

STATE OF NEW YORK

S. 2802

A. 4002

SENATE - ASSEMBLY

February 1, 2011

IN SENATE -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

IN ASSEMBLY -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read once and referred to the Committee on Ways and Means

AN ACT making appropriations for the legal requirements of the state debt service and lease purchase payments and other special contractual obligations

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The several sums specified in this section, or so much
2 thereof as may be sufficient to accomplish in full the purposes desig-
3 nated by the appropriations, are hereby appropriated to be paid as here-
4 in provided for the funds and purposes specified and are made available
5 for the fiscal year beginning April 1, 2011.

6 DEBT SERVICE FUND--GENERAL DEBT SERVICE FUND--311

7 Maintenance undistributed

8
9 For the legal requirements of principal, interest, and
10 related expenses on general obligation bonds, and lease
11 purchase, special contractual and revenue bond obli-
12 gations, as issued pursuant to article 5-C of the state
13 finance law and payments for interest rate exchange and
14 similar agreements, in accordance with the following
15 schedule 4,603,325,000
16
17 =====

18 SCHEDULE

19 GENERAL OBLIGATION PAYMENTS

20
21 The sum of \$530,000,000, or so much thereof as may be
22 necessary, is hereby appropriated for payment by the
23 state comptroller for general obligation bonds issued in
24 connection with higher education construction, pure
25 waters, environmental quality, transportation capital
26 facilities, rail preservation, outdoor recreation devel-
27 opment, energy conservation through improved transporta-
28 tion, parks and recreation land acquisition, rebuild New
29 York through transportation infrastructure renewal and
30 accelerated capacity and transportation improvements of
31
32

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

1 the nineties, clean water/clean air, and rebuild and
 2 renew New York transportation purposes, in accordance
 3 with the following sub-schedule 530,000,000
 4 -----

5
6 sub-schedule

7
 8 Debt service payments 525,000,000
 9 Related expenses 5,000,000
 10 -----
 11 Total of sub-schedule 530,000,000
 12 =====

13
14 LEASE PURCHASE PAYMENTS

15 The several sums, or so much thereof as may be sufficient
 16 to accomplish in full the purposes designated by the
 17 appropriations, are hereby appropriated and are, subject
 18 to the issuance of certificates of approval of avail-
 19 ability by the director of the budget, available for the
 20 purpose of making payments for lease purchase obli-
 21 gations, in accordance with the following schedule 2,925,000
 22 -----

23
24 SCHEDULE

25
 26 For payment to the Dormitory Authority for
 27 the Judicial Institute at Pace University,
 28 pursuant to chapter 613 of the laws of
 29 1999, as amended 550,000
 30 For payment of the lease purchase agreement
 31 for Hampton Plaza 700,000
 32 For payment of the lease purchase agreement
 33 for the department of transportation
 34 region one headquarters building in the
 35 city of Schenectady 1,500,000
 36 -----
 37 Total of debt service schedule 2,750,000
 38 -----

39
 40 For payment of related expenses, in accord-
 41 ance with the following schedule.

42
43 SCHEDULE

44
 45 Urban Development Corporation 50,000
 46 Office of General Services 125,000
 47 -----
 48 Total of related expenses schedule 175,000
 49 -----

50
 51 Total of schedules 2,925,000
 52 =====

53
54 SPECIAL CONTRACTUAL OBLIGATION PAYMENTS

55 The several sums, or so much thereof as may be sufficient
 56 to accomplish in full the purposes designated by the
 57 appropriations, are hereby appropriated and are, subject
 58 to the issuance of certificates of approval of avail-
 59 ability by the director of the budget, available for the
 60 purpose of making payments for special contractual obli-
 61 gations, in accordance with the following schedule 1,662,050,000
 62 -----

