seventy-two-a of the education law. The authority shall exercise only those powers or duties set forth in this section as shall be set forth in an agreement by and between the state university construction fund, the authority and any such public or private entity.

The Capital District YMCA and related branches, administrative offices and satellite facilities located in New York state including: Albany YMCA, Camp Chingachgook, Guilderland YMCA, Parkside Family YMCA, Schenectady YMCA, Southern Saratoga YMCA, Troy Family YMCA and any successor in interest to any such organization for the financing and/or refinancing of the acquisition, construction, reconstruction, renovation, development, improvement, expansion and/or equipping of a facility or facilities and necessary ancillary and related facilities, provided that the aggregate amount of any bonds issued for such purpose shall not exceed two million dollars ($2,000,000).

UCPA of the Capital District, Inc., UCPA of Cayuga County, Inc., United Cerebral Palsy and Handicapped Children's Association of Chemung County, Inc., Finger Lakes United Cerebral Palsy, Inc., United Cerebral Palsy Associations of Fulton and Montgomery Counties, Inc., United Cerebral Palsy Association of the Tri-Counties, Inc., Franziska Racker Centers, Inc., United Cerebral Palsy Association of Nassau County, Inc., United Cerebral Palsy of New York City, Inc., United Cerebral Palsy Association of Niagara County, Inc., Orange County Cerebral Palsy Association, Inc., United Cerebral Palsy of Queens, Inc., United Cerebral Palsy Association of the Rochester Area, Inc., Jawonio, Inc., The Handicapped Children's Association of Southern New York, Inc., United Cerebral Palsy Association of Greater Suffolk, Inc., SDTC - The Center for Discovery, Inc., United Cerebral Palsy and Handicapped Children's Association of Syracuse, Inc., United Cerebral Palsy of Ulster County Inc., United Cerebral Palsy and Handicapped Person's

Association of the Utica Area, Inc., United Cerebral Palsy Association of Westchester, Inc. and Unified Creative Programs, Inc., United Cerebral Palsy Association of Western New York, Inc., United Cerebral Palsy Association of Putnam and Southern Dutchess Counties, Inc., United Cerebral Palsy Association of the North Country, Inc., United Cerebral Palsy Associations of New York State, Inc., any not-for-profit affiliates or members of Cerebral Palsy Associations of New York State, Inc., and any successor in interest to any such organization for the financing and/or refinancing of the acquisition, construction, reconstruction, renovation, development, improvement, expansion and/or equipping of a facility or facilities and necessary ancillary and related facilities throughout the state of New York, including educational, residential, administrative, clinical, and day programming facilities used in the provision of services to individuals with disabilities.

The university at Albany foundation, or an associated not-for-profit corporation controlled by the university at Albany foundation which has been formed or is formed within one year of the effective date of this paragraph, for the purpose of financing or refinancing the acquisition, design, construction, reconstruction, rehabilitation, improvement, furnishing and equipping of, or otherwise providing for a facility to serve as an incubator and research facility located at the East Campus of the university at Albany, provided that the amount of any bonds issued for such purpose shall not exceed twelve million dollars ($12,000,000); and Fuller road management corporation, for the purpose of financing or refinancing the design, construction, improvement, furnishing and equipping of incubator and research facilities at the center for environmental sciences and technology management, provided that the amount of any bonds issued for such purpose shall not exceed ten million dollars ($10,000,000), and provided, further, that any such borrowing and such projects shall have been approved by the state university of New York.

Baker Hall, Lackawanna, New York for the financing, acquisition, construction, reconstruction, renovation and improvement for facilities in Lackawanna, New York. Notwithstanding any other provision of law,

Baker Hall, Lackawanna, New York shall have full power and authority to assign and pledge to the authority any and all public funds to be apportioned or otherwise made payable by the state, a political subdivision, as defined in section one hundred of the general municipal law, or any social services district in the state in an amount sufficient to make all payments required to be made by Baker Hall, Lackawanna, New York pursuant to any lease, sublease or other agreement entered into between Baker Hall, Lackawanna, New York and the authority. All state and local officers are hereby authorized and required to pay all such funds so assigned and pledged to the authority or upon the direction of the authority, to any trustee of any authority bond or note issued pursuant to a certificate filed with any such state or local officer by the authority pursuant to the provisions of this section. No agreement or lease by Baker Hall, Lackawanna, New York shall be effective unless and until it is approved by or on behalf of the commissioners of the various state agencies that have jurisdiction over the project.

The Abyssinian Cultural Building Corporation, a New York not-for-profit corporation, with respect to the financing and/or refinancing of the acquisition, design, construction, reconstruction, rehabilitation, improvement, furnishing, purchasing and equipping of, or otherwise providing for, an educational facility for the Thurgood Marshall Academy for Learning and Social Change to be leased to the New York city school construction authority or to the board of education of the city school district of the city of New York for school purposes; provided that the aggregate amount of bonds issued by the dormitory authority issued for the Abyssinian Cultural Building Corporation shall not exceed thirty million dollars ($30,000,000). In furtherance of the aforesaid purposes and notwithstanding any other provision of law, the following provisions shall apply:

(i) The Abyssinian Cultural Building Corporation shall have full power and authority to assign and pledge to the dormitory authority any and all funds payable to it by the New York city school construction authority or the board of education of the city school district of the city of New York pursuant to any lease entered into by and between the Abyssinian Cultural Building Corporation and the New York city school

construction authority or the board of education of the city school district of the city of New York;

(ii) The New York city school construction authority or the board of education of the city school district of the city of New York is hereby authorized to pay all lease payments assigned and pledged by the Abyssinian Cultural Building Corporation pursuant to subparagraph (i) of this paragraph to the dormitory authority or, upon direction of the dormitory authority, to any trustee of any bonds issued by the authority;

(iii) Any lease by and between the Abyssinian Cultural Building Corporation and the New York city school construction authority or the board of education of the city school district of the city of New York relating to an educational facility for the Thurgood Marshall Academy for Learning and Social Change shall provide that the obligation of the school district to make annual lease payments to the Abyssinian Cultural Building Corporation or to the dormitory authority shall not constitute a debt of the city of New York within the meaning of any constitutional or statutory provision and shall be deemed executory only to the extent of moneys made available to the New York city school construction authority or the board of education of the city school district of the city of New York, and that no liability on account thereof shall be incurred by the New York city school construction authority or the board of education of the city school district of the city of New York beyond the moneys available for the purpose thereof;

(iv) Any lease by and between the Abyssinian Cultural Building Corporation and the New York city school construction authority or the board of education of the city school district of the city of New York shall not be deemed to be an installment purchase contract, contract for public work or purchase contract within the meaning of article five-A of the general municipal law or any other law; and

(v) No agreement of lease by the Abyssinian Cultural Building Corporation pursuant to this paragraph shall be effective unless, and until, it is approved by the board of education and the chancellor of the city school district of the city of New York.

Any school district in the state with respect to the financing or refinancing of all or a portion of school district capital facilities

and school district capital equipment for such school districts provided, however, that financing of such projects shall be limited to financing of projects eligible for an apportionment pursuant to subparagraph three of paragraph e of subdivision six of section thirty-six hundred two of the education law.

A qualified zone academy located in a city having one hundred twenty-five thousand or more inhabitants for the purpose of issuing qualified zone academy bonds in accordance with section 1397E of the internal revenue code, as the same may be amended. In connection with the issuance of qualified zone academy bonds as aforesaid and notwithstanding any other provision of the law to the contrary, the following provisions shall apply:

(1) The dormitory authority and a city acting on behalf of a city school district in a city having one hundred twenty-five thousand or more inhabitants shall each be empowered and authorized to enter into a lease, sublease or other agreement pursuant to which the dormitory authority may finance the rehabilitation or repair of a school facility, the provision of equipment for use at such facility, or any other expenditure in connection with such facility which would be a "qualified purpose" as defined in section 1397E of the internal revenue code, provided that such financing shall be for such projects contained within the city school district's approved application to the state education department for projects pursuant to section 1397E of the internal revenue code and, if applicable, is included in the city school district's five year capital facilities plan pursuant to the applicable provisions of section twenty-five hundred ninety-p and subdivision six of section thirty-six hundred two of the education law. Such lease, sublease or other agreement may provide for annual or other payments to the dormitory authority by or on behalf of the city school district and may contain such other terms and conditions as may be agreed upon by the parties thereto, including, but not limited to, the establishment of reserve funds and indemnities.

(2) In a city school district of a city having a population of one hundred twenty-five thousand or more, no lease, sublease or other agreement entered by such city on behalf of the board of education of such city school district pursuant to the provisions of this paragraph

shall be effective unless, and until, it is approved by the board of education of such city school district and the mayor of such city.

(3) Any such lease, sublease or other agreement entered into pursuant to this paragraph may provide that the provisions thereof shall remain in force and effect until the bonds, notes or other obligations of the dormitory authority are no longer outstanding, together with interest on any unpaid installments of interest and the fees and expenses of the dormitory authority, are fully met and discharged, and any payments to be made by a city on behalf of the city school district to the dormitory authority may be pledged to secure such bonds.

(4) (i) In the event of the failure in whole or in part of a city to make payments when due pursuant to any lease, sublease or other agreement entered into pursuant to this paragraph, the dormitory authority shall forthwith make and deliver to the state comptroller, a certificate stating the amount of the payment required to have been made by the city, the amount paid by the city and the amount remaining unpaid by the city. The state comptroller shall, in accordance with the provisions of section ninety-nine-b of the state finance law, pay to the dormitory authority not later than thirty days after the certificate shall have been filed by the dormitory authority with the state comptroller the amount set forth in such certificate as remaining unpaid.

(ii) For purposes of section ninety-nine-b of the state finance law and notwithstanding the provisions of any general or special law to the contrary, the following shall apply in connection with any certificate filed by the dormitory authority pursuant to this subparagraph: (A) all leases, subleases or other agreements entered into by and between a city pursuant to this subdivision shall be deemed "bonds or notes issued for school district purposes"; (B) the certificate filed by the dormitory authority with the state comptroller as provided herein shall be deemed to be a "verified statement" of "the holder or owner of a bond or note" of the city; (C) the dormitory authority, or the trustee for the holders of any bonds issued by the dormitory authority, shall be deemed to be the "paying agent"; and (D) the amount payable by the state comptroller to the dormitory authority shall include principal, interest and other amounts payable to the dormitory authority under any lease, sublease or other agreement.

The NDC housing and economic development corporation and its affiliates for the financing, refinancing, acquisition, design, construction, reconstruction, renovation, rehabilitation, improvement, expansion, furnishing and equipping of, or otherwise providing for one building to be located at 160 East 24th Street, New York, N.Y. to serve as a dormitory for students attending institutions of higher education within the city of New York.

School Districts having Eligible School District Projects

Political subdivisions financing eligible wireless 911 capital equipment.

Natural History Museum of the Adirondacks.

Women's Interart Center, Inc. of New York City, for the acquisitions, financing, refinancing, construction, reconstruction, improvement, renovation, development, expansion, furnishing, equipping or otherwise providing for facilities for the Interart Rehearsal Studio and Cultural Center Complex located at 543-551 West 52nd Street in the Clinton Urban Renewal area of Manhattan.

The Center for Jewish History, Inc., for the acquisition, financing, refinancing, construction, reconstruction, improvement, renovation, development, expansion, furnishing, equipping or otherwise providing for facilities as a centralized location for preserving and advancing scholarship, art, history, and culture through its archival collection, in a one hundred twenty thousand square foot facility located at 15 West 16th Street in Manhattan.

The Kaatsbaan International Dance Center, Inc., for the acquisition, financing, refinancing, construction, reconstruction, renovation, development, improvement, expansion, furnishing and equipping or otherwise providing for a professional creative residence and performance facility on one hundred fifty-three rural acres in Tivoli, New York.

Eyebeam Atelier, Inc., for the acquisition, financing, refinancing, construction, reconstruction, improvement, renovation, development, expansion, furnishing, equipping or otherwise providing for facilities devoted to the collaboration of art and technology in New York state and the construction of a new ninety thousand square foot building located in the Chelsea area of New York city.

Youth Environmental Services, d/b/a Yes Community Counseling, for the acquisition, financing, refinancing, construction, reconstruction, renovation, development, improvement, expansion, furnishing and equipping or otherwise providing for the purchase of a building for such not-for-profit group located in Massapequa, New York.

The New York military academy, an education corporation chartered by the board of regents located in Cornwall-on-Hudson, New York, for the acquisition, financing, refinancing, construction, reconstruction, renovation, development, improvement, expansion and equipping of facilities.

Preventive Medicine Institute, doing business as Strang Cancer Prevention Center.

Any residential institution for children as defined in subdivision forty-four of section sixteen hundred seventy-six of this title for the financing, refinancing, design, replacement (including acquisition and construction), reconstruction, rehabilitation, improvement, renovation, and equipping of existing residential facilities.

The Museum of African American Cinema, Inc., for the acquisition, financing, refinancing, construction, reconstruction, improvement, renovation, development, expansion, furnishing, equipping or otherwise providing for such facilities in Harlem, New York city.

34th Street Cancer Center, Inc., with respect to the financing and/or refinancing of the acquisition, purchasing and equipping of a certain building located at 160 East 34th Street, New York, New York, for use as

a cancer center. Notwithstanding any other provision of law, the following provisions shall apply:

(i) 34th Street Cancer Center, Inc. shall have full power and authority to assign and pledge to the dormitory authority any and all public funds to be appropriated, apportioned, or otherwise made payable by the federal government, any agency thereof, the state of New York, a political subdivision, as defined in section one hundred of the general municipal law, or any social services district in the state of New York in an amount sufficient to make all payments required to be made by such entity pursuant to any agreement entered into between such entity and the dormitory authority necessary or useful for the purposes set forth in this paragraph.

(ii) All state and local officers are hereby authorized and required to pay all such funds so assigned and pledged to the dormitory authority or, upon the direction of the dormitory authority, to any trustee of any dormitory authority bond or note issued pursuant to a certificate filed with any such state or local officer by the dormitory authority pursuant to the provisions of this paragraph.

The Beacon Institute, Inc., a domestic not-for-profit corporation formerly known as the Rivers and Estuaries Center on the Hudson, Inc., for the acquisition, financing, refinancing, construction, reconstruction, renovation, development, improvement, expansion, furnishing and equipping or otherwise providing for facilities for conducting a program of research and education that advances the understanding of rivers and estuaries and develops policies and practices that benefit the human and natural communities that depend upon these ecosystems, located at Beacon Harbor and Denning's Point in Beacon, New York, The Upper Hudson Research Center at Troy, located at the waterfront in Troy, New York and the Center for Tributary Study, located at Creek Road in Beacon, New York, and the Old Main Building at Clarkson University located in Potsdam, New York.

The Rochester school construction board for the financing of projects authorized pursuant to the city of Rochester and the board of education of the city school district of the city of Rochester school facilities modernization program act.

Albany Convention Center Authority

The YMCA of Greater Syracuse and related branches, administrative offices and satellite facilities located in New York state including: Downtown YMCA, East Area YMCA, North Area YMCA, Northwest YMCA, Camp Iroquois and any successor in interest to any such organization for the financing and/or refinancing of the acquisition, construction, reconstruction, development, improvement, expansion and/or equipping of a facility or facilities and necessary ancillary and related facilities.

The United States Maritime Resource Center for the purpose of financing, refinancing, construction, reconstruction, renovation, development, expansion and equipping of a facility to serve as a classroom and student residence building in support of professional education and training programs to be located on the campus of the United States Merchant Marine Academy located in Kings Point, New York.

Not-for-profit members of the Alliance of Long Island Agencies, Inc., for the acquisition, financing, refinancing, construction, reconstruction, renovation, development, improvement, expansion and equipping of certain educational, administrative, clinical, day program and residential facilities to be located in the state of New York. Notwithstanding any other provision of law, not-for-profit members of the Alliance of Long Island Agencies, Inc. shall have full power and authority to assign and pledge to the dormitory authority, any and all public funds to be apportioned or otherwise made payable by the United States, any agency thereof, the state, any agency thereof, a political subdivision, as defined in section one hundred of the general municipal law, any social services district in the state or any other governmental entity in an amount sufficient to make all payments required to be made by such members pursuant to any lease, sublease or other agreement entered into between such members and the dormitory authority. All state and local officers are hereby authorized and required to pay all such funds so assigned and pledged to the dormitory authority or, upon the direction of the dormitory authority, to any trustee of any dormitory authority bond or note issued, pursuant to a certificate filed with any

such state or local officer by the dormitory authority pursuant to the provisions of this section.

Fordham Preparatory School, Inc., for the financing or refinancing, or reimbursement of the costs of the acquisition, design, construction, reconstruction, rehabilitation, improvement, furnishing and equipping of, or otherwise providing for construction of additional educational facilities located on Fordham University Rose Hill Campus, the Bronx, New York.

The Reece School, for the financing or refinancing, or reimbursement of the costs of, the acquisition, design, construction, reconstruction, rehabilitation, improvement, furnishing and equipping of, or otherwise providing for, additional floors or facilities for education and therapy at their facility located at twenty-five East One Hundred Fourth Street in the city of New York, to serve as a school for special education students; provided, however, that the aggregate sum of any bonds issued for such purpose shall not exceed thirty-five million dollars. Notwithstanding any other provision of law, the Reece School shall have full power and authority to assign and pledge to the dormitory authority, any and all public funds to be apportioned or otherwise made payable by the United States, any agency thereof, the state, any agency thereof, a political subdivision, as defined in section one hundred of the general municipal law, any social services district in the state or any other governmental entity in an amount sufficient to make all payments required to be made by the Reece School to any lease, sublease or other agreement entered into between the Reece School and the dormitory authority. All state and local officers are hereby authorized and required to pay all such funds so assigned and pledged to the dormitory authority or, upon the direction of the dormitory authority, to any trustee of any dormitory authority bond or note issued, pursuant to a certificate filed with any such state or local officer by the dormitory authority pursuant to the provisions of this section.

