

STATE OF NEW YORK

S. 52

A. 152

SENATE - ASSEMBLY

(Prefiled)

January 7, 2009

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, 2009.

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

7 Maintenance undistributed

8 For the legal requirements of principal, interest, and
9 related expenses on general obligation bonds, and lease
10 purchase, special contractual and revenue bond obli-
11 gations, as issued pursuant to article 5-C of the state
12 finance law and payments for interest rate exchange and
13 similar agreements, in accordance with the following
14 schedule 4,004,800,000
15 =====

16 SCHEDULE

17 GENERAL OBLIGATION PAYMENTS

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

1 The sum of \$490,000,000, or so much thereof as may be
 2 necessary, is hereby appropriated for payment by the
 3 state comptroller for general obligation bonds issued in
 4 connection with higher education construction, pure
 5 waters, environmental quality, transportation capital
 6 facilities, rail preservation, outdoor recreation devel-
 7 opment, energy conservation through improved transporta-
 8 tion, parks and recreation land acquisition, rebuild New
 9 York through transportation infrastructure renewal and
 10 accelerated capacity and transportation improvements of
 11 the nineties, clean water/clean air, and rebuild and
 12 renew New York transportation purposes, in accordance
 13 with the following sub-schedule 490,000,000
 14 -----

15 sub-schedule

16 Debt service payments 485,000,000
 17 Related expenses 5,000,000
 18 -----
 19 Total of sub-schedule 490,000,000
 20 =====

21 LEASE PURCHASE PAYMENTS

22 The several sums, or so much thereof as may be sufficient
 23 to accomplish in full the purposes designated by the
 24 appropriations, are hereby appropriated and are, subject
 25 to the issuance of certificates of approval of avail-
 26 ability by the director of the budget, available for the
 27 purpose of making payments for lease purchase obli-
 28 gations, in accordance with the following schedule 39,900,000
 29 -----

30 SCHEDULE

31 For payment to the Urban Development Corpo-
 32 ration for the south mall 35,000,000
 33 For payment to the Dormitory Authority for
 34 the New York public library for the blind
 35 and physically handicapped pursuant to
 36 chapter 349 of the laws of 1988 1,200,000
 37 For payment to the Dormitory Authority for
 38 the Judicial Institute at Pace University,
 39 pursuant to chapter 613 of the laws of
 40 1999, as amended 1,000,000
 41 For payment of the lease purchase agreement
 42 for Hampton Plaza 700,000
 43 For payment of the lease purchase agreement
 44 for the department of transportation
 45 region one headquarters building in the
 46 city of Schenectady 1,500,000
 47 -----
 48 Total of debt service schedule 39,400,000
 49 -----

1 For payment of related expenses, in accord-
2 ance with the following schedule.

3 SCHEDULE

4	Urban Development Corporation	50,000
5	Dormitory Authority	350,000
6	Office of General Services	100,000
7		-----
8	Total of related expenses schedule	500,000
9		-----
10	Total of schedules	39,900,000
11		=====

12 SPECIAL CONTRACTUAL OBLIGATION PAYMENTS

13 The several sums, or so much thereof as may be sufficient
14 to accomplish in full the purposes designated by the
15 appropriations, are hereby appropriated and are, subject
16 to the issuance of certificates of approval of avail-
17 ability by the director of the budget, available for the
18 purpose of making payments for special contractual obli-
19 gations, in accordance with the following schedule 1,758,400,000
20 -----

21 SCHEDULE

22	For payment to the Triborough Bridge and	
23	Tunnel Authority and the Urban Development	
24	Corporation pursuant to the provisions of	
25	an agreement of sublease between the	
26	Triborough Bridge and Tunnel Authority and	
27	the state of New York for the Convention	
28	Center project	43,000,000
29	For payment to the Urban Development Corpo-	
30	ration pursuant to the provisions of an	
31	agreement or agreements entered between	
32	the State and the Urban Development Corpo-	
33	ration to pay for bonds, notes, or other	
34	obligations issued or entered into for	
35	correctional facilities	190,000,000
36	For payment to the Urban Development Corpo-	
37	ration pursuant to the provisions of an	
38	agreement or agreements of lease and	
39	sublease entered into between, but not	
40	limited to, the Urban Development Corpo-	
41	ration, the Office of General Services and	
42	the Department of Correctional Services	
43	for the rental of correctional facilities ...	21,000,000
44	For payment according to the following sub-	
45	schedule to the Urban Development Corpo-	
46	ration for project revenue bonds, pursuant	
47	to the provisions of certain agreements of	
48	lease between the entities designated on	
49	the following sub-schedule and the state	
50	of New York and the assignment of rent	