SCHEDULE

1
2

3 For payment to the Triborough Bridge and
4 Tunnel Authority and the Urban Development
5 Corporation pursuant to the provisions of
6 an agreement of sublease between the
7 Triborough Bridge and Tunnel Authority and
8 the state of New York for the Convention
9 Center project 43,000,000

10 For payment to the Urban Development Corpo-
11 ration pursuant to the provisions of an
12 agreement or agreements entered between
13 the State and the Urban Development Corpo-
14 ration to pay for bonds, notes, or other
15 obligations issued or entered into for
16 correctional facilities 67,000,000

17 For payment to the Urban Development Corpo-
18 ration pursuant to the provisions of an
19 agreement or agreements of lease and
20 sublease entered into between, but not
21 limited to, the Urban Development Corpo-
22 ration, the Office of General Services and
23 the Department of Correctional Services
24 for the rental of correctional facilities.... 21,000,000

25 For payment according to the following sub-
26 schedule to the Urban Development Corpo-
27 ration for project revenue bonds, pursuant
28 to the provisions of certain agreements of
29 lease between the entities designated on
30 the following sub-schedule and the state
31 of New York and the assignment of rent
32 thereof to the Urban Development Corpo-
33 ration 16,000,000

34
35 sub-schedule

36

37 Rensselaer Polytechnic Insti-
38 tute (Center for Industrial
39 Innovation) 4,500,000

40 Syracuse University (Science
41 and Technology Center) 2,800,000

42 Cornell University (Supercom-
43 puter Center) 700,000

44 Columbia University (Telecom-
45 munications Center) 5,000,000

46 Clarkson University 1,100,000

47 University Grants 95 Refunding.... 1,900,000

48 -----

49 Total of sub-schedule 16,000,000

50 -----

51

52 For payment to the Dormitory Authority, for
53 payment of bonds issued to finance the
54 Department of Health's David Axelrod
55 Institute for Public Health, pursuant to
56 the provisions of an agreement between the
57 Dormitory Authority and the Department of
58 Health 6,000,000

59 For payment to the Dormitory Authority, for
60 payment of bonds issued to finance State
61 Department of Education facilities, pursu-
62 ant to an agreement between the Dormitory
63 Authority and the State Education Depart-
64 ment 5,500,000

65

1 For payment to the Housing Finance Agency
 2 and the Urban Development Corporation for
 3 payment of bonds issued to finance the
 4 State's housing programs 34,000,000
 5 For payment to the Metropolitan Transporta-
 6 tion Authority, pursuant to state service
 7 contracts authorized by section 16 of
 8 chapter 314 of the laws of 1981, section
 9 42 of chapter 929 of the laws of 1986, as
 10 amended by chapter 13 of the laws of 1987,
 11 and section 34 of part O of chapter 61 of
 12 the laws of 2000 165,000,000
 13 For payment to the State University
 14 Construction Fund, for payment to the
 15 Dormitory Authority, pursuant to paragraph
 16 (e) of subdivision 19 of section 1680 of
 17 the public authorities law, to pay for
 18 bonds or notes issued by such authority,
 19 pursuant to agreements between the State
 20 University Construction Fund, State
 21 University of New York and the Dormitory
 22 Authority, relating to State University
 23 education facilities. Notwithstanding the
 24 provisions of section 40 of the state
 25 finance law or any other provision of law
 26 to the contrary, this appropriation shall
 27 remain in full force and effect until
 28 April 30, 2012 310,000,000
 29 For payment to the State University
 30 Construction Fund, for payment to the
 31 Dormitory Authority, in accordance with
 32 subdivision 8 of section 6304 of the
 33 education law, for bonds, notes, or other
 34 obligations issued by such authority,
 35 pursuant to an agreement or agreements
 36 among the State University of New York,
 37 various community colleges and their spon-
 38 sors, and the Dormitory Authority for
 39 educational facilities of community
 40 colleges 28,000,000
 41 For payment to the City University
 42 Construction Fund for City University
 43 senior colleges and for community col-
 44 leges. Moneys hereby appropriated, or por-
 45 tions thereof, are for payments net of all
 46 interest and investment earnings on senior
 47 and community college payments and other
 48 excess earnings held by the City Universi-
 49 ty Construction Fund, in accordance with
 50 the following sub-schedule 270,000,000
 51
 52 sub-schedule
 53
 54 City University senior
 55 colleges 240,000,000
 56 City University community
 57 colleges 30,000,000
 58 -----
 59 Total of sub-schedule 270,000,000
 60 -----
 61
 62 For payment to the Dormitory Authority,
 63 pursuant to the provisions of a service
 64 contract or contracts, for payment of
 65 bonds or notes issued for the financing of
 66 projects at the Albany County Airport 4,000,000