Friends Academy, Glen Cove, Nassau County, for the financing or refinancing, or reimbursement of the costs of the acquisition, design, construction, reconstruction, rehabilitation, improvement, furnishing

and equipping of, or otherwise providing for, the complete renovation of the lower school located on the campus at Glen Cove, Nassau County, provided however, that the aggregate sum of any bonds issued for such purpose shall not exceed six million five hundred thousand dollars.

Not-for-profit members of InterAgency Council of Developmental Disabilities Agencies, Inc., for the acquisition, financing, refinancing, construction, reconstruction, renovation, development, improvement, expansion and equipping of certain educational, administrative, clinical, day program and residential facilities to be located in the state of New York. Notwithstanding any other provision of law, not-for-profit members of the InterAgency Council of Developmental Disabilities Agencies, Inc. shall have full power and authority to assign and pledge to the dormitory authority, any and all public funds to be apportioned or otherwise made payable by the United States, any agency thereof, the state, any agency thereof, a political subdivision, as defined in section one hundred of the general municipal law, any social services district in the state or any other governmental entity in an amount sufficient to make all payments required to be made by such members pursuant to any lease, sublease or other agreement entered into between such members and the dormitory authority. All state and local officers are hereby authorized and required to pay all such funds so assigned and pledged to the dormitory authority or, upon the direction of the dormitory authority, to any trustee of any dormitory authority bond or note issued, pursuant to a certificate filed with any such state or local officer by the dormitory authority pursuant to the provisions of this section.

Broad Channel Volunteers, Inc. doing business as Broad Channel Volunteer Fire Department and Ambulance Corps for the purpose of providing construction related services in connection with the construction, reconstruction, improvement, renovation, development or expansion of facilities owned by Broad Channel Volunteers, Inc. doing business as Broad Channel Volunteer Fire Department and Ambulance Corps located at 305 Crossbay Boulevard, County of Queens, block 15304, lot 450, New York 11693.

The Convent of the Sacred Heart School, for the financing or refinancing, or reimbursement of the costs of, the acquisition, design, construction, reconstruction, rehabilitation, improvement, furnishing and equipping of, or otherwise providing for, the Convent of the Sacred Heart School at their facility located at: 406 East 91st Street in the city of New York, to serve as a school for students in grades pre-kindergarten through twelve; provided, however, that the aggregate sum of any bonds issued for such purpose shall not exceed fifty-five million dollars.

Mercy Flight, Inc., of Western New York, for the financing and/or refinancing of equipment or the acquisition, construction, reconstruction, development, improvement, expansion and/or equipping of a facility or facilities and necessary ancillary and related facilities.

The Trevor Day School, for the financing or refinancing, or reimbursement of the costs of, the acquisition, design, construction, reconstruction, rehabilitation, improvement, furnishing and equipping of, or otherwise providing for, the Trevor Day School at their facility located at 312-318 East 95th Street in the city of New York, to serve as a school for students in grades seven through twelve; provided, however, that the aggregate sum of any bonds issued for such purpose shall not exceed seventy-five million dollars.

Richardson Center Corporation.

Williamsburg Infant & Early Childhood Development Center, Inc. at 22 Middleton Street, Brooklyn, New York.

Randolph Academy union free school district, for the financing, acquisition, construction, reconstruction, renovation and improvement for facilities located in Erie county, New York. Notwithstanding any other provision of law, Randolph Academy union free school district shall have full power and authority to assign and pledge to the authority any and all public funds to be apportioned or otherwise made payable by the state, a political subdivision, as defined in section one hundred of the general municipal law, or any social services district in

the state in an amount sufficient to make all payments required to be made by Randolph Academy union free school district pursuant to any lease, sublease or other agreement entered into between Randolph Academy union free school district and the authority. All state and local officers are hereby authorized and required to pay all such funds so assigned and pledged to the authority or upon the direction of the authority, to any trustee of any authority bond or note issued pursuant to a certificate filed with any such state or local officer by the authority pursuant to the provisions of this section. No agreement or lease by Randolph Academy union free school district pursuant to this paragraph shall be effective unless and until it is approved by or on behalf of the commissioner of education.

Medical Missions for Children, Inc.

Primary Care Development Corporation for the acquisition, financing, refinancing, construction, reconstruction, renovation, development, improvement, expansion, and equipping of facilities offering primary health care services and related ambulatory care and ancillary services in the state of New York.

Poly Prep Country Day School, for the refinancing of outstanding indebtedness, the financing or refinancing, or reimbursement of the costs of, the acquisition, design, construction, reconstruction, rehabilitation, improvement, furnishing and equipping of, or otherwise providing for, the Poly Prep Country Day School at its facilities located at 9216 Seventh Avenue and/or 50 Prospect Park West in Brooklyn, New York, to serve as a school for students in grades Nursery through twelve; provided, however, that the aggregate sum of any bonds issued for such purpose shall not exceed fifteen million dollars.

St. Andrew's Foundation, the Scottish Society of Hudson's Valley, Ltd.

Xavier High School, for the financing or refinancing, or reimbursement of the costs of the aquisition, design, construction, reconstruction, rehabilitation, improvement, furnishing and equipping of, or otherwise providing for, Xavier High School at its facility located at 30 West

16th Street in the city of New York, to serve as a school for students in grades nine through twelve; provided, however, that the aggregate sum of any bonds issued for such purpose shall not exceed fifty-five million dollars.

Mercy Flight Central, Inc., of Central New York, for the financing and/or refinancing of equipment or the acquisition, construction, reconstruction, development, improvement, expansion and/or equipping of a facility or facilities and necessary ancillary and related facilities.

Young Men's Christian Association-Women's Community Center of Rome, New York Incorporated, for the financing and/or refinancing of equipment or the acquisition, construction, reconstruction, development, improvement, expansion and/or equipping of a facility or facilities and necessary ancillary and related facilities.

Dancewave, Inc., for the financing, acquisition, construction, development, improvement, expansion and/or equipping of a facility or facilities and necessary ancillary and related facilities.

Summit Educational Resources, Inc., a not-for-profit organization, for the acquisition, financing and/or refinancing, design, construction, renovation, reconstruction, development, improvement, furnishing, expansion and/or equipping of a facility or facilities and necessary ancillary and related facilities.

An authorized agency as defined by subdivision ten of section three hundred seventy-one of the social services law, or a local probation department as defined by sections two hundred fifty-five and two hundred fifty-six of the executive law for the provision of detention facilities certified by the office of children and family services or by such office in conjunction with the state commission of correction or for the provision of residential facilities licensed by the office of children and family services including all necessary and usual attendant and related facilities and equipment.

North Country School, Lake Placid, New York, for the acquisition,

financing and/or refinancing, design, construction, renovation, reconstruction, development, improvement, furnishing, expansion and/or equipping of a facility or facilities and necessary ancillary and related facilities.

New York Military Academy

Any not-for-profit corporation formed pursuant to an inter-municipal agreement among two or more counties within this state to assist said counties in acquiring, financing, constructing, reconstructing, remodeling, enlarging, altering, repairing, operating, managing, leasing, selling or otherwise disposing of a joint county detention facility established in accordance with section two hundred eighteen-a of the county law.

The New York Racing Association, Inc. for capital projects.

The New York Academy of Medicine.

The Young Men's and Young Women's Hebrew Association (dba 92nd Street Y)

Masonic Medical Research Laboratory, a not-for-profit corporation, for the design, acquisition, financing, refinancing, construction, reconstruction, renovation, rehabilitation, development, improvement, expansion, furnishing, equipping or otherwise providing for a facility and/or facilities, including any necessary or ancillary facilities, for the purpose of conducting scientific research or conducting testing for public health in the city of Utica.

Mary Cariola Children's Center, Inc.

Sandy Ground Historical Museum at 1538 Woodrow Road, Staten Island, New York for the restoration or replacement of the museum building located at such address.

the office of cannabis management.

the cannabis control board.

the private debt or equity fund in which the state or any agency, authority or division thereof has invested and is selected pursuant to subdivision thirty-two of section one thousand six hundred seventy-eight of this title to the extent authorized in subdivision thirty of such section.

Saint Ann's School, Brooklyn, New York.

Dutchess Community College Association, Inc. for the purpose of financing or refinancing the acquisition, design, construction, reconstruction, rehabilitation, improvement, furnishing and equipping of, or otherwise providing for residential housing located on the campus of Dutchess Community College.

SB Clinical Practice Management Plan, Inc., for the purpose of financing or refinancing for up to four advanced specialty care centers.

D'Youville Housing Association LLC for the purpose of financing or refinancing the acquisition, design, construction, reconstruction, rehabilitation, improvement, furnishing and equipping of, or otherwise providing for residential housing located on the campus of D'Youville University.

The New York Climate Exchange Inc., to provide financing for construction of facilities on Governor's Island.

2. a. The dormitory authority is hereby authorized and empowered upon application of the educational institution concerned to acquire, design, construct, reconstruct, rehabilitate and improve, or otherwise provide and furnish and equip dormitories and attendant facilities for any educational institution, provided that any contract undertaken or financed by the dormitory authority for any construction, reconstruction, rehabilitation or improvement of any building or structure commenced after September first, nineteen hundred seventy-four

for the Gananda school district or the Gananda educational facilities corporation, or any agency, board or commission therein, or any official thereof, shall comply with the provisions of section one hundred one of the general municipal law and the specifications for such contract may provide for assignment of responsibility for coordination of any of the contracts for such work to a single responsible and qualified person, firm or corporation; provided, however, that all contracts for construction of buildings on behalf of Queens Hospital Center shall be in conformity with the provisions of section one hundred one of the general municipal law; provided that any contracts for the construction, reconstruction, rehabilitation or improvement of any public work project undertaken by the dormitory authority of any facility for the aged for any political subdivision of the state or any district therein or agency, department, board or commission thereof, or any official thereof, shall comply with the provisions of section one hundred thirty-five of the state finance law; and provided further that any contract undertaken or financed by the dormitory authority for any construction, reconstruction, rehabilitation or improvement of any building commenced after January first, nineteen hundred eighty-nine for the department of health shall comply with the provisions of section one hundred thirty-five of the state finance law.

Each educational institution defined in subdivision one of this section, except the department of health of the state of New York, shall, when authorized by an appropriate resolution adopted by its governing board or, when permitted, adopted by an appropriate committee of such governing board, have power: (i) to convey or cause to be conveyed to the authority real property or rights in real property required in connection with the construction and financing of a dormitory by the authority for such educational institution; or (ii) to enter into agreements or leases or both with the dormitory authority pursuant to subdivision sixteen of section sixteen hundred seventy-eight of this title and to paragraph e of this subdivision, or both, or, in the case of the department of health of the state of New York, providing that legislation or appropriations which specifies the facilities to be acquired, constructed, reconstructed, rehabilitated or improved for the department of health of the state of New York and the total estimated

costs for each such facility, not to exceed four hundred ninety-five million dollars in the aggregate, shall have been approved by the legislature, the commissioner of health shall have power: (i) to convey or cause to be conveyed to the authority real property or rights in real property required in connection with the construction and financing of a dormitory by the authority for such educational institution; or (ii) to enter into agreements or leases or both with the dormitory authority pursuant to subdivision sixteen of section sixteen hundred seventy-eight of this title and to paragraph e of this subdivision or both. The educational institution for which such dormitory and attendant facility is intended to be provided shall approve the plans and specifications and location of such dormitory and attendant facility. The dormitory authority shall have the same power and authority in respect to such dormitories and attendant facilities provided pursuant to this subdivision that it has relative to other dormitories.

b. The dormitory authority shall have power to acquire, in the name of the authority, on terms necessary or convenient by purchase, gift or devise, real property or rights of easement in relation to dormitories and attendant facilities provided pursuant to this subdivision, and for the purposes of paragraph f of this subdivision, the dormitory authority shall also have power to acquire such real property or rights of easement by condemnation.

c. The dormitory authority shall have power to accept gifts of personal property in the name of the authority for the purposes of this subdivision.

d. (1) The dormitory authority may operate and manage any dormitory and attendant facility provided pursuant to this subdivision, or the authority may lease any such dormitory and attendant facility to the educational institution for which such dormitory and attendant facility is provided.

(2) At such time as the liabilities of the dormitory authority incurred for any such dormitory and attendant facility have been met and the bonds of the authority issued therefor have been paid or such liabilities and bonds have otherwise been discharged, the authority

shall take action as follows:

(a) In the case of any dormitory and attendant facility other than one provided pursuant to paragraph f of this subdivision, the authority shall transfer title to all the real and personal property of such dormitory and attendant facility, vested in the authority, to the educational institution in connection with which such dormitory and attendant facility is then being operated, or to which such dormitory and attendant facility is then leased, provided, however, that if at any time prior thereto such educational institution ceases to offer educational facilities then such title shall vest in the people of the state of New York;

(b) In the case of any dormitory and attendant facility provided pursuant to paragraph f of this subdivision, the authority shall transfer such right, title and interest as it may have in or to the real property of such dormitory and attendant facility to the city of New York and in and to all personal property of such dormitory and attendant facility to the board of higher education in such city; provided, however, that if the authority has title to such dormitory and attendant facility and the city university shall cease to offer educational facilities before any such liabilities and bonds have been so paid or discharged, the title to all of the real and personal property thereof shall vest in the people of the state of New York;

(3) Notwithstanding any other provisions of law, if requested by the city university construction fund and the board of higher education in the city of New York, and with the prior written approval of the director of the budget of the state of New York or his designee, the authority may sell all or any part of any dormitory and attendant facility provided by the authority for the city university pursuant to paragraph f of subdivision two, including any real and personal property comprising said dormitory and attendant facility. Such sale may be made by private or public sale. Such sale may be made only if the dormitory and attendant facility or portion thereof being sold is abandoned or withdrawn from the applicable project in accordance with (i) the applicable agreement entered into by the authority with the city university construction fund and the board of higher education in the city of New York and (ii) the applicable resolution of the authority, and if the net proceeds of such sale are applied by the authority in

accordance with such agreement and resolution. The difference, if any, between the net proceeds of such sale, and, if greater, the amount required to be paid by the board of higher education in the city of New York to the authority pursuant to the terms of the applicable agreement by reason of the abandonment or withdrawal of such dormitory and attendant facility or portion thereof shall be paid to the authority by the state of New York, the city of New York, in which case the written approval of the director of the office of management and budget of the city of New York, or his designee, shall also be required, the city university construction fund or such board of higher education or any number of the foregoing at the closing of such sale and shall likewise be applied by the authority in accordance with the applicable agreement and resolution. Provided, however, that the foregoing provisions of this subparagraph only to the extent that they otherwise require a request for and approval by the city university construction fund or the board of higher education in the city of New York shall not apply to any sale of the parcels which constitute one hundred twenty-three and one hundred twenty-seven West one hundred eighty-third street in the city of New York being in section eleven, block three thousand two hundred twenty-five, lot forty-eight in Bronx county (also known as Sedgwick dormitory and North hall). The abandonment or withdrawal of such dormitory and attendant facility or portion thereof being sold and the payment to the authority in full of the difference between the net proceeds of sale and the amount required to be paid by such board of higher education to permit the abandonment or withdrawal shall be conditions to the closing of any sale pursuant to this subparagraph. In the event of a sale pursuant to this subparagraph, the authority shall be relieved of any obligation to transfer the dormitory and attendant facility or portion thereof being sold to the city of New York, the state of New York or the board of higher education in the city of New York pursuant to clause (b) of subparagraph two of this paragraph. Any and all rights of the city of New York, the state of New York and such board of higher education in and to such dormitory and attendant facility or portion thereof shall be deemed to be fully satisfied and extinguished by a sale pursuant to this subparagraph. At the request of the authority, the city of New York, the state of New York and such board of higher education shall join in the deed or execute a quitclaim

or other legal instrument of conveyance of their respective interests, if any, therein.

(4) Notwithstanding any other provision of law, the authority, if requested by the city university construction fund and the board of higher education in the city of New York, may lease all or any part of any dormitory and attendant facility provided by the authority for the city university pursuant to paragraph f of this subdivision to a third party upon such terms and conditions as the authority, the city university construction fund and the board of higher education in the city of New York shall deem appropriate and as are consistent with the provisions of the applicable agreement entered into by the authority with the city university construction fund and the board of higher education in the city of New York and the applicable resolution of the authority. Provided, however, that the foregoing provisions of this subparagraph only to the extent that they otherwise require a request for and approval by the city university construction fund or the board of higher education in the city of New York shall not apply to any lease of the parcels which constitute one hundred twenty-three and one hundred twenty-seven West one hundred eighty-third street in the city of New York being in section eleven, block three thousand two hundred twenty-five, lot forty-eight in Bronx county (also known as Sedgwick dormitory and North hall). Any rentals or other moneys received by the authority pursuant to such lease shall be applied by the authority in accordance with the terms of the applicable agreement and resolution. Any leasing of such dormitory and attendant facility or portion thereof by the authority pursuant to the terms of this subparagraph shall not be deemed to constitute a breach by the authority of the terms and conditions of, or a default by the authority under any agreement which the authority may have entered into with the city university construction fund and the board of higher education in the city of New York, or any resolution of the authority, applicable to the dormitory and attendant facility or portion thereof being leased.

e. Any lease of a dormitory and attendant facility authorized by this subdivision shall be a general obligation of the lessee and may contain certain provisions, which shall be a part of the contract with the holders of the bonds of the authority issued for such dormitory, as to

(1) pledging all or any part of the moneys, earnings, income and revenues derived by the lessee from such dormitory or any part or parts thereof, or other personal property of the lessee, to secure payments required under the terms of such lease;

(2) the rates, rentals, fees and other charges to be fixed and collected by the lessee, the amounts to be raised in each year thereby, and the use and disposition of such moneys, earnings, income and revenues;

(3) the setting aside of reserves and the creation of special funds and the regulation and disposition thereof;

(4) the procedure, if any, by which the terms of such lease may be amended, the amount of bonds the holders of which must consent thereto, and the manner in which such consent may be given;

(5) vesting in a trustee or trustees such specified properties, rights, powers and duties as shall be deemed necessary or desirable for the security of the holders of the bonds of the authority issued for such dormitory;

(6) the obligations of the lessee with respect to the replacement, reconstruction, maintenance, operation, repairs and insurance of such dormitory;

(7) defining the acts or omissions to act which shall constitute a default in the obligations and duties of the lessee, and providing for the rights and remedies of the authority and of its bondholders in the event of such default;

(8) any other matters, of like or different character, which may be deemed necessary or desirable for the security or protection of the authority or the holders of its bonds.

f. (1) Notwithstanding any other provision of law, general or special, the dormitory authority is hereby authorized and empowered to acquire, design, construct, reconstruct, rehabilitate, and improve or otherwise provide and furnish and equip dormitories and attendant facilities for the use of the city university, in accordance with the terms of any lease, sublease, or other agreement entered into by the authority, pursuant to article one hundred twenty-five-B of the education law, with the city university construction fund, or with such fund and the board of higher education in the city of New York. The dormitory authority may

issue its bonds to finance the cost of senior college facilities either together with or separate from bonds issued to finance the cost of community college facilities, and may issue its bonds to finance the local sponsor's portion of the cost of community college facilities either together with or separate from its bonds issued to finance the state's portion of the cost of such community college facilities.