1 thereof to the Urban Development Corpo-
 2 ration 16,000,000

3 sub-schedule

4 Rensselaer Polytechnic Insti-
 5 tute (Center for Industrial
 6 Innovation) 4,500,000
 7 Syracuse University (Science
 8 and Technology Center) 2,800,000
 9 Cornell University (Supercom-
 10 puter Center) 700,000
 11 Columbia University (Telecom-
 12 munications Center) 5,000,000
 13 Clarkson University 1,100,000
 14 University Grants 95 Refunding ... 1,900,000
 15 -----
 16 Total of sub-schedule 16,000,000
 17 -----

18 For payment to the Urban Development Corpo-
 19 ration pursuant to the provisions of an
 20 agreement or agreements entered into
 21 between, but not limited to, the Urban
 22 Development Corporation and the State for
 23 the rental of youth facilities 20,000,000

24 For payment to the Urban Development Corpo-
 25 ration, the Dormitory Authority, the Thru-
 26 way Authority, and/or the Housing Finance
 27 Agency, for payment of bonds issued to
 28 finance the community enhancement facili-
 29 ties assistance program, pursuant to an
 30 agreement or agreements between such
 31 authorities and the State 8,000,000

32 For payment to the Dormitory Authority, for
 33 payment of bonds issued to finance the
 34 Department of Health's David Axelrod
 35 Institute for Public Health, pursuant to
 36 the provisions of an agreement between the
 37 Dormitory Authority and the Department of
 38 Health 6,000,000

39 For payment to the Dormitory Authority, for
 40 payment of bonds issued to finance State
 41 Department of Education facilities, pursu-
 42 ant to an agreement between the Dormitory
 43 Authority and the State Education Depart-
 44 ment 5,500,000

45 For payment to the Housing Finance Agency
 46 and the Urban Development Corporation for
 47 payment of bonds issued to finance the
 48 State's housing programs 85,000,000

49 For payment to the Metropolitan Transporta-
 50 tion Authority, pursuant to state service
 51 contracts authorized by section 16 of
 52 chapter 314 of the laws of 1981, section

1 42 of chapter 929 of the laws of 1986, as
 2 amended by chapter 13 of the laws of 1987,
 3 and section 34 of part O of chapter 61 of
 4 the laws of 2000 165,000,000

5 For payment to the State University
 6 Construction Fund, for payment to the
 7 Dormitory Authority, pursuant to paragraph
 8 (e) of subdivision 19 of section 1680 of
 9 the public authorities law, to pay for
 10 bonds or notes issued by such authority,
 11 pursuant to agreements between the State
 12 University Construction Fund, State
 13 University of New York and the Dormitory
 14 Authority, relating to State University
 15 education facilities. Notwithstanding the
 16 provisions of section 40 of the state
 17 finance law or any other provision of law
 18 to the contrary, this appropriation shall
 19 remain in full force and effect until
 20 April 30, 2010 365,000,000

21 For payment to the State University
 22 Construction Fund, for payment to the
 23 Dormitory Authority, in accordance with
 24 subdivision 8 of section 6304 of the
 25 education law, for bonds, notes, or other
 26 obligations issued by such authority,
 27 pursuant to an agreement or agreements
 28 among the State University of New York,
 29 various community colleges and their spon-
 30 sors, and the Dormitory Authority for
 31 educational facilities of community
 32 colleges 40,000,000

33 For payment to the Dormitory Authority,
 34 pursuant to subdivision 2 of section
 35 1680-e of the public authorities law, to
 36 pay for bonds or notes issued by such
 37 authority relating to the State University
 38 athletic facilities 2,500,000

39 For payment to the City University
 40 Construction Fund for City University
 41 senior colleges and for community col-
 42 leges. Moneys hereby appropriated, or por-
 43 tions thereof, are for payments net of all
 44 interest and investment earnings on senior
 45 and community college payments and other
 46 excess earnings held by the City Universi-
 47 ty Construction Fund, in accordance with
 48 the following sub-schedule 305,000,000

49 sub-schedule

50 City University senior
 51 colleges 255,000,000

52 City University community
 53 colleges 50,000,000

54 -----

1 Total of sub-schedule 305,000,000
2 -----

3 For payment to the Dormitory Authority,
4 pursuant to the provisions of a service
5 contract or contracts, for payment of
6 bonds or notes issued for the financing of
7 projects at the Albany County Airport 4,000,000