1 For payment to the Dormitory Authority and
 2 the Urban Development Corporation for
 3 bonds issued for one or more facilities
 4 provided for the department of audit and
 5 control, the New York state and local
 6 employees' retirement system, and the New
 7 York state and local police and fire
 8 retirement system and on behalf of the
 9 departments or agencies having occupancy
 10 or use of other state facilities and park-
 11 ing facilities 1,200,000
 12 For payment to the Dormitory Authority, for
 13 payment of bonds issued to finance eligi-
 14 ble child care facilities development
 15 projects, pursuant to an agreement or
 16 agreements between the Dormitory Authority
 17 and the state 2,000,000
 18 For payment to the Thruway Authority, pursu-
 19 ant to section 380 of the public authori-
 20 ties law, to pay for Local Highway and
 21 Bridge Service Contract bonds or notes
 22 issued by such authority pursuant to an
 23 agreement between the Thruway Authority
 24 and the state 205,000,000
 25 For payment to the Environmental Facilities
 26 Corporation to pay for bonds or notes
 27 issued by such authority pursuant to an
 28 agreement between the Environmental Facil-
 29 ities Corporation and the Office of Parks,
 30 Recreation and Historic Preservation 1,800,000
 31 For payment to the Environmental Facilities
 32 Corporation, pursuant to subdivision 1 of
 33 section 1290 of the public authorities
 34 law, to pay for bonds or notes issued by
 35 such authority pursuant to a lease agree-
 36 ment between the Environmental Facilities
 37 Corporation and the Office of Parks,
 38 Recreation and Historic Preservation
 39 relating to the financing of Riverbank
 40 State Park 5,000,000
 41 For payment to the Environmental Facilities
 42 Corporation for bonds and notes issued by
 43 such authority, pursuant to an agreement
 44 between the Environmental Facilities
 45 Corporation and the Office of Mental
 46 Health relating to the financing of a
 47 Waste water treatment facility for Pilgrim
 48 Psychiatric Center 950,000
 49 For payment to the Environmental Facilities
 50 Corporation, for payment of bonds issued
 51 to finance eligible pipeline for jobs
 52 projects, pursuant to an agreement or
 53 agreements between the Environmental
 54 Facilities Corporation and the State 1,800,000
 55 For payment to the Environmental Facilities
 56 Corporation, for payment of bonds issued
 57 to finance environmental infrastructure
 58 projects, pursuant to an agreement or
 59 agreements between the Environmental
 60 Facilities Corporation and the State 18,000,000
 61 For payment according to the following sub-
 62 schedule for bonds issued to finance
 63 consolidated service contract refundings.... 428,000,000
 64 -----
 65
 66

1 sub-schedule
 2
 3 Urban Development Corporation... 342,000,000
 4 Dormitory Authority 86,000,000
 5 -----
 6 Total of sub-schedule 428,000,000
 7 -----
 8
 9 Total of debt service schedule 1,633,250,000
 10 -----