Notwithstanding any other provision of law, general or special, the dormitory authority may acquire, design, construct or otherwise provide and furnish and equip dormitories and attendant facilities for the use of Hunter College, which may include therein a police and fire station, upon a site set forth in and in accordance with the terms of any lease, sublease or other agreement entered into by the authority pursuant to article one hundred twenty-five-B of the education law with the city university construction fund, the city of New York and the board of higher education in such city. The police and fire station portions of such facility shall be deemed capital projects of the city of New York within the meaning of chapter nine of the New York city charter. Any conveyance of real property or rights and interests therein by the city to the dormitory authority with respect to such facility shall not include title to that portion of the real property to be occupied by the police and fire station portions thereof but shall include the air rights over such police and fire stations and subsurface rights thereunder.

(2) The provisions of this subdivision shall apply to projects undertaken by the dormitory authority pursuant to this paragraph provided, however, that wherever any provision of this subdivision authorizes or requires action on the part of an educational institution such provision, so far as it applies to any such project, shall be deemed to refer to action on the part of the city university construction fund or the board of higher education of the city of New York, as the case may be.

h. Notwithstanding any other provision of law, general or special, the dormitory authority is hereby authorized and empowered to acquire dormitories, including existing dormitories, from any educational institution for such consideration and upon such terms as may be

approved by the authority.

i. Notwithstanding any other provision of law the dormitory authority is hereby authorized and empowered to enter into any agreement, lease or sublease with any not-for-profit corporation or any political subdivision of the state of New York or the state of New York to allow a dormitory to be used and occupied by persons sixty-five years of age or older.

j. Subject to the provisions of chapter fifty-nine of the laws of two thousand, the maximum amount of bonds and notes to be issued after March thirty-first, two thousand two for a housing unit for the use of students at a state-operated institution or statutory or contract college under the jurisdiction of the state university of New York shall be one billion five hundred sixty-one million dollars. Such amount shall be exclusive of bonds and notes issued to fund any reserve fund or funds, costs of issuance, and to refund any outstanding bonds and notes relating to a housing unit under the jurisdiction of the state university of New York.

k. (1) For purposes of this section, the following provisions shall apply to the powers in connection with the provision of detention facilities certified by the office of children and family services or by such office in conjunction with the state commission of correction or for the provision of residential facilities licensed by the office of children and family services including all necessary and usual attendant and related facilities and equipment.

(2) Notwithstanding any other provision of law, any entity as listed above shall have full power and authority to enter into such agreements with the dormitory authority as are necessary to finance and/or construct detention or residential facilities described above, including without limitation, the provision of fees and amounts necessary to pay debt service on any obligations issued by the dormitory authority for same, and to assign and pledge to the dormitory authority, any and all public funds to be apportioned or otherwise made payable by the United States, any agency thereof, the state, any agency thereof, a political subdivision, as defined in section one hundred of the general municipal

law, any social services district in the state or any other governmental entity in an amount sufficient to make all payments required to be made by any such entity as listed above pursuant to any lease, sublease or other agreement entered into between any such entity as listed above and the dormitory authority. All state and local officers are hereby authorized and required to pay all such funds so assigned and pledged to the dormitory authority or, upon the direction of the dormitory authority, to any trustee of any dormitory authority bond or note issued, pursuant to a certificate filed with any such state or local officer by the dormitory authority pursuant to the provisions of this section.

l. (1) For purposes of this section, the following provisions shall apply to the powers in connection with the provision of detention facilities certified by the office of children and family services or by such office in conjunction with the state commission of correction, including any joint county detention facility established in accordance with section two hundred eighteen-a of the county law, or for the provision of residential facilities licensed by the office of children and family services including all necessary and usual attendant and related facilities and equipment.

(2) Notwithstanding any other provision of law, the office of children and family services, the division of the budget, any county and any entity as listed above shall have full power and authority to enter into such agreements with the dormitory authority as are necessary or useful to finance and/or construct detention or residential facilities described above, including without limitation, such agreements that may provide for or warrant the uninterrupted provision of fees and amounts necessary to pay debt service on any obligations issued by the dormitory authority for same, and to assign and pledge to the dormitory authority, any and all public funds to be apportioned or otherwise made payable by the United States, any agency thereof, the state, any agency thereof, a political subdivision, as defined in section one hundred of the general municipal law, any social services district in the state or any other governmental entity in an amount sufficient to make all payments required to be made by any such entity as listed above pursuant to any lease, sublease, pledge agreement or other agreement entered into

between any such entity as listed above, any county and the dormitory authority; any such agreement shall not constitute indebtness for purposes of the state constitution or section 20.00 of the local finance law, and shall not be deemed either executory or to create any contractual obligation in excess of the amounts appropriated annually for such purpose. All state and local officers are hereby authorized and required to pay all such funds so assigned and pledged to the dormitory authority or, upon the direction of the dormitory authority, to any trustee of any dormitory authority bond or note issued, pursuant to a certificate filed with any such state or local officer by the dormitory authority pursuant to the provisions of this section.

3. a. The authority also shall have power to make loans to any educational institution for the acquisition, construction, reconstruction, rehabilitation and improvement, or otherwise providing, furnishing and equipping of dormitories and attendant facilities, for the purpose of financing or refinancing the cost thereof or for the purpose of acquiring any federally guaranteed security in accordance with subdivision sixteen of section sixteen hundred seventy-eight of this chapter. Each such loan shall be premised upon an agreement, agreements, or supplements thereto, between the authority and the institution, which agreement, agreements, or supplements thereto, may make provisions as to payment, security, maturity, redemption, interest, payment of any expenses of the authority and other appropriate matters.

b. The authority shall likewise have power to make loans to any educational institution to refund existing bonds, mortgages or advances given or made by such institution for the construction of dormitories to the extent that this will enable such educational institution to offer greater security for loans for new dormitory construction or to effect savings in interest cost or more favorable amortization terms.

c. For the purpose of obtaining loans under subdivision three of this section every educational institution shall, notwithstanding the provisions of any other law, have power to mortgage and pledge any of its real or personal property, to pledge any of its income from whatever source, and to purchase and pledge a federally guaranteed security for

the repayment of the principal of and interest on any loan made to it by the authority or to pay the interest on and principal and redemption premium, if any, of any note, bond or other evidence of indebtedness evidencing the debt created by any such loan; provided that the foregoing shall not be construed to authorize actions in conflict with specific legislation, trusts, endowment, or other agreements relating to specific properties or funds.

d. Moneys of the authority received from any educational institution in payment of any sum due to the authority pursuant to the terms of any loan or other agreement or any bond, note or other evidence of indebtedness, shall be deposited in an account in which only moneys received from educational institutions under this subdivision shall be deposited and shall be kept separate and apart from and not commingled with any other moneys of the authority. Moneys deposited in such account shall be paid out on checks signed by the chairman of the authority or by such other person or persons as the authority may authorize.

4. Whenever the dormitory authority under subdivision two of this section undertakes to construct, acquire or otherwise provide and operate and manage a dormitory and attendant facilities, the dormitory authority shall be responsible for the direct operation and maintenance costs of such dormitory but each educational institution in connection with which such a dormitory is provided and operated and managed shall be responsible at its own expense for the over-all supervision of each dormitory, for the overhead and general administrative costs of the educational institution which are incurred because of such dormitory and for the integration of each dormitory operation into the institution's educational program so that in so far as practicable the declaration of policy as outlined in section one of chapter eight hundred fifty of the laws of nineteen hundred fifty-five and a declaration of policy contained in section one of an act of the legislature of nineteen hundred fifty-nine amending this subdivision may be fully achieved. Whenever the dormitory authority under subdivision two of this section undertakes to construct, acquire or otherwise provide a dormitory and attendant facilities and to lease the same to an educational institution, the lessee shall be responsible for the direct operation

and maintenance costs of such dormitory and in addition shall be responsible for the over-all supervision of each dormitory, for the overhead and general administrative costs of the lessee which are incurred because of such dormitory and for the integration of each dormitory operation into the lessee's educational program so that in so far as practicable the declaration of policy as outlined in section one of chapter eight hundred fifty of the laws of nineteen hundred fifty-five and a declaration of policy contained in section one of an act of the legislature of nineteen hundred fifty-nine amending this subdivision may be fully achieved. Whenever the dormitory authority under subdivision three of this section makes loans for the construction of a dormitory, the educational institution at which such dormitory is located shall be responsible for the direct operation and maintenance costs of such dormitory and in addition shall be responsible for the over-all supervision of each dormitory, for the overhead and general administrative costs of the educational institution which are incurred because of such dormitory and for the integration of each dormitory operation into the institution's educational program so that in so far as practicable the declaration of policy as outlined in section one of chapter eight hundred fifty of the laws of nineteen hundred fifty-five and a declaration of policy contained in section one of an act of the legislature of nineteen hundred fifty-nine amending this subdivision may be fully achieved.

5. All the provisions of this title four not inconsistent with the provisions of this section sixteen hundred eighty, shall be applicable with respect to any bonds of the authority issued to obtain funds for any purpose authorized under this section sixteen hundred eighty, and with respect to the powers of the authority hereunder.

6. To obtain funds for construction, acquisition or provision of dormitories and loans under this section, the authority shall have power from time to time to issue negotiable bonds or notes.

7. Any pledge of or other security interest in moneys, earnings, income, revenues, accounts, contract rights, general intangibles or other personal property made or created by the authority shall be valid,

binding and perfected from the time when such pledge or other security interest attaches, without any physical delivery of the collateral or further act. The lien of any such pledge or other security interest shall be valid, binding and perfected as against all parties having claims of any kind in tort, contract or otherwise against the authority irrespective of whether or not such parties have notice thereof. No instrument by which such a pledge or other security interest is created nor any financing statement need be recorded or filed. This subdivision shall apply notwithstanding the provisions of the uniform commercial code.

8. For all purposes of this section sixteen hundred eighty, the term "dormitory" shall include and mean a housing unit, including all necessary and usual attendant and related facilities and equipment, provided for the use of married students, faculty, staff and the families thereof.

9. (a) Notwithstanding any other provision of law to the contrary, each local sponsor shall have power to convey or cause to be conveyed to the authority real property or rights in real property required in connection with the providing and financing of a facility by the authority for a locally sponsored community college for which such local sponsor is the sponsor or one of the sponsors and who also enters into agreements and leases with the dormitory authority pursuant to paragraph e of subdivision two of this section. The authority to make any such conveyance shall not be subject to a mandatory or permissive referendum.

(b) Notwithstanding the provisions of any general, special or local law, charter or ordinance to the contrary, on request of the local sponsor of a locally sponsored community college in the city of New York and with the approval of the city board of estimate, the city of New York may sell, convey, lease, exchange or otherwise make available to the dormitory authority, for a nominal consideration, any interest in real property of the city designated by such local sponsor as suitable for a facility. Such sale, conveyance, lease, exchange, or other disposition may be made at a nominal cost and without the requirement of public auction or sealed bids, or restriction as to the term of any such lease or arrangement, and the provisions of subdivision b of section

three hundred eighty-four of the New York city charter shall not apply in such cases. Conveyances made pursuant to this section shall include but shall not be limited to real property on which are situated facilities of, or are under the jurisdiction of, or assigned to, the board of education of the city school district of the city of New York.

(c) Notwithstanding the provisions of any general, special or local law, charter or ordinance to the contrary, the city board of estimate on behalf of the city of New York may grant revocable or irrevocable consents or rights of any kind or nature whatsoever, providing for or involving or relating to the occupation or use of any of the streets of the city, whether on, under or over the surface thereof, to the dormitory authority, on such terms and conditions and for such period of time or duration as may be determined by the board of estimate to be in the public interest.

(d) The following provisions shall be applicable to agreements and leases entered into between the authority and a local sponsor in relation to the providing and financing by the authority of facilities for locally sponsored community colleges, and to agreements and leases entered into between the authority and the city university construction fund in relation to the providing and financing by the authority of facilities for city university community colleges.

(1) In addition to the provisions authorized by subdivision four of section sixteen hundred eighty-two of this title four, any resolution or resolutions authorizing any bonds for the purpose of financing the cost of providing facilities for locally sponsored or city university community colleges may contain provisions which may be a part of the contract with the holders of such bonds providing for the creation and establishment and maintenance of reserve funds and payments to such reserve funds as hereinafter in this paragraph set forth.

(2) The authority may create and establish one or more reserve funds to be known as debt service reserve funds and may pay into such reserve funds (i) any moneys appropriated and made available by the state for the purposes of such funds, (ii) any proceeds of the sale of bonds and notes to the extent provided in the resolution of the authority authorizing the issuance thereof, and (iii) any other moneys which may be made available to the authority for the purposes of such funds from any other source or sources. The moneys held in or credited to any debt

service reserve fund established under this paragraph, except as hereinafter provided, shall be used solely for the payment of the principal of bonds of the authority secured by such reserve fund, as the same mature, the purchase of such bonds of the authority, the payment of interest on such bonds of the authority or the payment of any redemption premium required to be paid when such bonds are redeemed prior to maturity; provided, however, that moneys in any such fund shall not be withdrawn therefrom at any time in such amount as would reduce the amount of such fund to less than the maximum amount of principal and interest maturing and becoming due in any succeeding calendar year on the bonds of the authority then outstanding and secured by such reserve fund, except for the purpose of paying principal and interest on the bonds of the authority secured by such reserve fund maturing and becoming due and for the payment of which other moneys of the authority are not available. Any income or interest earned by, or increment to, any such debt service reserve fund due to the investment thereof may be transferred to any other fund or account of the authority to the extent it does not reduce the amount of such debt service reserve fund below the maximum amount of principal and interest maturing and becoming due in any succeeding calendar year on all bonds of the authority then outstanding and secured by such reserve fund.

(3) The authority shall not issue bonds at any time if the maximum amount of principal and interest maturing and becoming due in a succeeding calendar year on the bonds outstanding and then to be issued and secured by a debt service reserve fund will exceed the amount of such reserve fund at the time of issuance, unless the authority at the time of issuance of such bonds, shall deposit in such reserve fund from the proceeds of the bonds so to be issued, or otherwise, an amount which together with the amount then in such reserve fund, will be not less than the maximum amount of principal and interest maturing and becoming due in any succeeding calendar year on the bonds then to be issued and on all other bonds of the authority then outstanding and secured by such reserve fund.

(4) To ensure the continued operation and solvency of the authority for the carrying out of the public purposes relating to providing facilities for locally sponsored or city university community colleges provision is made in the foregoing provisions of this paragraph d for

the accumulation in each debt service reserve fund of an amount equal to the maximum amount of principal and interest maturing and becoming due in any succeeding calendar year on all bonds of the authority then outstanding and secured by such reserve fund. In order further to ensure the maintenance of such debt service reserve funds, there shall be annually apportioned and paid to the authority for deposit in each debt service reserve fund such sum, if any, as shall be certified by the chairman of the authority to the governor and state director of the budget as necessary to restore such reserve fund to an amount equal to the maximum amount of principal and interest maturing and becoming due in any succeeding calendar year on the bonds of the authority then outstanding and secured by such reserve fund. The chairman of the authority shall annually, on or before December first, make and deliver to the governor and state director of the budget his certificate stating the sum, if any, required to restore each such debt service reserve fund to the amount aforesaid, and the sum or sums so certified, if any, shall be apportioned and paid to the authority during the then current state fiscal year. The principal amount of bonds secured by a debt service reserve fund or funds to which state funds are apportionable pursuant to this subparagraph shall be limited to the total amount of bonds and notes outstanding on the effective date of this act, plus the total amount of bonds and notes contracted after the effective date of this act to finance projects in progress on the effective date of this act as determined by the New York state public authorities control board created pursuant to section fifty of this chapter whose affirmative determination shall be conclusive as to all matters of law and fact solely for the purposes of the limitations contained in this subparagraph, but in no event shall the total amount of bonds so secured by such a debt service reserve fund or funds exceed two hundred seventy million dollars for locally sponsored community colleges and four hundred seventy million dollars for city university community colleges, excluding bonds issued to refund such outstanding bonds until the date of redemption of such outstanding bonds. As outstanding bonds so secured are paid, the amount so secured shall be reduced accordingly but the redemption of such outstanding bonds from the proceeds of refunding bonds shall not reduce the amount so secured.

