§ 2711. Bonds of the authority. 1. (a) The authority shall have power and is hereby authorized from time to time to issue its bonds in such principal amount as, in the opinion of the authority, shall be necessary to provide sufficient funds for achieving its corporate purposes, including the construction, acquisition, reconstruction, rehabilitation, improvement or refinancing of projects and subject to the provision of this title, any project as defined in title one of article eighteen-A of the general municipal law, the payment of interest on bonds of the authority, establishment of reserves to secure such bonds, and all other expenditures of the authority incident to and necessary or convenient to carry out its corporate purposes and powers. In addition, the authority may, in anticipation of the issuance of bonds or the receipt of appropriations, grants, reimbursements, revenues or other funds, issue notes the principal of or interest on which or both shall be payable out of the proceeds of bonds of the authority or appropriations, grants, reimbursements, revenues or other funds of the authority. The authority may also enter into bank loan agreements, lines of credit and other security agreements and obtain for or on its behalf letters of credit in each case for securing its bonds or to provide direct payment of any costs which the authority is authorized to pay.

(b) The authority shall have power, from time to time, to issue renewal notes, to issue bonds or other obligations to pay notes and whenever it deems refunding expedient, to refund any bonds by the issuance of new bonds, whether the bonds to be refunded have or have not matured, and to issue bonds partly to refund bonds then outstanding and partly for any other purpose. The refunding bonds shall be sold and the proceeds applied to the purchase, redemption or payment of the bonds, including any interest thereon, to be refunded.

2. Except as may otherwise be expressly provided by the authority, every issue of its bonds shall be general obligations of the authority payable out of any moneys, assets or revenues of the authority, subject as to priority only to any agreements with the holders of particular bonds theretofore or thereafter made pledging, assigning or creating a lien upon any particular moneys, assets or revenues. The authority may provide by agreement with the holders of its bonds that such bonds shall be payable solely from and secured by particular revenues and property

of the authority.

3. The bonds shall be authorized by a resolution or resolutions of the authority adopted as provided by this title; provided, however, that any such resolution authorizing the issuance of bonds may delegate to one or more members or to an officer of the authority the power to issue such bonds from time to time and to fix the details of any such issue of bonds by an appropriate certificate of such member, members or officer.

4. The bonds of the authority shall bear such date or dates, mature at such time or times, bear interest at such rate or rates (simple or compounded), if any, be of such denominations, be in such form, be executed in such manner, be payable in such medium of payment, at such place or places within or without the state, and be subject to such terms of redemption prior to maturity, as may be provided by such resolution or resolutions or such certificate with respect to such bonds, as the case may be; provided, however, that no bond or other obligations shall mature more than forty years after the date of issue thereof and no notes or renewal thereof shall mature more than five years after the date of issue of the original notes.

5. The bonds of the authority may be sold by the authority at such price or prices, at public or private sale, provided that no issue of bonds may be sold at private sale unless the terms of such sale shall have been approved in writing by (i) the state comptroller, where such sale is not to such comptroller, or (ii) the director of the state division of the budget, where such sale is to such comptroller, in such manner and from time to time as may be determined by the authority, and the authority may pay all expenses, premiums and commissions which it may deem necessary or advantageous in connection with the issuance and sale thereof.

6. Whether or not the bonds are of such form and character as to be negotiable instruments under the terms of the uniform commercial code, the bonds are hereby made negotiable instruments within the meaning of and for all the purposes of the uniform commercial code, subject only to the provisions of the bonds for registration.

7. Any resolution or resolutions authorizing any bonds or any issue thereof or any trust indenture or indentures relating to such bonds may contain provisions, which shall be a part of the contract with the holders thereof, as to:

(a) pledging, assigning or creating a lien on all or any part of the rates, rentals, fees and charges made or received by the authority, and all or any part of the moneys received or to be received as repayment of loans, to secure the payment of the bonds or of any issue thereof, subject to such agreement with the holders of the authority's bonds as may then exist;

(b) pledging, assigning or creating a lien on all or any part of the assets of the authority, including mortgages and obligations securing the same, to secure the payment of the bonds, subject to such agreements with the holders of the authority's bonds as may then exist;

(c) the establishment and maintenance of reserves or sinking funds and the regulation and disposition thereof;

(d) limitations on the purpose to which the proceeds of sale of any issue of bonds then or thereafter to be issued may be applied and pledging such proceeds to secure the payment of the bonds or of any issue thereof;

(e) limitations on the issuance of additional bonds, the terms upon which additional bonds may be issued and secured and the refunding of outstanding bonds;

(f) the procedure, if any, by which the terms of any contract with the holders of bonds may be amended or abrogated, the amount of bonds the holders of which must consent thereto, and the manner in which such consent may be given;

(g) limitations on the amount of moneys to be expended by the authority for operating, administrative or other expenses of the authority;

(h) the creation of special funds into which any moneys of the authority may be deposited;

(i) vesting in a trustee or trustees such property, rights, powers and duties in trust as the authority may determine, which may include any or all of the rights, powers and duties of the trustee appointed by the holders of bonds pursuant to this title, and limiting or abrogating the

right of the holders of bonds to appoint a trustee pursuant to this title or limiting the rights, powers and duties of such trustee;

(j) defining the acts or omissions to act which shall constitute a default in the obligations and duties of the authority and providing for the rights and remedies of the holders of bonds in the event of such default, providing, however, that such rights and remedies shall not be inconsistent with the general laws of this state and other provisions of this title; and

(k) any other matters, of like or different character, which in any way affect the security or protection of the bonds and the rights of the holders thereof.

8. Any pledge or assignment made or lien created by the authority shall be valid and binding from the time when the pledge or assignment is made or the lien is created; the moneys or property so pledged, assigned or encumbered by the authority shall immediately be subject to such pledge, assignment or lien without any physical delivery thereof or further act; and such pledge, assignment or lien shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the authority, irrespective of whether such parties have notice thereof. Neither the resolution nor any other instrument by which a pledge, assignment or lien is made or created need be recorded or filed.

9. Neither the members of the authority nor any person executing the bonds shall be liable personally on the bonds or be subject to any personal liability or accountability by reason of the issuance thereof.

10. The authority, subject to such agreements with the holders of the authority's bonds as may then exist, shall have power out of any funds available therefor to purchase bonds of the authority.

11. The state shall not be liable on bonds of the authority and such bonds shall not be a debt of the state, and such bonds shall contain on the face thereof a statement to such effect.