11 For payment of related expenses in accord-
 12 ance with the following schedule.
 13

14
 15 SCHEDULE

16
 17 Urban Development Corporation 5,000,000
 18 Housing Finance Agency 4,000,000
 19 Dormitory Authority 13,000,000
 20 Dormitory Authority Capital Expenses 5,000,000
 21 Environmental Facilities Corporation 300,000
 22 Triborough Bridge and Tunnel Authority 1,000,000
 23 Thruway Authority 500,000
 24 -----
 25 Total of related expenses schedule 28,800,000
 26 -----
 27
 28 Total of schedules 1,662,050,000
 29 =====

30
 31 REVENUE BOND FINANCING AGREEMENT PAYMENTS

32 The several sums, or so much thereof as may
 33 be necessary, are hereby appropriated for
 34 payment to the dormitory authority, the
 35 environmental facilities corporation, the
 36 housing finance agency, the thruway
 37 authority, and the urban development
 38 corporation and are, subject to the issu-
 39 ance of certificates of approval of avail-
 40 ability by the director of the budget,
 41 available for the purpose of making
 42 financing agreement payments related to
 43 personal income tax revenue bond obli-
 44 gations, as authorized pursuant to article
 45 5-C of the state finance law and in
 46 accordance with the following schedule ... 2,408,350,000
 47 -----

48
 49 SCHEDULE

50
 51 Economic Development and Housing 385,000,000
 52 Education 470,000,000
 53 Environment 105,000,000
 54 General Purpose 940,000,000
 55 Healthcare 15,000,000
 56 State Facilities and Equipment 200,000,000
 57 Transportation 275,000,000
 58 -----
 59 Total of schedule 2,390,000,000
 60 -----

61
 62 For payment of related expenses in accord-
 63 ance with the following schedule.
 64
 65

SCHEDULE

1		
2		
3	Urban Development Corporation	2,000,000
4	Housing Finance Agency	2,500,000
5	Dormitory Authority	12,000,000
6	Dormitory Authority Capital Expenses	800,000
7	Environmental Facilities Corporation	800,000
8	Thruway Authority	250,000
9		-----
10	Total of schedule	18,350,000
11		-----
12		
13	Total of schedules	2,408,350,000
14		=====
15		
16	Total of schedule	4,603,325,000
17		=====

DEBT SERVICE FUND--HOUSING DEBT FUND--316

GENERAL OBLIGATION PAYMENTS

21		
22	The sum of \$15,500,000, or so much thereof as may be	
23	necessary, is hereby appropriated for payment by the	
24	state comptroller of principal and interest on general	
25	obligation bonds issued in connection with state housing	
26	(low cost, middle income and urban renewal)	15,500,000
27		=====

DEBT SERVICE FUND--HEALTH INCOME FUND--319

30		
31	For debt service and related expenses in accordance with	
32	the following schedule	34,800,000
33		-----

SCHEDULE

36		
37	The sum of \$30,000,000, or so much thereof as may be	
38	necessary of operating revenues received from department	
39	of health facilities other than the New York City Veter-	
40	ans' Home, is hereby appropriated for payment by the	
41	state comptroller of all obligations under the terms of	
42	agreements between the health department and the dormi-	
43	tory authority	30,000,000
44	The sum of \$2,000,000, or so much thereof as may be neces-	
45	sary of operating revenues received from the New York	
46	City Veterans' Home, is hereby appropriated for payment	
47	by the state comptroller of all obligations under the	
48	terms of agreements between the health department and	
49	the dormitory authority	2,000,000
50	Related expenses	800,000
51	Capital expenses	2,000,000
52		-----
53	Total of schedule	34,800,000
54		=====

DEBT SERVICE FUND--STATE UNIVERSITY DORMITORY INCOME FUND--330

56		
57		
58	The sum of \$105,300,000, or so much thereof as may be	
59	necessary, is hereby appropriated for payment by the	
60	state comptroller of all obligations under the terms of	
61	agreements between the state university of New York and	
62	the dormitory authority and refunds to students for room	
63	rental and college fee overpayments, in accordance with	
64	the following schedule	105,300,000
65		-----