(5) In computing any debt service reserve fund for the purposes of

this paragraph, securities in which all or a portion of such reserve fund shall be invested shall be valued at par, or if purchased at less than par, at their cost to the authority.

(e) All the provisions of this title four not inconsistent with the provisions of this section sixteen hundred eighty shall be applicable with respect to any bonds of the authority issued to obtain funds for the purpose of providing facilities for locally sponsored community colleges.

(f) No agreement by the dormitory authority with a local sponsor shall be effective unless and until it is approved by the state university trustees and the state director of the budget or his designee and, in the case of a locally sponsored community college in the city of New York, it is also approved by the director of the budget of the city of New York or his designee.

(g) No agreement by the dormitory authority with the city university construction fund or with such fund and the city university with respect to a city university community college, entered into prior to July first, nineteen hundred eighty-five and no agreement entered into on or after July first, nineteen hundred eighty-five which is supplemental to any agreement entered into prior to such July first, shall be effective unless and until it is approved by the state director of the budget or his designee and by the director of the budget of the city of New York or his designee.

10. The local sponsor shall have full power and authority to assign and pledge to the authority any and all public funds to be apportioned or otherwise made payable by a local sponsor or by the state of New York to the local sponsor for purposes of the locally sponsored community college pursuant to the provisions of subdivision eight of section sixty-three hundred four of the education law and any tuition and instructional fees received from students attending such locally sponsored community college.

All state officers and local sponsors concerned are hereby authorized to pay all such funds so assigned and pledged to the commissioner of taxation and finance for deposit in the community college tuition and instructional income fund.

10-a. Subject to the provisions of chapter fifty-nine of the laws of two thousand, but notwithstanding any other provision of the law to the contrary, the maximum amount of bonds and notes to be issued after March thirty-first, two thousand two, on behalf of the state, in relation to any locally sponsored community college, shall be one billion six hundred twenty-three million eight hundred eighty-four thousand dollars $1,623,884,000. Such amount shall be exclusive of bonds and notes issued to fund any reserve fund or funds, costs of issuance and to refund any outstanding bonds and notes, issued on behalf of the state, relating to a locally sponsored community college.

11. In the case of any locally sponsored community college, other than a locally sponsored community college in the city of New York or a locally sponsored community college where the local sponsor has entered into an agreement with the dormitory authority to finance and construct a facility for such college, construction of the facilities may be performed by the local sponsor under existing statute.

12. In the case of a locally sponsored community college in the city of New York or in the case of a locally sponsored community college where the local sponsor has entered into an agreement with the dormitory authority to finance and construct a facility for such college, any construction of such facility shall be performed by the dormitory authority pursuant to the provisions of this title four.

13. Upon application of a local sponsor of a locally sponsored community college, which application has been approved by the state university trustees and the state director of the budget or his designee and, in the case of a locally sponsored community college in the city of New York, has also been approved by the director of the budget of the city of New York or his designee, the dormitory authority may acquire, design, construct, reconstruct, rehabilitate and improve, and furnish and equip or otherwise provide facilities pursuant to the provisions of this title four and in such event the obligations of the authority issued to finance the cost of such project shall be repaid pursuant to an agreement between such local sponsor and the dormitory authority. The

dormitory authority may issue its bonds to finance the local sponsor's portion of the cost of such project either together with or separate from the bonds issued by the dormitory authority to finance the state's portion of the cost of such project.

14. (a) During any twelve month period beginning with a July first and ending on a June thirtieth, hereinafter referred to in this subdivision as a "school year", the dormitory authority shall not deliver a series of bonds for any locally sponsored community college project, except to refund or to be substituted for or in lieu of other bonds in relation to such locally sponsored community college, unless (1) the amount of tuition and instructional fees received by the local sponsor from students attending such locally sponsored community college for the school year immediately preceding the school year in which such bonds are proposed to be delivered shall exceed the amount which the commissioner of taxation and finance is required to maintain on deposit in the community college tuition and instructional income fund pursuant to the provisions of subdivision five of section ninety-seven-p of the state finance law for such locally sponsored community college, or

(2) the local sponsor of such locally sponsored community college shall submit proof in form satisfactory to the dormitory authority that the amount of tuition and instructional fees to be received by the local sponsor from students attending such college for the third school year after the school year in which such bonds are proposed to be delivered shall exceed the amount which the commissioner of taxation and finance is required to maintain on deposit in the community college tuition and instructional income fund pursuant to the provisions of subdivision five of section ninety-seven-p of the state finance law for such college.

(b) The provisions of paragraph a of this subdivision shall not apply to facilities for a locally sponsored community college in the city of New York other than the fashion institute of technology.

(c) Subject to the provisions of chapter fifty-nine of the laws of two thousand, (i) the dormitory authority shall not deliver a series of bonds for city university community college facilities, except to refund or to be substituted for or in lieu of other bonds in relation to city university community college facilities pursuant to a resolution of the dormitory authority adopted before July first, nineteen hundred

eighty-five or any resolution supplemental thereto, if the principal amount of bonds so to be issued when added to all principal amounts of bonds previously issued by the dormitory authority for city university community college facilities, except to refund or to be substituted in lieu of other bonds in relation to city university community college facilities will exceed the sum of four hundred twenty-five million dollars and (ii) the dormitory authority shall not deliver a series of bonds issued for city university facilities, including community college facilities, pursuant to a resolution of the dormitory authority adopted on or after July first, nineteen hundred eighty-five, except to refund or to be substituted for or in lieu of other bonds in relation to city university facilities and except for bonds issued pursuant to a resolution supplemental to a resolution of the dormitory authority adopted prior to July first, nineteen hundred eighty-five, if the principal amount of bonds so to be issued when added to the principal amount of bonds previously issued pursuant to any such resolution, except bonds issued to refund or to be substituted for or in lieu of other bonds in relation to city university facilities, will exceed thirteen billion one million four thousand dollars $13,001,004,000, excluding bonds issued after April first, two thousand twenty-five to (i) fund one or more debt service reserve funds, (ii) pay costs of issuance of such bonds, and (iii) refund or otherwise repay such bonds or notes previously issued, provided that nothing herein shall affect the exclusion of refunding debt issued prior to such date. The legislature reserves the right to amend or repeal such limit, and the state of New York, the dormitory authority, the city university, and the fund are prohibited from covenanting or making any other agreements with or for the benefit of bondholders which might in any way affect such right.

15. In order to effectuate the purposes of this title, the following provisions shall apply to powers in connection with the provision of facilities for locally sponsored community colleges except a facility for a locally sponsored community college in the city of New York or a facility for a community college sponsored by a community college region:

(a) (1) The local sponsor by resolution of its governing body may

enter into a lease, sublease or other agreement for the provision of facilities by the authority for such local sponsor upon such terms and conditions as the authority shall determine to be reasonable, including but not limited to the reimbursement of all costs of such construction and claims arising therefrom.

(2) No such lease, sublease or other agreement shall be deemed to be a contract for public work or purchase within the meaning of the general municipal law.

(b) Any lease, sublease or other agreement entered into by the authority and any local sponsor may provide that at the termination thereof the title to the facility shall vest in the local sponsor or its successor in interest, if any, free and clear of any indebtedness contracted by the authority. Any such lease, sublease or other agreement entered into by the authority and any local sponsor which shall provide that the local sponsor shall be liable for the payment of rentals and other payments due and payable to the dormitory authority pursuant to such lease, sublease, or other agreement shall be subject to the following provisions:

(1) The term of any such lease, sublease or other agreement shall not exceed forty years which is hereby determined to be the period of probable usefulness of any facility for a locally sponsored community college authorized to be provided pursuant to this title, which term shall be computed from the date of the first indebtedness contracted by the authority for such facility.

(2) The annual payments to be made by the local sponsor to the authority to enable the authority to pay the principal of any such indebtedness contracted by it to finance the cost of such works or facility shall commence within two years after any such indebtedness or portion thereof shall have been contracted and no such annual payment shall be more than fifty per centum in excess of the smallest prior annual payment for such purpose.

(3) The local sponsor shall pledge its full faith and credit for the payment of such annual payments described in subparagraph two of this paragraph and also for the payments required to be made to the authority to enable it to pay the interest on such indebtedness.

(4) The total amount of any unpaid annual payments in relation to the principal of any such indebtedness shall be deemed to be indebtedness of

the local sponsor for a capital improvement within the meaning of subparagraph b of subdivision three of paragraph a of section 135.00 of the local finance law.

(5) The annual payments by a local sponsor in relation to such indebtedness and interest shall be deemed to be "indebtedness" and "interest" within the meaning of section ten of article eight of the state constitution.

(6) The lease, sublease or other agreement shall not be renegotiated, or amended, in such manner as to constitute a refunding within the meaning of section two of article eight of the state constitution.

(7) The lease, sublease or other agreement shall not be applicable to any facility constructed or reconstructed to effectuate the purposes of article eighteen of the state constitution.

(8) The provisions of this title may be utilized by any local sponsor notwithstanding the provision of any general or special law, or county or city charter which (i) requires that any project must be constructed, operated and maintained by the local sponsor, (ii) limits the period of time for which a local sponsor may contract, (iii) requires that the cost shall be paid for by taxes levied for the fiscal year in which the expenditure is to be made, (iv) requires that the cost shall be financed pursuant to the local finance law, or (v) only permits any such project to be constructed subject to either mandatory or permissive referendum.

16. Any lease, sub-lease or other agreement entered into by the authority and any local sponsor in connection with the provision of a facility for a locally sponsored community college may provide for the deduction or withholding from any state financial aid payable to any such local sponsor, other than state financial aid apportioned and paid pursuant to the provisions of subdivision eight of section sixty-three hundred four of the education law, of an amount which has been determined after audit by the state comptroller to have been expended in excess of one-half of the total cost of acquiring, designing, constructing, reconstructing, rehabilitating and improving and furnishing and equipping or otherwise providing such facility for such local sponsor except for the costs of establishing and maintaining reserves and other costs of the authority incurred in connection with the financing of such facility.

* 17. For purposes of this section, the following provisions shall apply to powers in connection with the provision of dormitories for the New York State Association for Retarded Children, Inc., Albany County Chapter by the dormitory authority pursuant to this title.

Except to the extent otherwise prohibited by law, the New York State Association for Retarded Children, Inc., Albany County Chapter shall have full power and authority to assign and pledge to the dormitory authority any and all public funds to be apportioned or otherwise made payable by the state of New York, a political subdivision, as defined in section one hundred of the general municipal law, or any social services district in the state of New York in an amount sufficient to make all payments required to be made by any such organization pursuant to any lease, sublease or other agreement entered into between such organization and the dormitory authority.

All state and local officers are hereby authorized and required to pay all such funds so assigned and pledged to the dormitory authority or, upon the direction of the dormitory authority, to any trustee of any dormitory authority bond or note issued pursuant to a certificate filed with any such state or local officer by the dormitory authority pursuant to the provisions of this subdivision.

* NB There are 5 sub 17's

* 17. For purposes of this section, the following provisions shall apply to powers in connection with the provision of dormitories for the Association for the Help of Retarded Children, Suffolk Chapter by the dormitory authority pursuant to this title.

Except to the extent otherwise prohibited by law, the Association for the Help of Retarded Children, Suffolk Chapter shall have full power and authority to assign and pledge to the dormitory authority any and all public funds to be apportioned or otherwise made payable by the state of New York, a political subdivision, as defined in section one hundred of the general municipal law, or any social services district in the state of New York in an amount sufficient to make all payments required to be made by any such organization pursuant to any lease, sublease or other agreement entered into between such organization and the dormitory

authority.

All state and local officers are hereby authorized and required to pay all such funds so assigned and pledged to the dormitory authority or, upon the direction of the dormitory authority, to any trustee of any dormitory authority bond or note issued pursuant to a certificate filed with any such state or local officer by the dormitory authority pursuant to the provisions of this subdivision.

* NB There are 5 sub 17's

* 17. For the purposes of this section, the following provisions shall apply to powers in connection with the provision of dormitories for United Cerebral Palsy of Ulster County, Inc., hereinafter called the organization, by the authority pursuant to this title.

Notwithstanding any other provision of law, the organization shall have full power and authority to assign and pledge to the authority any and all public funds to be apportioned or otherwise made payable by the state, a political subdivision, as defined in section one hundred of the general municipal law, or any social services district in the state in an amount sufficient to make all payments required to be made by any such organization pursuant to any lease, sublease or other agreement entered into between such organization and the authority.

All state and local officers are hereby authorized and required to pay all such funds so assigned and pledged to the authority or upon the direction of the authority, to any trustee of any authority bond or note issued pursuant to a certificate filed with any such state or local officer by the authority pursuant to the provisions of this section.

No agreement or lease by such organization shall be effective unless and until it is approved by or on behalf of the commissioners of the various state agencies that have jurisdiction over the project.

* NB There are 5 sub 17's

* 17. For purposes of this section, the following provisions shall apply to powers in connection with the provision of dormitories for Hillside Children's Center by the dormitory authority pursuant to this title.

Except to the extent otherwise prohibited by law, Hillside Children's Center shall have full power and authority to assign and pledge to the dormitory authority any and all public funds to be apportioned or otherwise made payable by the state of New York, a political subdivision, as defined in section one hundred of the general municipal law, or any social services district in the state of New York in an amount sufficient to make all payments required to be made by any such organization pursuant to any lease, sublease or other agreement entered into between such organization and the dormitory authority.

All state and local officers are hereby authorized and required to pay all such funds so assigned and pledged to the dormitory authority or, upon the direction of the dormitory authority, to any trustee of any dormitory authority bond or note issued pursuant to a certificate filed with any such state or local officer by the dormitory authority pursuant to the provisions of this subdivision.

* NB There are 5 sub 17's

* 17. For purposes of this section, the following provisions shall apply to powers in connection with the provision of dormitories for New Dimensions in Living, Inc. and Associated Residential Centers, Inc. by the dormitory authority pursuant to this title.

Except to the extent otherwise prohibited by law, the New York State Association for Retarded Children, Inc., Rensselaer County Chapter, the New York State Association for Retarded Children, Inc., Montgomery County Chapter, New Dimensions in Living, Inc. and Associated Residential Centers, Inc. shall have full power and authority to assign and pledge to the dormitory authority any and all public funds to be apportioned or otherwise made payable by the state of New York, a political subdivision, as defined in section one hundred of the general municipal law, or any social services district in the state of New York in an amount sufficient to make all payments required to be made by any such organization pursuant to any lease, sublease or other agreement entered into between such organization and the dormitory authority.

All state and local officers are hereby authorized and required to pay

all such funds so assigned and pledged to the dormitory authority or, upon the direction of the dormitory authority, to any trustee of any dormitory authority bond or note issued pursuant to a certificate filed with any such state or local officer by the dormitory authority pursuant to the provisions of this subdivision.

* NB There are 5 sub 17's

18. For purposes of this section, the following provisions shall apply to powers in connection with the provision of dormitories for the New York Society for the Deaf by the dormitory authority pursuant to this title.

Except to the extent otherwise prohibited by law, the New York Society for the Deaf shall have full power and authority to assign and pledge to the dormitory authority any and all public funds to be apportioned or otherwise made payable by the state of New York, a political subdivision, as defined in section one hundred of the general municipal law, or any social services district in the state of New York in an amount sufficient to make all payments required to be made by any such organization pursuant to any lease, sublease or other agreement entered into between such organization and the dormitory authority.

All state and local officers are hereby authorized and required to pay all such funds so assigned and pledged to the dormitory authority or, upon the direction of the dormitory authority, to any trustee of any dormitory authority bond or note issued pursuant to a certificate filed with any such state or local officer by the dormitory authority pursuant to the provisions of this subdivision.

* 19. For purposes of this section, the following provisions shall apply to powers in connection with the purchase and renovation of a new site for the library for the blind and physically handicapped by the dormitory authority pursuant to this title:

a. Notwithstanding the provisions of any general or special law to the contrary, and subject to the making of annual appropriations therefor by the legislature, in order to assist the dormitory authority in the purchase and renovation of a site in the county of New York for the

library for the blind and physically handicapped, and in consideration of the undertaking thereof and the benefits to be derived therefrom by the people of the state, the director of the budget is authorized in any state fiscal year to enter into one or more service contracts, none of which shall exceed thirty years in duration, with the dormitory authority, upon such terms as the director of the budget and the dormitory authority agree;

b. Any service contract entered into pursuant to paragraph a of this subdivision or any payments made or to be made thereunder may be assigned and pledged by the dormitory authority as security for its bonds and notes;

c. Any such service contract shall provide that the obligation of the director of the budget or of the state to fund or to pay the amounts therein provided for shall not constitute a debt of the state within the meaning of any constitutional or statutory provision in the event the dormitory authority assigns or pledges service contract payments as security for its bonds or notes and shall be deemed executory only to the extent moneys are available and that no liability shall be incurred by the state beyond the moneys available for the purpose, and that such obligation is subject to annual appropriation by the legislature;

d. Any service contract or contracts for projects entered into pursuant to this subdivision shall provide for state commitments to provide annually to the dormitory authority a sum or sums, upon such terms and conditions as shall be deemed appropriate by the director of the budget, to fund, or to fund the debt service requirements of any bonds or notes, including bonds issued to fund any required debt service reserve requirement for bonds, of the dormitory authority issued to fund such projects having a cost not in excess of sixteen million dollars; and

e. The New York public library, Astor, Lenox and Tilden foundations shall not be required to pledge all or any part of its moneys, earnings, income, revenues, accounts, contract rights, general intangibles, other personal property, or assets to secure bonds issued by the dormitory

authority to finance the purchase and renovation of a new site for the library for the blind and physically handicapped. The dormitory authority shall possess and retain all the rights, title and interest in and to the assets acquired with the proceeds of a bond or bonds issued pursuant to this subdivision provided, however, that upon payment of all outstanding debt service due on such bond or bonds all rights, title and interest in and to such assets shall without any further payment by the state of New York be vested in the state of New York. Within amounts provided by the dormitory authority, the New York public library, Astor, Lenox and Tilden foundation shall be responsible for the conduct of necessary renovations of the acquired site.