8 For payment to the Dormitory Authority and
9 the Urban Development Corporation for
10 bonds issued for one or more facilities
11 provided for the department of audit and
12 control, the New York state and local
13 employees' retirement system, and the New
14 York state and local police and fire
15 retirement system and on behalf of the
16 departments or agencies having occupancy
17 or use of other state facilities and park-
18 ing facilities 5,000,000

19 For payment to the Dormitory Authority, for
20 payment of bonds issued to finance eligi-
21 ble school construction projects for
22 rebuilding schools to uphold education
23 (RESCUE), pursuant to an agreement or
24 agreements between the Dormitory Authority
25 and the state 8,500,000

26 For payment to the Dormitory Authority, for
27 payment of bonds issued to finance eligi-
28 ble child care facilities development
29 projects, pursuant to an agreement or
30 agreements between the Dormitory Authority
31 and the state 2,000,000

32 For payment to the Thruway Authority, pursu-
33 ant to section 380 of the public authori-
34 ties law, to pay for Local Highway and
35 Bridge Service Contract bonds or notes
36 issued by such authority pursuant to an
37 agreement between the Thruway Authority
38 and the state 245,000,000

39 For payment to the Environmental Facilities
40 Corporation to pay for bonds or notes
41 issued by such authority pursuant to an
42 agreement between the Environmental Facil-
43 ities Corporation and the Office of Parks,
44 Recreation and Historic Preservation 1,800,000

45 For payment to the Environmental Facilities
46 Corporation, pursuant to subdivision 1 of
47 section 1290 of the public authorities
48 law, to pay for bonds or notes issued by
49 such authority pursuant to a lease agree-
50 ment between the Environmental Facilities
51 Corporation and the Office of Parks,
52 Recreation and Historic Preservation
53 relating to the financing of Riverbank
54 State Park 5,000,000

1 For payment to the Environmental Facilities
2 Corporation for bonds and notes issued by
3 such authority, pursuant to an agreement
4 between the Environmental Facilities
5 Corporation and the Office of Mental
6 Health relating to the financing of a
7 Waste water treatment facility for Pilgrim
8 Psychiatric Center 800,000
9 For payment to the Environmental Facilities
10 Corporation, for payment of bonds issued
11 to finance eligible pipeline for jobs
12 projects, pursuant to an agreement or
13 agreements between the Environmental
14 Facilities Corporation and the State 3,000,000
15 For payment to the Environmental Facilities
16 Corporation, for payment of bonds issued
17 to finance environmental infrastructure
18 projects, pursuant to an agreement or
19 agreements between the Environmental
20 Facilities Corporation and the State 22,000,000
21 For payment according to the following sub-
22 schedule for bonds issued to finance
23 consolidated service contract refundings ... 153,000,000
24

25 sub-schedule

26 Urban Development Corporation .. 150,000,000
27 Dormitory Authority 3,000,000
28

29 Total of sub-schedule 153,000,000
30

31 Total of debt service schedule 1,722,100,000
32

33 For payment of related expenses in accord-
34 ance with the following schedule.

35 SCHEDULE

36 Urban Development Corporation 3,500,000
37 Housing Finance Agency 3,500,000
38 Dormitory Authority 8,000,000
39 Dormitory Authority Capital Expenses 18,000,000
40 Environmental Facilities Corporation 300,000
41 Triborough Bridge and Tunnel Authority 1,000,000
42 Thruway Authority 2,000,000
43

44 Total of related expenses schedule 36,300,000
45

46 Total of schedules 1,758,400,000
47 =====

48 REVENUE BOND FINANCING AGREEMENT PAYMENTS

1 The several sums, or so much thereof as may
 2 be necessary, are hereby appropriated for
 3 payment to the dormitory authority, the
 4 environmental facilities corporation, the
 5 housing finance agency, the thruway
 6 authority, and the urban development
 7 corporation and are, subject to the issu-
 8 ance of certificates of approval of avail-
 9 ability by the director of the budget,
 10 available for the purpose of making
 11 financing agreement payments related to
 12 personal income tax revenue bond obli-
 13 gations, as authorized pursuant to article
 14 5-C of the state finance law and in
 15 accordance with the following schedule ... 1,716,500,000
 16 -----

17 SCHEDULE

18 Economic Development and Housing 470,000,000
 19 Education 620,000,000
 20 Environment 105,000,000
 21 Healthcare 30,000,000
 22 State Facilities and Equipment 270,000,000
 23 Transportation 210,000,000
 24 -----
 25 Total of schedule 1,705,000,000
 26 -----