SCHEDULE

1		
2		
3	Debt service payments	95,000,000
4	Related expenses	800,000
5	Capital expenses	9,500,000
6		-----
7	Total of schedule	105,300,000
8		=====

DEBT SERVICE FUND--MENTAL HEALTH SERVICES FUND--304

12 The sum of \$353,000,000, or so much thereof as may be
13 necessary, is hereby appropriated for payment by the
14 state comptroller of all obligations of the dormitory
15 authority, as successor to the facilities development
16 corporation and the medical care facilities finance
17 agency pursuant to chapter 83 of the laws of 1995, under
18 the terms of any lease, sublease, or other financing
19 agreement with the department of mental hygiene, in
20 accordance with the following schedule 353,000,000
21 -----

SCHEDULE

25	Debt service payments	345,000,000
26	Related expenses	8,000,000
27		-----
28	Total of schedule	353,000,000
29		=====

DEBT SERVICE FUND--LOCAL GOVERNMENT ASSISTANCE TAX FUND--364

33 The sum of \$392,000,000, or so much thereof as may be
34 necessary, is hereby appropriated for payment of all
35 obligations, including but not limited to reserve fund
36 credit facilities, to the local government assistance
37 corporation pursuant to a certificate or certificates
38 filed by the chairman of the corporation with the state
39 comptroller and the governor, pursuant to subdivision 1
40 of section 3240 of the public authorities law, in
41 accordance with the following schedule 392,000,000
42 -----

SCHEDULE

46	Debt service payments	385,000,000
47	Related expenses	7,000,000
48		-----
49	Total of schedule	392,000,000
50		=====

TRUST AND AGENCY FUND--SCHOOL CAPITAL FACILITIES
FINANCING RESERVE FUND--130

55 The sum of \$30,500,000, or so much thereof as may be
56 necessary, is hereby appropriated for payment by the
57 state comptroller to the dormitory authority for the
58 purpose of meeting the terms of any contractual agree-
59 ments between the dormitory authority and participating
60 special act school districts listed in chapter 566 of
61 the laws of 1967, as amended, state-supported schools
62 for blind and deaf students and children with other
63 handicapping conditions pursuant to article 85 of the
64 education law, and private not-for-profit schools

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1 approved by the commissioner of education pursuant to
 2 article 89 of the education law, in accordance with the
 3 following schedule 30,500,000
 4 -----

5
6 SCHEDULE

7
 8 Debt service payments 30,000,000
 9 Related expenses 250,000
 10 Capital expenses 250,000
 11 -----
 12 Total of schedule 30,500,000
 13 =====

14
15 DEDICATED HIGHWAY AND BRIDGE TRUST FUND--SPECIAL
16 OBLIGATION RESERVE AND PAYMENT ACCOUNT--072

17
 18 The sum of \$960,250,000, or so much thereof as may be
 19 necessary, is hereby appropriated to pay for bonds or
 20 notes as required under dedicated highway and bridge
 21 trust fund cooperative agreements under section 10-e of
 22 the highway law, in accordance with the following sched-
 23 ular 960,250,000
 24 -----

25
26 SCHEDULE

27
 28 Debt service payments 960,000,000
 29 Related expenses 250,000
 30 -----
 31 Total of schedule 960,250,000
 32 =====

33
34 DEBT REDUCTION RESERVE FUND - 064

35
 36 The sum of \$250,000,000, or so much thereof as may be
 37 necessary, is hereby appropriated from the debt
 38 reduction reserve fund for the purposes of principal,
 39 interest, and related expenses, for retiring or defeas-
 40 ing bonds previously issued, including any accrued
 41 interest or other expenses related thereto, for any
 42 state-related bonding program or programs and for trans-
 43 fer, upon request of the director of the budget, to
 44 various capital projects funds as designated by the
 45 director of the budget for the funding of capital
 46 projects, equipment acquisitions, or similar expenses
 47 which have been authorized by law to be financed through
 48 the issuance of bonds, notes, or other obligations 250,000,000
 49 =====

50
51 CONTINGENT AND OTHER APPROPRIATIONS

52
 53 § 2. The several sums specified in this section, or so much thereof as
 54 may be sufficient to accomplish in full the purposes designated by the
 55 appropriations, are hereby appropriated to be paid as herein provided
 56 for the funds and purposes specified and are made available for the
 57 fiscal year beginning April 1, 2011.