* NB There are 4 sub 19's

* 19. For purposes of this section, the following provisions shall apply to powers in connection with the provision of dormitories for New Hope Community, Inc., by the dormitory authority pursuant to this title.

Except to the extent otherwise prohibited by law, New Hope Community, Inc., shall have full power and authority to assign and pledge to the dormitory authority any and all public funds to be apportioned or otherwise made payable by the federal government, any agency thereof, the state of New York, a political subdivision, as defined in section one hundred of the general municipal law, or any social services district in the state of New York in an amount sufficient to make all payments required to be made by any such organization pursuant to any lease, sublease or other agreement entered into between such organization and the dormitory authority.

All state and local officers are hereby authorized and required to pay all such funds so assigned and pledged to the dormitory authority or, upon the direction of the dormitory authority, to any trustee of any dormitory authority bond or note issued pursuant to a certificate filed with any such state or local officer by the dormitory authority pursuant to the provisions of this subdivision.

* NB There are 4 sub 19's

* 19. (a) The dormitory authority is empowered and authorized to enter into a lease, sublease or other agreement with the state university construction fund pursuant to which one or more state university

educational facilities are to be designed, acquired, constructed, reconstructed, rehabilitated, improved or otherwise provided, or state university educational facilities are to be furnished or equipped, provided that such lease, sublease, or other agreement has been approved by the state university of New York, which shall be a party thereto. Such lease, sublease or other agreement may provide for the payment of annual rentals and other payments by the state university construction fund to the authority and contain such other terms and conditions as may be agreed upon by the parties thereto, including, but not limited to, provisions relating to the maintenance and operation of the state university educational facilities, the establishment of reserve funds, indemnities and the disposition of a facility or the interest of the authority therein prior to or upon the termination or expiration of such lease, sublease or other agreement. Such lease, sublease or other agreement shall be subject to the approval of the director of the budget.

(b) Notwithstanding the provisions of the public lands law or any other law to the contrary, the state of New York, the state university of New York and the state university construction fund may sell, convey, lease, exchange or otherwise make available to the authority, for nominal consideration, the title to or an interest in real property for the purpose of providing state university educational facilities and may enter into any lease, sublease or other agreement with the authority in connection with state university educational facilities without public auction or bidding or restriction as to the term of such lease, sublease or other agreement.

(c) Subject to the provisions of chapter fifty-nine of the laws of two thousand, the dormitory authority shall not issue any bonds for state university educational facilities purposes if the principal amount of bonds to be issued when added to the aggregate principal amount of bonds issued by the dormitory authority on and after July first, nineteen hundred eighty-eight for state university educational facilities will exceed twenty-one billion eight hundred ninety-eight million one hundred sixty-four thousand dollars $21,898,164,000, excluding bonds issued after April first, two thousand twenty-five to (i) fund one or more debt service reserve funds, (ii) pay costs of issuance of such bonds, and (iii) refund or otherwise repay such bonds or notes previously issued,

provided that nothing herein shall affect the exclusion of refunding debt issued prior to such date. The legislature reserves the right to amend or repeal such limit, and the state of New York, the dormitory authority, the state university of New York, and the state university construction fund are prohibited from covenanting or making any other agreements with or for the benefit of bondholders which might in any way affect such right.

(d) (1) (i) Notwithstanding any other provision of law, the bonds of the authority issued for state university educational facilities purposes shall be sold to the bidder offering the lowest true interest cost, taking into consideration any premium or discount, not less than four nor more than fifteen days, Sundays excepted, after a notice of such sale has been published at least once in a newspaper of general circulation in the area served by the authority, which shall state the terms of the sale. The terms of the sale may not change unless notice of such change is published in such newspaper at least one day prior to the date of the sale as set forth in the original notice of sale. Advertisements shall contain a provision to the effect that the authority, in its discretion, may reject any or all bids made in pursuance of such advertisements, and in the event of such rejection, the authority is authorized to negotiate a private or public sale or readvertise for bids in the form and manner above described as many times as, in its judgment, may be necessary to effect a satisfactory sale.

(ii) Notwithstanding the provisions of clause (i) of this subparagraph, whenever in the judgment of the authority the interest of the authority will be served thereby, the members of the authority, on the written recommendation of the executive director, may authorize the sale of such bonds at private or public sale on a negotiated basis or on either a competitive or negotiated basis. The authority shall set guidelines governing the terms and conditions of any such private or public sales.

(2) The private or public bond sale guidelines set by the authority shall include, but not be limited to, a requirement that where the interests of the state will be served by a private or public sale of bonds, the authority shall select underwriters for private or public bond sales conducted pursuant to a request for proposal process

undertaken in accordance with the authority's procurement guidelines adopted pursuant to section twenty-eight hundred seventy-nine of this chapter from qualified underwriters taking into account, among other things, qualifications of underwriters as to experience, their ability to structure and sell authority bond issues, anticipated costs to the authority, the prior experience of the authority with the firm, and, if any, the capitalization of such firms.

(3) The authority shall have the power from time to time to amend such private or public bond sale guidelines in accordance with the provisions of this section.

(4) No such private or public bond sale on a negotiated basis shall be conducted by the authority without prior approval of the comptroller.

(5) The authority shall annually prepare and approve a bond sale report which shall include the private or public bond sale guidelines as specified in subparagraph two of this paragraph, amendments to such guidelines since the last private or public bond sale report, an explanation of the bond sale guidelines and amendments, and the results of any sale of bonds conducted during the fiscal year. Such bond sale report may be a part of any other annual report that the authority is required to make.

(6) (i) The authority shall annually submit its bond sale report to the comptroller and copies thereof to the senate finance committee and the assembly ways and means committee.

(ii) The authority shall make available to the public copies of its bond sale report upon reasonable request therefor.

(7) Nothing contained in this paragraph shall be deemed to alter, affect the validity of, modify the terms of or impair any contract or agreement made or entered into in violation of, or without compliance with, the provisions of this section.

(e) The state shall, in addition to any other moneys appropriated and made available for the support of the state university of New York, annually appropriate and pay to the state university construction fund an amount equal to the aggregate of all annual rentals and other payments due to the dormitory authority from the state university construction fund on account of state university educational facilities, which rentals and other payments are payable by the fund pursuant to any lease, sublease or other agreement entered into between the dormitory

authority and the state university construction fund on or after July first, nineteen hundred eighty-eight, for the year commencing April first immediately succeeding the filing of the report required to be submitted by the state university construction fund pursuant to subdivision two of section three hundred eighty-two of the education law. Such amount shall be paid to the state university construction fund as follows:

(1) on or before the fifteenth day of September of the fiscal year of the state, the amount required to be paid by the state university construction fund on account of state university educational facilities under any such lease, sublease or other agreement on or before the tenth day of October of such state fiscal year;

(2) no later than three business days prior to the tenth day of April of the fiscal year of the state, the amount required to be paid by the state university construction fund on account of state university educational facilities under any such lease, sublease or other agreement on or before the tenth day of April of such state fiscal year; and

(3) on such day or days as shall be prescribed under any such lease, sublease, or other agreement, the amount required to be paid by the state university construction fund for the purpose of making payments under any interest rate exchange or similar agreements entered into pursuant to article five-D of the state finance law for state university educational facilities.

Notwithstanding any other provision of law, the state comptroller shall annually encumber that portion of the amount appropriated for payment to the state university construction fund equal to the amount required to be paid pursuant to subparagraphs two and three of this paragraph in the fiscal year following the year in which the appropriation is made pursuant to any lease, sublease or other agreement between the fund, the authority and the state university of New York with respect to authority bonds issued or interest rate exchange and similar agreements entered into for state university educational facilities, before the end of the fiscal year in which the appropriation is made. The amount so encumbered shall be payable to the fund pursuant to subparagraphs two and three of this paragraph, in the manner prescribed by law.

In the event of the failure of the state to pay the state university construction fund when due pursuant to this subdivision all or part of such amounts, the state university construction fund shall forthwith make and deliver to the state comptroller a certificate stating the amount of the payment required to have been made by the state, the amount paid by the state and the amount remaining unpaid by the state. The state comptroller, after giving written notice to the director of the budget, shall pay to the state university construction fund the amount set forth in such certificate as remaining unpaid, which amount shall be paid from any moneys appropriated by the state for or on account of the operating costs of the state university of New York and not yet paid. The amount required to be paid by the state comptroller pursuant to this subdivision shall be paid to the state university construction fund as soon as practicable after receipt of the certificate of the state university construction fund and notice to the director of the budget is given, whether or not the moneys from which such payment is to be made are then due and payable to the state university.

(f) The amount of state appropriations payable to the state university of New York from which the state comptroller has made a payment pursuant to this subdivision shall be reduced by the amount so paid to the state university construction fund, notwithstanding the amount appropriated and apportioned by the state to the state university of New York, and the state shall not be obligated to make and the state university of New York shall not be entitled to receive any additional apportionment or payment of state moneys.

(g) The amount of money required to be paid pursuant to this subdivision shall be determined from the report required to be submitted by the state university construction fund pursuant to subdivision two of section three hundred eighty-two of the education law. Nothing contained in this subdivision shall be construed to create an obligation upon the state to appropriate moneys for or on account of the operating costs of state university educational facilities, to preclude the state from reducing the amount of moneys appropriated or level of support provided for the operating costs of the state university of New York from the amount appropriated or level of support provided in any prior state

fiscal year, or to preclude the state from altering or modifying the manner in which it provides for the operating costs of the state university of New York.

* NB There are 4 sub 19's

* 19. For purposes of this section, the following provisions shall apply to powers in connection with the provision of dormitories for United Cerebral Palsy of New York City, Inc. by the dormitory authority pursuant to this title.

Except to the extent otherwise prohibited by law, United Cerebral Palsy of New York City, Inc. shall have full power and authority to assign and pledge to the dormitory authority any and all public funds to be apportioned or otherwise made payable by the state of New York, a political subdivision, as defined in section one hundred of the general municipal law, or any social services district in the state of New York in an amount sufficient to make all payments required to be made by any such organization pursuant to any lease, sublease or other agreement entered into between such organization and the dormitory authority.

All state and local officers are hereby authorized and required to pay all such funds so assigned and pledged to the dormitory authority or, upon the direction of the dormitory authority, to any trustee of any dormitory authority bond or note issue pursuant to a certificate filed with any such state or local officer by the dormitory authority pursuant to the provisions of this subdivision.

* NB There are 4 sub 19's

20. Subject to the provisions of any lease, sublease or other agreement with the state university of New York and state university construction fund or with the city university of New York and the city university construction fund to the contrary, in any case where the authority and the respective fund are authorized to and have agreed that the authority will award contracts for the design and construction of a project, the authority shall prepare or cause to be prepared a facility design and performance plan with the state university of New York and state university construction fund or with the city university of New York and the city university construction fund. Such plan shall set

forth the terms and conditions associated with the construction management process, including, but not limited to, provisions relating to the selection of architects, construction consultants, construction managers and contractors, the relative responsibilities of the authority and the respective fund with respect to the initial project budget, the preparation of working drawings and budgets, the project construction process, beneficial occupancy including formal notifications, punch lists and acceptance by all parties, notification of construction completion, project close-out, and the commencement of responsibility for maintenance of the facility. Such plan shall also include provisions relating to the responsibility of the authority to require appropriate performance and surety bonds, the diligent pursuit by the authority of remedies against architects, contractors and sureties deemed to be in default in the performance of their obligations, and, generally, the management of the construction process in a professional manner in accordance with prevailing construction industry standards. The authority shall submit the facility design and performance plan to the respective fund for inclusion in the capital program plan submitted by the respective university to the director of the budget.

* 21. For the purposes of this section, the following provisions shall apply to powers in connection with the acquisition, financing, refinancing, construction, reconstruction, improvement, renovation, development, expansion, furnishing, equipping or otherwise providing for a new school building and provision of dormitories for the Westchester School for Special Children, Westchester county, hereinafter called the organization, by the authority pursuant to this title.

Notwithstanding any other provision of law, the organization shall have full power and authority to assign and pledge to the authority any and all public funds to be apportioned or otherwise made payable by the state, a political subdivision, as defined in section one hundred of the general municipal law, or any social services district in the state in an amount sufficient to make all payments required to be made by any such organization pursuant to any lease, sublease or other agreement entered into between such organization and the authority.

All state and local officers are hereby authorized and required to pay

all such funds so assigned and pledged to the authority or upon the direction of the authority, to any trustee of any authority bond or note issued pursuant to a certificate filed with any such state or local officer by the authority pursuant to the provisions of this section.

No agreement or lease by such organization shall be effective unless and until it is approved by or on behalf of the commissioners of the various state agencies that have jurisdiction over the project.

* NB There are 3 sub 21's

* 21. For the purposes of this section, the following provisions shall apply to powers in connection with the construction of a new school building and provision of dormitories for the Guided Growth, Inc. of Hawthorne, Westchester county, hereinafter called the organization, by the authority pursuant to this title.

Notwithstanding any other provision of law, the organization shall have full power and authority to assign and pledge to the authority any and all public funds to be apportioned or otherwise made payable by the state, a political subdivision, as defined in section one hundred of the general municipal law, or any social services district in the state in an amount sufficient to make all payments required to be made by any such organization pursuant to any lease, sublease or other agreement entered into between such organization and the authority.

All state and local officers are hereby authorized and required to pay all such funds so assigned and pledged to the authority or upon the direction of the authority, to any trustee of any authority bond or note issued pursuant to a certificate filed with any such state or local officer by the authority pursuant to the provisions of this section.

No agreement or lease by such organization shall be effective unless and until it is approved by or on behalf of the commissioners of the various state agencies that have jurisdiction over the project.

* NB There are 3 sub 21's

* 21. For the purposes of this section, the following provisions shall apply to powers in connection with the provision of dormitories for Saint Christopher-Ottilie, Nassau county, hereinafter called the

organization, by the authority pursuant to this title.

Notwithstanding any other provision of law, the organization shall have full power and authority to assign and pledge to the authority any and all public funds to be apportioned or otherwise made payable by the state, a political subdivision, as defined in section one hundred of the general municipal law, or any social services district in the state in an amount sufficient to make all payments required to be made by any such organization pursuant to any lease, sublease or other agreement entered into between such organization and the authority.

All state and local officers are hereby authorized and required to pay all such funds so assigned and pledged to the authority or upon the direction of the authority, to any trustee of any authority bond or note issued pursuant to a certificate filed with any such state or local officer by the authority pursuant to the provisions of this section.

No agreement or lease by such organization shall be effective unless and until it is approved by or on behalf of the commissioners of the various state agencies that have jurisdiction over the project.

* NB There are 3 sub 21's

* 22. For purposes of this section, the following provisions shall apply to powers in connection with the provision of dormitories for The National Center for the Study of Wilson's Disease, Inc. by the dormitory authority pursuant to this title.

Except to the extent otherwise prohibited by law, The National Center for the Study of Wilson's Disease, Inc. shall have full power and authority to assign and pledge to the dormitory authority any and all public funds to be apportioned or otherwise made payable by the state of New York, a political subdivision, as defined in section one hundred of the general municipal law, or any social services district in the state of New York in an amount sufficient to make all payments required to be made by any such organization pursuant to any lease, sublease or other agreement entered into between such organization and the dormitory authority.

All state and local officers are hereby authorized and required to pay all such funds so assigned and pledged to the dormitory authority or, upon the direction of the dormitory authority, to any trustee of any dormitory authority bond or note issued pursuant to a certificate filed with any such state or local officer by the dormitory authority pursuant to the provisions of this subdivision.

* NB There are 3 sub 22's

* 22. For the purposes of this section, the following provisions shall apply to powers in connection with the provision of dormitories for Orange County Cerebral Palsy Association, Inc., hereinafter called the organization, by the authority pursuant to this title.

Notwithstanding any other provision of law, the organization shall have full power and authority to assign and pledge to the authority any and all public funds to be apportioned or otherwise made payable by the state, a political subdivision, as defined in section one hundred of the general municipal law, or any social services district in the state in an amount sufficient to make all payments required to be made by any such organization pursuant to any lease, sublease or other agreement entered into between such organization and the authority.

All state and local officers are hereby authorized and required to pay all such funds so assigned and pledged to the authority or upon the direction of the authority, to any trustee of any authority bond or note issued pursuant to a certificate filed with any such state or local officer by the authority pursuant to the provisions of this section.

No agreement or lease by such organization shall be effective unless and until it is approved by or on behalf of the commissioners of the various state agencies that have jurisdiction over the project.

* NB There are 3 sub 22's

* 22. For the purposes of this section, the following provisions shall apply to powers in connection with the provision of facilities for Wildwood Programs, Inc. (formerly a school building for the Wildwood School program of New York Association for the Learning Disabled, Capital District Chapter, Inc.) by the dormitory authority pursuant to this title.

Except to the extent otherwise prohibited by law, Wildwood Programs, Inc., (formerly New York Association for the Learning Disabled, Capital District Chapter, Inc.) shall have full power and authority to assign and pledge to the dormitory authority any and all public funds to be apportioned or otherwise made payable by the state of New York, a political subdivision, as defined in section one hundred of the general municipal law, or any social services district in the state of New York in an amount sufficient to make all payments required to be made by any such organization pursuant to any lease, sublease, or other agreement entered into between such organization and the dormitory authority.