27 For payment of related expenses in accord-
 28 ance with the following schedule.

29 SCHEDULE

30 Urban Development Corporation 2,000,000
 31 Housing Finance Agency 2,000,000
 32 Dormitory Authority 6,000,000
 33 Dormitory Authority Capital Expenses 800,000
 34 Environmental Facilities Corporation 500,000
 35 Thruway Authority 200,000
 36 -----
 37 Total of schedule 11,500,000
 38 -----

39 Total of schedules 1,716,500,000
 40 =====

41 Total of schedule 4,004,800,000
 42 =====

43 DEBT SERVICE FUND--HOUSING DEBT FUND--316

44 GENERAL OBLIGATION PAYMENTS

45 The sum of \$21,000,000, or so much thereof as may be
 46 necessary, is hereby appropriated for payment by the
 47 state comptroller of principal and interest on general

1 obligation bonds issued in connection with state housing
 2 (low cost, middle income and urban renewal) 21,000,000
 3 =====

4 DEBT SERVICE FUND--HEALTH INCOME FUND--319

5 For debt service and related expenses in accordance with
 6 the following schedule 35,000,000
 7 -----

8 SCHEDULE

9 The sum of \$30,000,000, or so much thereof as may be
 10 necessary of operating revenues received from department
 11 of health facilities other than the New York City Veter-
 12 ans' Home, is hereby appropriated for payment by the
 13 state comptroller of all obligations under the terms of
 14 agreements between the health department and the dormi-
 15 tory authority 30,000,000
 16 The sum of \$2,000,000, or so much thereof as may be neces-
 17 sary of operating revenues received from the New York
 18 City Veterans' Home, is hereby appropriated for payment
 19 by the state comptroller of all obligations under the
 20 terms of agreements between the health department and
 21 the dormitory authority 2,000,000
 22 Related expenses 500,000
 23 Capital expenses 2,500,000
 24 -----
 25 Total of schedule 35,000,000
 26 =====

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

28 The sum of \$94,500,000, or so much thereof as may be
 29 necessary, is hereby appropriated for payment by the
 30 state comptroller of all obligations under the terms of
 31 agreements between the state university of New York and
 32 the dormitory authority and refunds to students for room
 33 rental and college fee overpayments, in accordance with
 34 the following schedule 94,500,000
 35 -----

36 SCHEDULE

37 Debt service payments 85,000,000
 38 Related expenses 500,000
 39 Capital expenses 9,000,000
 40 -----
 41 Total of schedule 94,500,000
 42 =====

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

44 The sum of \$410,000,000, or so much thereof as may be
 45 necessary, is hereby appropriated for payment by the
 46 state comptroller of all obligations of the dormitory

1 authority, as successor to the facilities development
 2 corporation and the medical care facilities finance
 3 agency pursuant to chapter 83 of the laws of 1995, under
 4 the terms of any lease, sublease, or other financing
 5 agreement with the department of mental hygiene, in
 6 accordance with the following schedule 410,000,000
 7 -----

8 SCHEDULE

9 Debt service payments 400,000,000
 10 Related expenses 10,000,000
 11 -----
 12 Total of schedule 410,000,000
 13 =====

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

15 The sum of \$403,000,000, or so much thereof as may be
 16 necessary, is hereby appropriated for payment of all
 17 obligations, including but not limited to reserve fund
 18 credit facilities, to the local government assistance
 19 corporation pursuant to a certificate or certificates
 20 filed by the chairman of the corporation with the state
 21 comptroller and the governor, pursuant to subdivision 1
 22 of section 3240 of the public authorities law, in
 23 accordance with the following schedule 403,000,000
 24 -----

25 SCHEDULE

26 Debt service payments 390,000,000
 27 Related expenses 13,000,000
 28 -----
 29 Total of schedule 403,000,000
 30 =====

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

33 The sum of \$35,500,000, or so much thereof as may be
 34 necessary, is hereby appropriated for payment by the
 35 state comptroller to the dormitory authority for the
 36 purpose of meeting the terms of any contractual agree-
 37 ments between the dormitory authority and participating
 38 special act school districts listed in chapter 566 of
 39 the laws of 1967, as amended, state-supported schools
 40 for blind and deaf students and children with other
 41 handicapping conditions pursuant to article 85 of the
 42 education law, and private not-for-profit schools
 43 approved by the commissioner of education pursuant to
 44 article 89 of the education law, in accordance with the
 45 following schedule 35,500,000
 46 -----