58
59 GENERAL FUND--STATE PURPOSES ACCOUNT--003

60
 61 The sum of \$20,000,000, or so much thereof as may be
 62 necessary, is hereby appropriated from the general fund
 63 to the credit of the state purposes account solely for
 64 the purpose of making payments of rebates to the federal
 65 government to maintain the exemption from federal income
 66

1 taxation of the interest paid to the holders of state
 2 obligations issued pursuant to sections 55 and 57 of the
 3 state finance law 20,000,000
 4 =====

5
 6 The sum of \$225,000,000, or so much thereof as may be
 7 necessary, is hereby appropriated from the general fund
 8 to the credit of the state purposes account solely for
 9 the purpose of redeeming general obligation bonds issued
 10 by the state of New York, provided, however, that the
 11 amount to be expended from this appropriation shall be
 12 limited to the amount, as determined by the comptroller,
 13 to be necessary to maintain the exemption from federal
 14 taxation of the interest paid to the holders of state
 15 obligations issued pursuant to sections 55 and 57 of the
 16 state finance law 225,000,000
 17 =====

18 ALL FUNDS

19
 20
 21 For payment of principal and interest, including but not
 22 limited to reserve fund credit facilities, on variable
 23 rate obligations and interest rate exchange and similar
 24 agreements for state-supported debt or for transfer to
 25 any other appropriation, in accordance with the follow-
 26 ing schedule 1,500,000,000
 27 -----

28 SCHEDULE

29
 30
 31 Debt service payments 1,000,000,000
 32 Related expenses 100,000,000
 33 Interest rate exchange and similar agreements 400,000,000
 34 -----
 35 Total of schedule 1,500,000,000
 36 =====

37 DEBT SERVICE FUND--GENERAL DEBT SERVICE FUND--311

38 SPECIAL CONTRACTUAL OBLIGATION PAYMENTS

39
 40
 41 For payment to the dormitory authority, as successor to
 42 the medical care facilities finance agency pursuant to
 43 chapter 83 of the laws of 1995, for payment of principal
 44 interest, and related expenses on bonds or notes issued
 45 pursuant to the provisions of section 7-a of the New
 46 York state medical care facilities finance agency act,
 47 as amended, which provide that the service contract
 48 payments will be made to meet the debt service payments
 49 due if the funds and accounts established under the bond
 50 resolution, the secured hospital debt service reserve
 51 fund, and the secured hospital capital reserve fund are
 52 inadequate, in accordance with the following schedule 84,000,000
 53 -----

54 SCHEDULE

55
 56
 57 Debt service payments 83,000,000
 58 Related expenses 1,000,000
 59 -----
 60 Total of schedule 84,000,000
 61 =====

62
 63 For payment to the tobacco settlement financing corpo-
 64 ration, for payment of bonds or notes issued pursuant to
 65 the provisions of part D3 of chapter 62 of the laws of
 66 2003 which provides that contingency contract payments

1 will be made to meet the debt service payments due if
2 the funds and accounts established under the bond inden-
3 tures, the debt service accounts, the debt service
4 reserve accounts and the supplemental accounts are inad-
5 equate, in accordance with the following schedule 306,000,000
6 -----

7
8 SCHEDULE
9

10	Debt service payments	305,000,000
11	Related expenses	1,000,000
12		-----
13	Total of schedule	306,000,000
14		=====

15