All state and local officers are hereby authorized and required to pay all such funds so assigned and pledged to the dormitory authority or, upon the direction of the dormitory authority, to any trustee of any dormitory authority bond or note issued pursuant to a certificate filed with any such state or local officer by the dormitory authority pursuant to the provisions of this subdivision.

* NB There are 3 sub 22's

25. For the purposes of this section, the following provisions shall apply to powers in connection with the provision of dormitories for The Devereux Foundation by the dormitory authority pursuant to this title.

Except to the extent otherwise prohibited by law, The Devereux Foundation shall have full power and authority to assign and pledge to the dormitory authority any and all public funds to be apportioned or otherwise made payable by the state of New York, a political subdivision, as defined in section one hundred of the general municipal law, or any social services district in the state of New York in an amount sufficient to make all payments required to be made by any such organization pursuant to any lease, sublease or other agreement entered into between such organization and the dormitory authority.

All state and local officers are hereby authorized and required to pay all such funds so assigned and pledged to the dormitory authority or, upon the direction of the dormitory authority, to any trustee of any

dormitory authority bond or note issued pursuant to a certificate filed with any such state or local officer by the dormitory authority pursuant to the provisions of this subdivision.

26. a. The dormitory authority is empowered and authorized to enter into a lease, sublease or other agreement with the department of health of the state of New York pursuant to which one or more facilities are to be designed, acquired, constructed, reconstructed, rehabilitated, improved or otherwise provided for the department of health, or such facilities are to be furnished or equipped. Such lease, sublease or other agreement may provide for the payment of annual rentals and other payments by the department of health to the authority from appropriations, as provided in paragraph c of this subdivision and contain such other terms and conditions as may be agreed upon by the parties thereto, including, but not limited to, provisions relating to the maintenance and operation of the facilities, the establishment of reserve funds, indemnities and the disposition of a facility or the interest of the authority therein prior to or upon the termination or expiration of such lease, sublease or other agreement. Such lease, sublease or other agreement shall be subject to the approval of the director of the budget.

b. Any such lease, sublease or other agreement entered into pursuant to this subdivision may provide that the provisions thereof shall remain in force and effect until the issue of bonds of the authority to which it relates, together with interest thereon, interest on any unpaid installments of interest and the fees and expenses of the authority, are fully met and discharged, and any payments to be made by the state may be pledged by the authority to secure such bonds.

c. The state shall, in addition to any other moneys appropriated and made available for the support of the department of health, annually appropriate and pay to the dormitory authority an amount equal to the aggregate of all annual rentals and other payments due to the dormitory authority from the department of health on account of facilities for the department of health, which rentals and other payments are payable by the department of health pursuant to any lease, sublease or other

agreement entered into between the dormitory authority and the department of health on or after July first, nineteen hundred eighty-nine, for the year commencing April first immediately succeeding the filing of the report required to be submitted by the department of health pursuant to paragraph d of this subdivision. Such amount shall be paid to the dormitory authority as follows: (i) on or before the fifteenth day of May for the fiscal year of the state, the amount required to be paid by the department of health on account of facilities for the department of health under any such lease, sublease or other agreement; and, (ii) on or before the fifteenth day of November of the fiscal year of the state, the amount required to be paid by the department of health under any such lease, sublease or other agreement. The amount of money required to be paid pursuant to this subdivision shall be determined from the report required to be submitted by the commissioner of health pursuant to paragraph d of this subdivision.

d. On or before November fifteenth of each year, the commissioner of health shall submit and thereafter may resubmit, to the director of the budget, the state comptroller, the chairperson of the senate finance committee and the chairperson of the assembly ways and means committee, a report setting forth the amounts, if any, of all annual rentals and other payments estimated to become due in the succeeding state fiscal year to the dormitory authority from the department of health pursuant to any lease, sublease or other agreement between the dormitory authority and the department of health entered into on or after July first, nineteen hundred eighty-nine, to provide facilities for the department of health.

* 27. a. The dormitory authority is empowered and authorized to enter into a lease, sublease or other agreement with the commissioner of education of the state of New York pursuant to which one or more facilities are to be designed, acquired, constructed, reconstructed, rehabilitated, improved or otherwise provided for the education department or such facilities are to be furnished or equipped. Such lease, sublease or other agreement may provide for the payment of annual rentals and other payments by the education department to the dormitory authority from appropriations, as provided in paragraph c of this subdivision, and contain such other terms and conditions as may be

agreed upon by the parties thereto, including, but not limited to, provisions relating to the maintenance and operation of the facilities, the establishment of reserve funds, indemnities and the disposition of a facility or the interest of the dormitory authority therein, if any, prior to or upon the termination or expiration of such lease, sublease or other agreement. Such lease, sublease or other agreement shall be subject to the approval of the director of the budget.

b. Any such lease, sublease or other agreement entered into pursuant to this subdivision may provide that the provisions thereof shall remain in force and effect until the issue of bonds of the dormitory authority to which it relates, together with interest thereon, interest on any unpaid installments of interest and the fees and expenses of the dormitory authority, are fully met and discharged, and any payments to be made by the state may be pledged by the dormitory authority to secure such bonds.

c. The state shall, in addition to any other moneys appropriated and made available for the support of the education department, annually appropriate to the education department for payment to the dormitory authority an amount equal to the aggregate of all annual rentals and other payments due to the dormitory authority from the education department on account of facilities for the education department which rentals and other payments are payable by the education department pursuant to any lease, sublease or other agreement entered into between the dormitory authority and the education department on or after July first, nineteen hundred ninety for the year commencing April first, immediately succeeding the filing of the report required to be submitted by the education department pursuant to paragraph d of this subdivision. Such amount shall be paid to the dormitory authority as follows: (i) on or before the fifteenth day of March for the fiscal year of the state, the amount required to be paid by the education department on account of facilities for the education department under any such lease, sublease or other agreement; and, (ii) on or before the fifteenth day of September of the fiscal year of the state, the amount required to be paid by the education department under any such lease, sublease or other agreement. The amount of money required to be paid pursuant to this

subdivision shall be determined from the report required to be submitted by the commissioner of education pursuant to paragraph d of this subdivision.

d. On or before November fifteenth of each year, the commissioner of education shall submit and thereafter may resubmit, to the director of the budget, the state comptroller, the chairperson of the senate finance committee and the chairperson of the assembly ways and means committee, a report setting forth the amounts, if any, of all annual rentals and other payments estimated to become due in the succeeding state fiscal year to the dormitory authority from the education department pursuant to any lease, sublease or other agreement between the dormitory authority and the commissioner of education entered into on or after July first, nineteen hundred ninety to provide facilities for the education department.

e. The dormitory authority shall not issue obligations for the provision of a facility for the education department unless a certificate of availability has been approved by the director of the budget and an appropriation for such facility has been enacted. Except for notes or bonds issued to refund outstanding bonds, no notes or bonds shall be issued for the purposes authorized by this subdivision after the thirty-first day of March, nineteen hundred ninety-nine.

f. Any contract entered into by the dormitory authority for the construction, reconstruction, rehabilitation or improvement of any building which constitutes all or part of a facility for the education department of the state of New York, shall comply with the provisions of section one hundred thirty-five of the state finance law.

* NB There are 3 sub 27's

* 27. For purposes of this section, the following provisions shall apply to powers in connection with the provision of dormitories for Vesta Community Housing Development Board, Inc. of Altamont by the dormitory authority pursuant to title four of article eight of this chapter.

Except to the extent otherwise prohibited by law, Vesta Community

Housing Development Board, Inc. of Altamont shall have full power and authority to assign and pledge to the dormitory authority any and all public funds to be apportioned or otherwise made payable by the state of New York, a political subdivision, as defined in section one hundred of the general municipal law, or any social services district in the state of New York in an amount sufficient to make all payments required to be made by any such organization pursuant to any lease, sublease or other agreement entered into between such organization and the dormitory authority.

All state and local officers are hereby authorized and required to pay all such funds so assigned and pledged to the dormitory authority or, upon the direction of the dormitory authority, to any trustee of any dormitory authority bond or note issue pursuant to a certificate filed with any such state or local officer by the dormitory authority pursuant to the provisions of this subdivision.

No agreement or lease by such organization shall be effective unless and until it is approved by or on behalf of the commissioners of the various state agencies that have jurisdiction over the project.

* NB There are 3 sub 27's

* 27. For the purposes of this section, the following provisions shall apply to powers in connection with the construction of new facilities for a diagnostic and evaluation program and a pre-independent living program and to expand existing facilities in a special education school for Gateway Youth and Family Services, hereinafter called the organization, by the authority pursuant to this title.

Notwithstanding any other provision of law, the organization shall have full power and authority to assign and pledge to the authority any and all public funds to be apportioned or otherwise made payable by the state, a political subdivision, as defined in section one hundred of the general municipal law, or any social services district in the state in an amount sufficient to make all payments required to be made by any such organization pursuant to any lease, sublease or other agreement entered into between such organization and the authority.

All state and local officers are hereby authorized and required to pay all such funds so assigned and pledged to the authority or upon the direction of the authority, to any trustee of any authority bond or note issued pursuant to a certificate filed with any such state or local officer by the authority pursuant to the provisions of this section.

No agreement or lease by such organization shall be effective unless and until it is approved by or on behalf of the commissioners of the various state agencies that have jurisdiction over the project.

* NB There are 3 sub 27's

* 28. For purposes of this section, the following provisions shall apply to powers in connection with the provision of dormitories for the Orleans County Chapter-New York State Association of Retarded Children, Inc. by the dormitory authority pursuant to this title.

Except to the extent otherwise prohibited by law, the Orleans County Chapter-New York State Association of Retarded Children, Inc. shall have full power and authority to assign and pledge to the dormitory authority any and all public funds to be apportioned or otherwise made payable by the state of New York, a political subdivision, as defined in section one hundred of the general municipal law, or any social services district in the state of New York in an amount sufficient to make all payments required to be made by any such organization pursuant to any lease, sublease or other agreement entered into between such organization and the dormitory authority.

All state and local officers are hereby authorized and required to pay all such funds so assigned and pledged to the dormitory authority or, upon the direction of the dormitory authority, to any trustee of any dormitory authority bond or note issued pursuant to a certificate filed with any such state or local officer by the dormitory authority pursuant to the provisions of this subdivision.

* NB There are 3 sub 28's

* 28. For purposes of this section, the following provisions shall apply to powers in connection with the provision of dormitories for the New York State Association for Retarded Children, Inc., Westchester County Chapter by the dormitory authority pursuant to this title.

Except to the extent otherwise prohibited by law, the New York State Association for Retarded Children, Inc., Westchester County Chapter shall have full power and authority to assign and pledge to the dormitory authority any and all public funds to be apportioned or otherwise made payable by the state of New York, a political subdivision, as defined in section one hundred of the general municipal law, or any social services district in the State of New York in an amount sufficient to make all payments required to be made by any such organization pursuant to any lease, sublease or other agreement entered into between such organization and the dormitory authority.

All state and local officers are hereby authorized and required to pay all such funds so assigned and pledged to the dormitory authority, to any trustee of any dormitory authority bond or note issued pursuant to a certificate filed with any such state or local officer by the dormitory authority pursuant to the provisions of this subdivision.

* NB There are 3 sub 28's

* 28. For purposes of this section, the following provisions shall apply to powers in connection with the provision of dormitories for the New York State Association for Retarded Children, Inc.-Livingston-Wyoming County Chapter by the dormitory authority pursuant to this title.

Except to the extent otherwise prohibited by law, the New York State Association for Retarded Children, Inc.-Livingston-Wyoming County Chapter shall have full power and authority to assign and pledge to the dormitory authority any and all public funds to be apportioned or otherwise made payable by the state of New York, a political subdivision, as defined in section one hundred of the general municipal law, or any social services district in the state of New York in an amount sufficient to make all payments required to be made by any such organization pursuant to any lease, sublease or other agreement entered into between such organization and the dormitory authority.

All state and local officers are hereby authorized and required to pay all such funds so assigned and pledged to the dormitory authority or,

upon the direction of the dormitory authority, to any trustee of any dormitory authority bond or note issued pursuant to a certificate filed with any such state or local officer by the dormitory authority pursuant to the provisions of this subdivision.

* NB There are 3 sub 28's

31. a. The dormitory authority may enter into leases, subleases or other agreements with private not-for-profit schools for the financing of and the design, construction, reconstruction, rehabilitation, improvement, renovation, acquisition or otherwise providing for, furnishing or equipping of capital facilities which are educational facilities where the total estimated cost of such facilities exceeds ten thousand dollars. The plans and specifications of such capital facilities shall be subject to the approval of the commissioner of education with respect to educational facilities. Such capital facilities may be constructed only on land owned by such private not-for-profit school or, if the land is leased, where the lease is for a period at least equal to the appropriate period of probable usefulness for such facilities as listed in section 11.00 of the local finance law, or the length of the lease, sublease or other agreement with the dormitory authority, whichever is longer.

b. Each such private not-for-profit school shall, notwithstanding any other provision of law, have the power to convey, lease, sublease or otherwise make available to the dormitory authority without consideration, title or any other rights in real property satisfactory to the dormitory authority.

c. In addition to providing for all other matters deemed necessary and proper, such leases, subleases and other agreements shall (1) require such private not-for-profit school to pay to the dormitory authority annual rentals which shall include the amount required to pay the principal of and interest on obligations of the dormitory authority issued in relation to providing such facilities and all incidental expenses of the dormitory authority incurred in relation thereto, (2) require the private not-for-profit school to include an amount sufficient to meet its obligations under the lease, sublease or other

agreement in each proposed budget submitted during the term of the lease, sublease or other agreement, and (3) not be executed until such capital facilities are approved by the commissioner of education with respect to educational facilities.

d. Title or other real property rights to the capital facilities financed pursuant to this section shall remain with the dormitory authority until the dormitory authority certifies to the commissioner of education with respect to educational facilities and the comptroller the receipt by it of the amount necessary to pay the total aggregate amount of annual rentals to the dormitory authority. At such time, title or other real property rights thereto shall be transferred by the dormitory authority to such private not-for-profit school for use for educational purposes. In order to avail itself of the provisions of this section, each such private not-for-profit school must also agree to continue to operate a program for the education of children pursuant to contract with public school districts or social services districts, and such lease, sublease or other agreement with the dormitory authority shall provide that, if the private not-for-profit school shall cease to operate such a program at any time during the term of the agreement, the state will have the option to take such title or other real property rights of the dormitory authority in land, buildings, equipment and other properties which the private not-for-profit school uses for its program upon, subject to appropriations, payment by the state to the dormitory authority of the amount required to pay the total aggregate amount of annual rentals to the dormitory authority.

e. On or before November fifteenth of each year, the dormitory authority shall submit, and thereafter may resubmit, to the director of the budget, the state comptroller, the chairman of the senate finance committee and the chairman of the assembly ways and means committee a report setting forth the amounts, if any, of all annual rentals estimated to become due in the succeeding state fiscal year to the dormitory authority from the private not-for-profit school pursuant to any leases, subleases or other agreements between the dormitory authority and such private not-for-profit school to provide educational facilities for such private not-for-profit school. The state comptroller

shall pay over to the dormitory authority pursuant to appropriations therefor solely from moneys available in the private not-for-profit school capital facilities financing reserve fund the amount set forth in such report at the times and in the amounts set forth in the certificate filed with the comptroller by the dormitory authority pursuant to clause (iv) of subparagraph two of paragraph f of this subdivision.

f. Method of payment; reserve fund. (1) Each private not-for-profit school which elects to avail itself of the provisions of this section shall have established with the state comptroller a private not-for-profit school capital facilities financing reserve account which shall be used to pay to the dormitory authority the annual rentals payable to the dormitory authority by private not-for-profit schools which have entered into leases, subleases or other agreements with the dormitory authority to provide educational facilities pursuant to the provisions of this section. The dormitory authority shall identify to the state comptroller and to the commissioner of education with respect to educational facilities, the private not-for-profit schools with which it has leases, subleases or other agreements pursuant to this section and shall annually certify the amount of annual rentals required to be paid pursuant to such leases, subleases or other agreements.

(2) (i) There is hereby established in the custody of the state comptroller a special fund to be known as the private not-for-profit school capital facilities financing reserve fund. Within such fund, there is hereby established a special account for each private not-for-profit school which enters into a lease, sublease or other agreement with the dormitory authority pursuant to this section.

(ii) Notwithstanding the provisions of any other law, such fund shall consist of part of the tuition payments from public school districts and social services districts as determined by the commissioner of education. The comptroller shall maintain sufficient amounts in the fund in order to pay when due the annual rentals due to the dormitory authority from each such private not-for-profit school pursuant to any lease, sublease or other agreement entered into pursuant to the provisions of this section. The dormitory authority shall certify to the state comptroller the dates and amount of such annual payments as scheduled in its leases, subleases or other agreements with such private

not-for-profit schools. The commissioner of education with respect to educational facilities shall certify the amount of payments due the fund from public school districts and social services districts, respectively and such public school districts and social services districts shall make such payments to the fund at such times as shall be prescribed by the commissioner with respect to educational facilities, subject to the approval of the director of the budget, and after consultation with the dormitory authority.

(iii) Revenues in any special account in the private not-for-profit school capital facilities financing reserve fund may be commingled with any other monies in such fund. All deposits of such revenues with banks and trust companies shall be secured by obligations of the United States or of the state of New York or its political subdivisions. Such obligations shall have a market value at least equal at all times to, but not less than, one hundred five percent of the amount of such deposits. All banks and trust companies are authorized to give security for such deposits. Any such revenues in such fund may, in the discretion of the comptroller, be invested in obligations of the United States or the state or obligations the principal of and interest on which are guaranteed by the United States or by the state. Any interest earned shall be credited to such fund.