1

SCHEDULE

2	Debt service payments	35,000,000
3	Related expenses	250,000
4	Capital expenses	250,000
5		-----
6	Total of schedule	35,500,000
7		=====

8 DEDICATED HIGHWAY AND BRIDGE TRUST FUND--SPECIAL
9 OBLIGATION RESERVE AND PAYMENT ACCOUNT--072

10 The sum of \$615,200,000, or so much thereof as may be
11 necessary, is hereby appropriated to pay for bonds or
12 notes as required under dedicated highway and bridge
13 trust fund cooperative agreements under section 10-e of
14 the highway law, in accordance with the following sched-
15 ule 615,200,000
16 -----

17

SCHEDULE

18	Debt service payments	615,000,000
19	Related expenses	200,000
20		-----
21	Total of schedule	615,200,000
22		=====

23 DEBT REDUCTION RESERVE FUND - 064

24 The sum of \$250,000,000, or so much thereof as may be
25 necessary, is hereby appropriated from the debt
26 reduction reserve fund for the purposes of principal,
27 interest, and related expenses, for retiring or defeas-
28 ing bonds previously issued, including any accrued
29 interest or other expenses related thereto, for any
30 state-related bonding program or programs and for trans-
31 fer, upon request of the director of the budget, to
32 various capital projects funds as designated by the
33 director of the budget for the funding of capital
34 projects, equipment acquisitions, or similar expenses
35 which have been authorized by law to be financed through
36 the issuance of bonds, notes, or other obligations 250,000,000
37 -----

38 CONTINGENT AND OTHER APPROPRIATIONS

39 § 2. The several sums specified in this section, or so much thereof as
40 may be sufficient to accomplish in full the purposes designated by the
41 appropriations, are hereby appropriated to be paid as herein provided
42 for the funds and purposes specified and are made available for the
43 fiscal year beginning April 1, 2009.

44 GENERAL FUND--STATE PURPOSES ACCOUNT--003

45 The sum of \$20,000,000, or so much thereof as may be

1 necessary, is hereby appropriated from the general fund
 2 to the credit of the state purposes account solely for
 3 the purpose of making payments of rebates to the federal
 4 government to maintain the exemption from federal income
 5 taxation of the interest paid to the holders of state
 6 obligations issued pursuant to sections 55 and 57 of the
 7 state finance law 20,000,000
 8 =====

9 The sum of \$225,000,000, or so much thereof as may be
 10 necessary, is hereby appropriated from the general fund
 11 to the credit of the state purposes account solely for
 12 the purpose of redeeming general obligation bonds issued
 13 by the state of New York, provided, however, that the
 14 amount to be expended from this appropriation shall be
 15 limited to the amount, as determined by the comptroller,
 16 to be necessary to maintain the exemption from federal
 17 taxation of the interest paid to the holders of state
 18 obligations issued pursuant to sections 55 and 57 of the
 19 state finance law 225,000,000
 20 =====

21 ALL FUNDS

22 For payment of principal and interest, including but not
 23 limited to reserve fund credit facilities, on variable
 24 rate obligations and interest rate exchange and similar
 25 agreements for state-supported debt or for transfer to
 26 any other appropriation, in accordance with the follow-
 27 ing schedule 3,370,000,000
 28 -----

29 SCHEDULE

30 Debt service payments 2,470,000,000
 31 Related expenses 100,000,000
 32 Interest rate exchange and similar agreements 800,000,000
 33 -----
 34 Total of schedule 3,370,000,000
 35 =====

36 DEBT SERVICE FUND--GENERAL DEBT SERVICE FUND--311

37 SPECIAL CONTRACTUAL OBLIGATION PAYMENTS

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

1
2
3
4
5
6
7

SCHEDULE

Debt service payments	82,000,000
Related expenses	1,000,000

Total of schedule	83,000,000
	=====

8 For payment to the tobacco settlement financing corpo-
9 ration, for payment of bonds or notes issued pursuant to
10 the provisions of part D3 of chapter 62 of the laws of
11 2003 which provides that contingency contract payments
12 will be made to meet the debt service payments due if
13 the funds and accounts established under the bond inden-
14 tures, the debt service accounts, the debt service
15 reserve accounts and the supplemental accounts are inad-
16 equate, in accordance with the following schedule 291,000,000
17 -----

SCHEDULE

Debt service payments	290,000,000
Related expenses	1,000,000

Total of schedule	291,000,000
	=====

23