(iv) Upon receipt by the comptroller of a certificate or certificates from the dormitory authority that it requires a payment or payments from the appropriate special account established for a private not-for-profit school in order for such private not-for-profit school to comply with any lease, sublease or other agreement pursuant to this section, each of which certificates shall specify the required payment or payments and the date when the payment or payments is required, the comptroller shall pay from such special account on or before the specified date or within thirty days after receipt of such certificate or certificates, whichever is later, to the paying agent designated by the dormitory authority in any such certificate, the amount or amounts so certified.

(v) All payments of money from the private not-for-profit school capital facilities financing reserve fund shall be made on the audit and warrant of the state comptroller.

g. Notwithstanding the provisions of any contract pursuant to article

eighty-one or eighty-nine of the education law between a social services district or a public school district and a private not-for-profit school. If the private not-for-profit school enters into a lease, sublease or other agreement with the dormitory authority pursuant to this section, payments due from the public school district or social services district shall be made in accordance with the provisions of this chapter.

h. All state and local officials are authorized and required to take whatever actions are necessary to carry out the provisions of this section and the provisions of any leases, subleases or other agreements entered into pursuant to this section, including making the required payments to the dormitory authority.

i. Notwithstanding any other provision of law to the contrary, the dormitory authority may execute leases, subleases, or other agreements with private not-for-profit schools authorized pursuant to this section and chapter six hundred ninety-eight of the laws of nineteen hundred ninety-one for financing of the design, construction, rehabilitation, improvement, renovation, acquisition or provision, furnishing or equipping of capital facilities; provided, however, that during the two year period commencing July first, nineteen hundred ninety-five, the amount of bonds inclusive of principal, interest and issuance costs to be issued for each individual lease, sublease, or other agreement shall not exceed fifteen million dollars annually; and provided further that the total amount of such bonds for all such leases, subleases, or agreements with private not-for-profit schools during such period exclusive of bonds for projects already approved by the division of budget as of such date shall not exceed one hundred fifteen million dollars.

On or before September first of each year, the commissioner of education shall submit to the chairs of the assembly ways and means committee, the senate finance committee and the director of the budget, a capital plan for those projects expected to be bonded for private not-for-profit schools pursuant to this section, within such one hundred fifteen million dollar allowance. After application of the principles of

the capital assets preservation program pursuant to education law, such plan shall accord priority to health and safety considerations and shall specify the name, location, estimated total cost of the project at the time the project is to be bid, the anticipated bid date and the anticipated completion date and may contain any further recommendations the commissioner may deem appropriate.

* 32. For purposes of this section, the following provisions shall apply to powers in connection with the provision of dormitories for Hospice, Buffalo by the dormitory authority pursuant to this title.

Except to the extent otherwise prohibited by law, Hospice, Buffalo shall have full power and authority to assign and pledge to the dormitory authority any and all public funds to be apportioned or otherwise made payable by the state of New York, a political subdivision, as defined in section one hundred of the general municipal law, or any social services district in the state of New York in an amount sufficient to make all payments required to be made by any such organization pursuant to any lease, sublease or other agreement entered into between such organization and the dormitory authority.

All state and local officers are hereby authorized and required to pay all such funds assigned and pledged to the dormitory authority, to any trustee of any dormitory authority bond or note issued pursuant to a certificate filed with any such state or local officer by the dormitory authority pursuant to the provisions of this subdivision.

* NB There are 2 sub 32's

* 32. (a) The dormitory authority is empowered and authorized to enter into a lease, sublease or other agreement with the state university construction fund pursuant to which an ambulatory care training facility is to be acquired, designed, constructed, reconstructed, rehabilitated, improved or otherwise provided, and furnished and equipped, provided that such lease, sublease or other agreement has been approved by the state university of New York which shall be a party thereto. Such lease, sublease or other agreement may provide for the payment of annual rentals and other payments by the state university construction fund to the dormitory authority and contain such other terms and conditions as may be agreed upon by the parties thereto, including, but not limited

to, provisions relating to the maintenance and administration of the ambulatory care training facility, the establishment of reserve funds, the amounts, the source, the pledge and the timing of payments of annual rentals and other payments by the fund to the authority indemnification and the disposition of the facility or the interest of the authority therein, if any, prior to or upon the termination or expiration of such lease, sublease or other agreement. Such lease, sublease or other agreement shall be subject to the approval of the director of the budget.

(b) Notwithstanding the provisions of the public lands law or any other law to the contrary, the state of New York, the state university of New York and the state university construction fund may sell, convey, lease, exchange or otherwise make available to the authority, for nominal consideration, the title to or an interest in real property for the purpose of providing an ambulatory care training facility and may enter into any lease, sublease or other agreement with the authority in connection with an ambulatory care training facility without public auction or bidding or restriction as to the term of such lease, sublease or other agreement.

(c) The state university construction fund shall pay over to the dormitory authority, from amounts received by the fund from the tenants, subtenants and other users of the ambulatory care training facility that are engaged in medical practice at the health sciences center at state university of New York at Stony Brook, pursuant to any lease, sublease or other agreement between the fund and the university and such tenants, subtenants and other users, an amount equal to the annual rentals and other payments due to the authority from the fund pursuant to a lease, sublease or other agreement between the authority and the fund with respect to the ambulatory care training facility. Any such lease, sublease or other agreement with any tenant, subtenant or other user shall be a general obligation of such tenant, subtenant or other user, as the case may be, and the aggregate amounts due under all such leases, subleases or other agreements shall at least equal the annual rentals and other amounts due to the dormitory authority from the state university construction fund pursuant to the lease, sublease or other agreement between the authority and the fund with respect to the ambulatory care training facility. In addition, any lease, sublease or

other agreement with any tenant, subtenant or other user of the ambulatory care training facility shall provide that all revenues received by the tenants, subtenants and other users including, but not limited to, the revenues received by the medical clinical practice management plan established pursuant to the policies of the board of trustees of the state university of New York at the health sciences center at state university of New York at Stony Brook, shall be pledged and assigned to the dormitory authority to the extent required to make the annual rentals and other payments due to the authority from the fund pursuant to a lease, sublease or other agreement between the authority and the fund with respect to the ambulatory care training facility to secure the obligations of the state university construction fund undertaken pursuant thereto, and the authority shall have a first lien on any such revenues to the same extent. The state university of New York, the state university construction fund, any tenant, subtenant or other user which has entered into a lease, sublease or other agreement with the state university construction fund and the university with respect to the possession and use of such ambulatory care training facility, and the medical clinical practice management plan at the health sciences center at state university of New York at Stony Brook acting by and through any authorized representatives thereof; shall agree in writing to the pledge and assignment of all such revenues. Such pledge and assignment shall provide that (i) all revenues of such medical clinical practice management plan, including any amounts receivable by the state university of New York from such medical clinical practice management plan for the benefit of the state university of New York, shall be pledged and assigned to the dormitory authority, to the extent required to make the annual rentals and other payments due to the authority from the fund pursuant to a lease, sublease or other agreement between the authority and the fund with respect to the ambulatory care training facility and the authority shall have a first lien on any such revenues to the same extent to secure the obligations of the state university construction fund undertaken pursuant thereto; and (ii) the foregoing pledge and assignment shall be pursuant to the obligation under such medical clinical practice management plan to reimburse the state for the costs of clinical practice in accordance with such clinical practice management plan. Any

such pledge and assignment of revenues to the authority may be further pledged and assigned to the holders of obligations of the dormitory authority issued to finance the acquisition, design, construction, reconstruction, rehabilitation, improvement or other provision furnishing and equipping of the ambulatory care training facility or to a trustee acting on behalf of the holders of such obligations. To the extent not so pledged and assigned, revenues of such medical clinical practice management plan shall be available for any lawful purposes of the state university of New York health sciences center at Stony Brook. Notwithstanding the provisions of article fourteen of the civil service law or any other law, rule or regulation to the contrary, neither the state of New York, the state university of New York, the medical clinical practice management plan at the state university of New York at Stony Brook, nor any other person, corporation, organization or entity shall take any action in such manner as to impair or diminish the rights and remedies of the dormitory authority pursuant to any such pledge and assignment and any lien or other security interest created pursuant hereto.

(d) In the event of the failure of the state university construction fund to receive when due, either pursuant to the leases, subleases or other agreements with the tenants, subtenants or other users of the ambulatory care training facility or pursuant to the pledge and assignment of the revenues of such tenants, subtenants or other users, including the pledge and assignment of revenues received by the medical clinical practice management plan, amounts which, in the aggregate, equal the annual rentals and other payments required to be made by the fund to the dormitory authority pursuant to the lease, sublease or other agreement between the fund and the authority with respect to the ambulatory care training facility, and subject to the right of the state university construction fund to receive payments from the state comptroller pursuant to the provisions of subdivision nineteen of this section, as added by chapter six hundred seventy-eight of the laws of nineteen hundred eighty-eight, the state university construction fund shall forthwith make and deliver to such state comptroller a certificate stating the amount of the aggregate payments required to have been made by such tenants, subtenants or other users, the amount received from such tenants, subtenants or other users and the amount remaining unpaid

by such tenants, subtenants or other users. The state comptroller, after giving written notice to the director of the budget and the chancellor of state university of New York, shall pay the state university construction fund the amount set forth in such certificate as remaining unpaid, which amount shall be paid from any moneys appropriated or allocated by the state for or on account of the activities of the state university of New York at Stony Brook hospital and not yet paid. The amount required to be paid by the state comptroller pursuant to this subdivision shall be paid to the state university construction fund as soon as practicable after receipt of the certificate of the state university construction fund and notice to the director of the budget and the chancellor of the state university of New York is given, whether or not the moneys from which such payment is to be made are then due and payable to the state university.

(e) The amount of state appropriations and allocations payable to the state university of New York for the Stony Brook hospital from which the state comptroller has made a payment pursuant to this subdivision shall be reduced by the amount so paid to the state university construction fund, notwithstanding the amount appropriated or allocated and apportioned by the state to the state university of New York for the Stony Brook hospital, and the state shall not be obligated to make and the state university of New York shall not be entitled to receive for the Stony Brook hospital any additional apportionment or payment of state moneys on account of said amount paid to the state university construction fund.

(f) In the event of the failure of the state university construction fund to receive when due, either pursuant to the leases, subleases or other agreements provided for in paragraph (c) of this subdivision or pursuant to the provisions of paragraph (d) of this subdivision, and subject to the right of the state university construction fund to receive payments from the state comptroller pursuant to the provisions of subdivision nineteen of this section, as added by chapter six hundred seventy-eight of the laws of nineteen hundred eighty-eight, the state university construction fund shall forthwith make and deliver to such state comptroller a certificate stating the amount of the aggregate payments required to have been made by such tenants, subtenants or other users. The state comptroller, after giving written notice to the

director of the budget and the chancellor of state university of New York, shall pay the state university construction fund the amount set forth in such certificate as remaining unpaid, which amount shall be paid from any moneys appropriated or allocated by the state for or on account of the operating costs of the state university of New York at Stony Brook and not yet paid. The amount required to be paid by the state comptroller pursuant to this subdivision shall be paid to the state university construction fund as soon as practicable after receipt of the certificate of the state university construction fund and notice to the director of the budget and the chancellor of state university of New York is given, whether or not the moneys from which such payment is to be made are then due and payable to the state university.

(g) The amount of state appropriations and allocations payable to the state university of New York at Stony Brook from which the state comptroller has made a payment pursuant to this subdivision shall be reduced by the amount so paid to the state university construction fund, notwithstanding the amount appropriated or allocated and apportioned by the state to the state university of New York at Stony Brook and the state shall not be obligated to make and the state university of New York at Stony Brook shall not be entitled to receive any additional apportionment or payment of state moneys on account of said amount paid to the state university construction fund.

(h) Bonds issued by the dormitory authority pursuant to the provisions of this subdivision to finance an ambulatory care training facility shall not be subject to the provisions of such subdivision nineteen of this section.

* NB There are 2 sub 32's

33. Notwithstanding any other provision of law, subject to the approval of the voters pursuant to sections two hundred fifty-five and two hundred sixty of the education law, a public library shall have full power and authority to assign and pledge to the dormitory authority any and all public funds to be apportioned or otherwise made payable by the state, or a political subdivision, as defined in section one hundred of the general municipal law, in an amount sufficient to make all payments required to be made by such public library pursuant to any agreement entered into between such public library and the dormitory authority.

All state and local officers are hereby authorized and required to pay all such funds so assigned and pledged to the dormitory authority or upon the direction of the authority to any trustee of any authority bond or note issued, pursuant to a certificate filed with any such state or local officer by the authority as required by such agreement.

34. a. Notwithstanding the provisions of any general or special law to the contrary, and subject to the making of an annual appropriation therefor by the legislature, in order to assist the dormitory authority in providing for the financing of the payment of the remaining principal balance of the amount to be amortized as defined in section sixteen-a of the retirement and social security law and interest accrued from March first, nineteen hundred ninety-six to the date of such payment of the remaining principal balance, into the pension accumulation fund and the New York state public employees group life insurance plan, and in consideration of the undertaking thereof and the benefits to be derived therefrom by the people of the state, the director of the budget is authorized to enter into an agreement which shall not exceed ten years in duration with the dormitory authority, upon such terms as the director of the budget and the dormitory authority agree;

b. Any agreement entered into pursuant to paragraph a of this subdivision or any payments made or to be made thereunder may be assigned and pledged by the dormitory authority as security for its bonds and notes;

c. Any such agreement shall provide that the obligation of the director of the budget or of the state to fund or to pay the amounts therein provided for shall not constitute a debt of the state within the meaning of any constitutional or statutory provisions in the event the dormitory authority assigns or pledges the payments received pursuant to such agreement as security for its bonds or notes and shall be deemed executory only to the extent moneys are available and that no liability shall be incurred by the state beyond the moneys available for that purpose, and that such obligation is subject to annual appropriations by the legislature;

d. Any agreement entered into pursuant to this subdivision shall provide for state commitments to provide annually to the dormitory authority a sum or sums, upon such terms and conditions as shall be deemed appropriate by the director of the budget, to fund the debt service requirements of any bonds or notes of the dormitory authority issued pursuant to this subdivision; and

e. The dormitory authority shall not issue its bonds or notes to finance the amounts as described in paragraph a of this subdivision in an aggregate principal amount greater than seven hundred eighty-seven million dollars; provided, however, that in addition to such bonds, the authority may issue an aggregate principal amount of bonds sufficient to fund any reserve funds established in connection therewith, to provide capitalized interest on the bonds or notes and pay the costs incurred by the authority in connection with the issuance and servicing of any of such bonds.

35. (a) The dormitory authority is empowered and authorized to enter into a lease, sublease, lease purchase, or other agreement with the office of general services of the state of New York on behalf of the department of audit and control of the state of New York pursuant to which one or more facilities are to be designed, acquired, constructed, reconstructed, rehabilitated, improved or otherwise provided for the department of audit and control of the state of New York, the New York state and local employees' retirement system and the New York state and local police and fire retirement system and pursuant to which such facilities are to be furnished or equipped provided, however, that any contract or lease for construction, reconstruction or rehabilitation authorized by this subdivision shall be governed by article eight of the labor law. Such lease, sublease, lease purchase, or other agreement may provide for the payment of annual rentals and other payments by the department of audit and control of the state of New York to the dormitory authority from appropriations as provided in paragraph (c) of this subdivision or from payments made pursuant to any lease, sublease, lease purchase, or other agreement authorized pursuant to paragraph (f) of this subdivision and contain such other terms and conditions as may be agreed upon by the parties thereto, including but not limited to,

provisions relating to the maintenance and operation of the facilities, the establishment of reserve funds, indemnities and the disposition of a facility or the interest of the dormitory authority therein, if any, prior to or upon termination or expiration of such lease, sublease or other agreement. Such lease, sublease, lease purchase, or other agreement shall be subject to the approval of the director of the budget.

(b) Any such lease, sublease, lease purchase, or other agreement entered into pursuant to this subdivision may provide that the provisions thereof shall remain in full force and effect until the issue of the bonds of the dormitory authority to which it relates, together with interest thereon, interest on any unpaid installments of interest and the fees and expenses of the dormitory authority, are fully met and discharged, and any payments to be made by the state, the New York state and local employees' retirement system and the New York state and local police and fire retirement system pursuant to any lease, sublease, lease purchase, or other agreement authorized pursuant to paragraph (f) of this subdivision may be pledged by the dormitory authority to secure such bonds.

(c) Any agreement entered into pursuant to this subdivision by and between the dormitory authority and the office of general services on behalf of the department of audit and control shall provide for state commitments to provide annually to the department of audit and control an amount equal to the aggregate amount of all annual rentals due to the dormitory authority from the department of audit and control on account of such facilities for the department of audit and control, the New York state and local employees' retirement system and the New York state and local police and fire retirement system pursuant to any such lease, sublease, lease purchase, or other agreement. Any such lease, sublease, lease purchase or other agreement shall further provide that the obligation of the state to appropriate amounts to the department of audit and control to pay annual rentals due to the dormitory authority from the department of audit and control on account of facilities for the department of audit and control, the New York state and local employees' retirement system and the New York state and local police and fire retirement system pursuant to any such lease, sublease, lease purchase or other agreement shall not constitute a debt of the state

within the meaning of any constitutional and/or statutory provisions and shall be deemed executory only to the extent state moneys are appropriated and that no liability shall be incurred by the state beyond the moneys appropriated for that purpose and that such obligation is subject to annual appropriations by the legislature.

(d) On or before November fifteenth of each year, the dormitory authority shall submit and thereafter may resubmit to the commissioner of general services, the director of the budget, the comptroller, the chairperson of the senate finance committee and the chairperson of the assembly ways and means committee, a report setting forth the amounts, if any, of all annual rentals and other payments estimated to be due in the succeeding state fiscal year to the dormitory authority from the department of audit and control pursuant to any lease, sublease, lease purchase, or other agreement between the dormitory authority and the office of general services on behalf of the department of audit and control entered into on or after July first, nineteen hundred ninety-seven to provide facilities for the department of audit and control, the New York state and local employees' retirement system and the New York state and local police and fire retirement system.

(e) Notwithstanding any provision of law to the contrary, any lease, sublease, lease purchase or other agreement, including any contract for construction, reconstruction, rehabilitation or improvement entered into pursuant to this subdivision shall not be subject to public auction or bidding or any restriction as to the term of such lease, sublease, lease purchase or other agreement; provided however, that, with respect to any lease, sublease, lease purchase, or other agreement for facilities for the department of audit and control, the New York state and local employees' retirement system and the New York state and local police and fire retirement system, the dormitory authority shall determine that there has been a competitive process sufficient to comply with the authority's procurement contract guidelines as required pursuant to section twenty-eight hundred seventy-nine of this chapter.

(f) Nothing herein shall be construed to diminish the authority of the comptroller, in his capacity as trustee of the New York state and local employees' retirement system and the New York state and local police and fire retirement system, to be a party to any agreement authorized pursuant to paragraph (a) of this subdivision or, in accordance with the

provisions of this title to enter into separate leases, subleases, lease purchases or other agreements with the dormitory authority pursuant to which one or more facilities are to be designed, acquired, constructed, reconstructed, rehabilitated, improved or otherwise provided for the New York state and local employees' retirement system and the New York state and local police and fire retirement system.

36. (a) The dormitory authority is empowered and authorized to enter into a lease, sublease, lease purchase, or other agreement with the office of general services of the state of New York pursuant to which one or more facilities are to be acquired, designed, constructed, reconstructed, rehabilitated, improved or otherwise made available for the provision of parking facilities for the state of New York in the city of Albany, New York and pursuant to which such facilities are to be furnished or equipped and in furtherance of such authorization, the commissioner of general services is hereby empowered to grant or convey to the dormitory authority, such lands as may be necessary for such purposes upon such terms and conditions as the commissioner of general services may fix and determine provided, however, that any contract or lease for construction, reconstruction or rehabilitation authorized by this subdivision shall be governed by article eight of the labor law. Such lease, sublease, lease purchase, or other agreement may provide for the payment of annual rentals and other payments by the state of New York on behalf of the departments or agencies having occupancy or use thereof to the dormitory authority from appropriations as provided in paragraph (c) of this subdivision and may contain such other terms and conditions as may be agreed upon by the parties thereto, including but not limited to, provisions relating to the maintenance and operation of the facilities, the establishment of reserve funds, indemnities and the disposition of a facility or the interest of the dormitory authority therein, if any, prior to or upon termination or expiration of such lease, sublease, lease purchase or other agreement. Such lease, sublease, lease purchase, or other agreement shall be subject to the approval of the director of the budget.

(b) Any such lease, sublease, lease purchase, or other agreement entered into pursuant to this subdivision may provide that the provisions thereof shall remain in full force and effect until the issue

of the bonds of the dormitory authority to which it relates, together with interest thereon, interest on any unpaid installments of interest and the fees and expenses of the dormitory authority, are fully met and discharged, and any payments to be made by the state, pursuant to any lease, sublease, lease purchase, or other agreement authorized pursuant to this subdivision may be pledged by the dormitory authority to secure such bonds.

(c) Any lease, sublease, lease purchase or other agreement entered into pursuant to this subdivision by and between the dormitory authority and the state of New York by the office of general services with respect to such parking facilities shall provide for state commitments to provide annually an amount equal to the aggregate amount of all annual rental due to the dormitory authority from the state on behalf of the state departments and agencies having occupancy or use of such facilities. Any such lease, sublease, lease purchase or other agreement shall further provide that the obligation of the state to appropriate amounts to pay annual rentals due to the dormitory authority pursuant to any such lease, sublease, lease purchase or other agreement shall not constitute a debt of the state within the meaning of any constitutional and/or statutory provisions and shall be deemed executory only to the extent state moneys are appropriated and that no liability shall be incurred by the state beyond the moneys appropriated for that purpose and that such obligation is subject to annual appropriations by the legislature.

(d) On or before November fifteenth of each year, the dormitory authority shall submit to the commissioner of general services, the director of the budget, the comptroller, the chairperson of the senate finance committee and the chairperson of the assembly ways and means committee, a report setting forth the amounts, if any, of all annual rentals and other payments estimated to be due in the succeeding state fiscal year to the dormitory authority pursuant to any lease, sublease, lease purchase, or other agreement between the dormitory authority and the office of general services on behalf of the state entered into hereafter to provide for parking facilities for the state of New York in the city of Albany.

(e) Notwithstanding any provision of law to the contrary, any lease, sublease, lease purchase or other agreement entered into pursuant to

this subdivision shall not be subject to public auction or bidding or any restrictions as to the term of such lease, sublease, lease purchase or other agreement for the provisions of parking services in the city of Albany.

37. For purposes of this section, the following provisions shall apply to powers in connection with the provision of facilities for UCPA of the Capital District, Inc., UCPA of Cayuga County, Inc., United Cerebral Palsy and Handicapped Children's Association of Chemung County, Inc., Finger Lakes United Cerebral Palsy, Inc., United Cerebral Palsy Associations of Fulton and Montgomery Counties, Inc., United Cerebral Palsy Association of the Tri-Counties, Inc., Franziska Racker Centers, Inc., United Cerebral Palsy Association of Nassau County, Inc., United Cerebral Palsy of New York City, Inc., United Cerebral Palsy Association of Niagara County, Inc., Orange County Cerebral Palsy Association, Inc., United Cerebral Palsy of Queens, Inc., United Cerebral Palsy Association of the Rochester Area, Inc., Jawonio, Inc., The Handicapped Children's Association of Southern New York, Inc., United Cerebral Palsy Association of Greater Suffolk, Inc., SDTC - The Center for Discovery, Inc., United Cerebral Palsy and Handicapped Children's Association of Syracuse, Inc., United Cerebral Palsy of Ulster County Inc., United Cerebral Palsy and Handicapped Person's Association of the Utica Area, Inc., United Cerebral Palsy Association of Westchester, Inc. and Unified Creative Programs, Inc., United Cerebral Palsy Association of Western New York, Inc., United Cerebral Palsy Association of Putnam and Southern Dutchess Counties, Inc., United Cerebral Palsy Association of the North Country, Inc., United Cerebral Palsy Associations of New York State, Inc., any not-for-profit affiliates or members of Cerebral Palsy Associations of New York State, Inc., and any successor in interest to any such organization, by the authority pursuant to this title.

Notwithstanding any other provision of law, UCPA of the Capital District, Inc., UCPA of Cayuga County, Inc., United Cerebral Palsy and Handicapped Children's Association of Chemung County, Inc., Finger Lakes United Cerebral Palsy, Inc., United Cerebral Palsy Associations of Fulton and Montgomery Counties, Inc., United Cerebral Palsy Association of the Tri-Counties, Inc., Franziska Racker Centers, Inc., United

Cerebral Palsy Association of Nassau County, Inc., United Cerebral Palsy of New York City, Inc., United Cerebral Palsy Association of Niagara County, Inc., Orange County Cerebral Palsy Association, Inc., United Cerebral Palsy of Queens, Inc., United Cerebral Palsy Association of the Rochester Area, Inc., Jawonio, Inc., The Handicapped Children's Association of Southern New York, Inc., United Cerebral Palsy Association of Greater Suffolk, Inc., SDTC - The Center for Discovery, Inc., United Cerebral Palsy and Handicapped Children's Association of Syracuse, Inc., United Cerebral Palsy of Ulster County Inc., United Cerebral Palsy and Handicapped Person's Association of the Utica Area, Inc., United Cerebral Palsy Association of Westchester, Inc. and Unified Creative Programs, Inc., United Cerebral Palsy Association of Western New York, Inc., United Cerebral Palsy Association of Putnam and Southern Dutchess Counties, Inc., United Cerebral Palsy Association of the North Country, Inc., United Cerebral Palsy Associations of New York State, Inc., any not-for-profit affiliates or members of Cerebral Palsy Associations of New York State, Inc., and any successor in interest to any such organization shall have the full power and authority to assign and pledge to the dormitory authority any and all public funds to be appropriated, apportioned or otherwise made payable by the federal government, any agency thereof, the state government, any agency thereof, a political subdivision as defined in section one hundred of the general municipal law, any social service district in the state of New York or by any other governmental entity in an amount sufficient to make all payments required to be made by such entity pursuant to any necessary or useful agreements entered into between such entity and the dormitory authority. All state and local officials are hereby authorized and required to pay all such funds so assigned and pledged to the dormitory authority or, upon the direction of the dormitory authority, to any trustee of any dormitory authority bond or note issued pursuant to a certificate filed with any state or local officer by the dormitory authority pursuant to the provisions of this subdivision.

38. a. The dormitory authority is empowered and authorized to enter into a lease, sublease or other agreement with any school district pursuant to which the dormitory authority may finance or refinance all or any portion of school district capital facilities and school district

capital equipment for such school districts. Any such lease, sublease or other agreement may provide for joint facilities pursuant to section thirty-six hundred two of the education law pursuant to an agreement with participating school districts as authorized in such section. Such lease, sublease or other agreement may provide for annual or other payments to the dormitory authority by or on behalf of the school district. Such lease, sublease or other agreement may contain such other terms and conditions as may be agreed upon by the parties thereto, including, but not limited to, the establishment of reserve funds and indemnities. A lease, sublease or other agreement entered into by a school district with the dormitory authority pursuant to the provisions of this section shall not be deemed to be an installment purchase contract, contract for public work or purchase contract within the meaning of article five-A of the general municipal law or any other law.

b. (1) Except as provided in subparagraph two of this paragraph, any such lease, sublease, or other agreement shall not constitute or create indebtedness of the state or a political subdivision for purposes of article seven or eight of the state constitution or section 20.00 of the local finance law, shall be deemed executory only to the extent of money appropriated annually therefor by the state or political subdivision and shall not constitute a contractual obligation in excess of the amounts so appropriated; provided however that the total amount of unpaid payments due under any such lease, sublease or agreement on account of principal due on bonds issued by the authority shall be deemed to be indebtedness within the meaning of subdivision three of paragraph a of section 135.00 of the local finance law except to the extent that any portion of the indebtedness, if issued by the school district, would be excluded pursuant to section 136.00 of the local finance law.

(2) A school district shall have full power and authority to pledge its full faith and credit for the payment of its obligations to the dormitory authority pursuant to any lease, sublease or other agreement entered into pursuant to this subdivision. Any such lease, sublease or other agreement shall be authorized in the same manner as is required for the adoption of a bond resolution by the school district under the local finance law. The total amount of all unpaid annual payments constituting the principal of any indebtedness for which the school

district shall have pledged its faith and credit shall be deemed to be indebtedness of the school district within the meaning of subparagraph (b) of subdivision three of paragraph a of section 135.00 of the local finance law and section ten of article eight of the state constitution and such lease, sublease or other agreement shall constitute indebtedness for purposes of article eight of the constitution and the local finance law.

c. Notwithstanding the provisions of any general or special law to the contrary, school districts may, subject to the requirements, if any, of voter approval contained in the education law or any other law, transfer title or grant any other property interests or rights to the dormitory authority and the dormitory authority may transfer title or grant any other real property interests to such school districts.

d. Any such lease, sublease or other agreement entered into pursuant to this subdivision may provide that the provisions thereof shall remain in force and effect until the bonds, notes or other obligations of the dormitory authority are no longer outstanding, together with interest on any unpaid installments of interest and the fees and expenses of the dormitory authority, are fully met and discharged, and any payments to be made by or on behalf of the school district to the dormitory authority may be pledged to secure such bonds. Any such lease, sublease or other agreement may provide for joint facilities pursuant to section thirty-six hundred two of the education law through an agreement with participating districts as authorized in such section.

e. (1) Whenever the dormitory authority issues bonds, notes or other obligations for a school district pursuant to any lease, sublease or other agreement, the school district is authorized to assign and pledge to the dormitory authority a sufficient portion of any and all public funds to be apportioned or otherwise to be made payable by the state of New York to the school district to cover the payments required under the lease, sublease or other agreement between the authority and the school district. All state and local officials concerned are hereby authorized to apportion and pay all such funds so assigned and pledged to the dormitory authority. Such assignment and pledge by any school district

shall be irrevocable and shall continue until the date on which the liabilities of the school district and the authority for such school district capital facilities and school district capital equipment have been discharged and the bonds of the authority issued therefor have been paid or such bonds have otherwise been discharged.

(2) The total amount payable annually to the dormitory authority shall be certified by the authority to the commissioner of education, and the authority shall annually prepare and certify to the commissioner of education a statement of the total amount necessary to be paid by all school districts for the ensuing school year. The dormitory authority may provide the commissioner of education such additional statements as the authority deems necessary.

(3) The commissioner of education shall include in the certificate he or she files with the state comptroller the amount to be owed by the school district to the dormitory authority for the ensuing school year.

(4) The state comptroller shall pay to the dormitory authority and shall deduct from any state funds to become due to any such school district an amount equal to the amount required to be paid by such school district to the dormitory authority as shown by the certificate of the commissioner of education filed with the state comptroller as required by subparagraph three of this paragraph.

(5) In the event that the amount paid to the authority pursuant to subparagraph four of this paragraph by the state comptroller is insufficient to meet any payment required by the school district to the authority, any such amount still due and owing shall be paid directly to the authority by the school district pursuant to any lease, sublease or other agreement between the authority and the school district.

39. The dormitory authority shall not issue its obligations for a school district pursuant to subdivision thirty-eight of this section to refund or refinance all or any portion of any outstanding indebtedness of such school district except: (i) to refund dormitory authority obligations previously issued for such school district; or (ii) to refund or refinance all or any portion of any outstanding indebtedness issued by a school district prior to December first, two thousand one, or prior to thirty days after the effective date of this subdivision, whichever is later, for the purpose of financing facilities which were

eligible for building aid pursuant to section thirty-six hundred two of the education law and for which the approved expenditures for debt service payable in any year are subsequently reduced; or (iii) to refund or refinance all or any portion of any outstanding indebtedness issued by a school district prior to December first, two thousand one or prior to thirty days after the effective date of this subdivision whichever is later provided that present value of the total payments to become due to the authority from the school district on account of principal and interest are less than the present value of the principal and interest payments to become due on the bonds to be refunded with such present value savings to be computed as provided in subparagraph (a) of subdivision two of paragraph b of section 90.10 of the local finance law; or (iv) to refinance all or any portion of any bond anticipation notes of a school district issued to finance a school construction project. In the event that the dormitory authority issues its obligations on behalf of a school district as provided in this subdivision: (i) no lease, sublease or other agreement entered into by the school district pursuant to this subdivision shall, notwithstanding any other provision of law to the contrary, be subject to the approval of voters of the school district and (ii) the proceeds of any refunding bonds issued by the authority, including any interest earnings thereon, shall be held in trust under the terms of an escrow agreement for the benefit of the holders of such refunded obligations in an amount sufficient to provide for the payment of the principal, redemption price and interest due on the refunded obligations of the school district to their stated maturities or, if such bonds are to be called, to the call date.

40. a. Any lease, sublease or other agreement by and between the dormitory authority and any residential institution for children shall, in addition to any other provisions deemed necessary by the dormitory authority, contain the following:

(1) a requirement that the residential institution for children establish an account with a bank or trust company acceptable to the dormitory authority into which the residential institution for children shall deposit, or cause to be deposited, all amounts received by such residential institution for children from any school district, social

service district or any other payor on account of the residential services provided by such residential institution for children. The residential institution for children shall grant to the dormitory authority a security interest in such account and the moneys on deposit therein shall be subject to withdrawal by the residential institution for children only after the payment of amounts then due to the dormitory authority as provided in such lease, sublease or other agreement;

(2) a requirement that the residential institution for children grant to the dormitory authority either a mortgage on the real property used by the residential institution for children to provide residential services or such other interest in real property as is acceptable to the dormitory authority;

(3) a requirement that the residential institution for children continue to operate a residential program for foster children and/or children placed by the committee on special education of a school district pursuant to contracts with social services districts or school districts for the term of the lease, sublease or other agreement and in the event such residential institution for children fails to do so, provide for the transfer and operation of the residential facilities to a replacement not-for-profit operator that is qualified to provide such services and that has assumed the obligations of such residential institution for children pursuant to such agreement;

(4) a requirement that the residential institution for children include in each of its contracts with a social service district, school district or any other payor a provision requiring that the residential institution for children will deposit, or cause to be deposited, all of its maintenance rate payments from such social service district, school district or other payor into the separate account required by subparagraph one of this paragraph. In the event of the failure of the applicable social services district or school district to make a maintenance rate payment to the residential institution for children for residential care provided to a child in the residential institution for children, the state comptroller shall withhold state reimbursement to the applicable social services district or school district in an amount equal to the unpaid obligation for the capital financing add-on rate and pay over such sum to the dormitory authority or its trustee upon certification of the commissioner of the office of children and family

services or the state education department, as applicable; and

(5) a requirement that the residential institution for children pay to the dormitory authority the amount required to pay the principal of and interest on obligations of the dormitory authority issued in relation to providing such facilities and all incidental expenses of the dormitory authority incurred in relation thereto.

b. The dormitory authority shall not issue any bonds or notes in excess of sixty million dollars for the purpose of financing the costs related to residential institutions for children as defined in subdivision forty-four of section sixteen hundred seventy-six of this title. In calculating the amount of bonds or notes outstanding pursuant to this subdivision, the principal amount of bonds or notes issued to fund one or more debt service reserve funds, the principal amount of bonds or notes issued to pay the costs of issuance of such bonds, and the principal amount of bonds or notes issued to refund or otherwise repay such bonds and bonds or notes previously issued shall be excluded therefrom. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds or notes.