

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 design-
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
7 DEBT SERVICE FUND--GENERAL DEBT SERVICE FUND--311

8
9 Maintenance undistributed

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

17 =====
18 SCHEDULE

19
20 GENERAL OBLIGATION PAYMENTS

21 The sum of \$490,000,000, 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 the nineties, clean water/clean air, and rebuild and
32 renew New York transportation purposes, in accordance
33 with the following sub-schedule 490,000,000
34 -----

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

1		sub-schedule	
2			
3	Debt service payments		485,000,000
4	Related expenses		5,000,000
5			-----
6	Total of sub-schedule		490,000,000
7			=====

8
9 LEASE PURCHASE PAYMENTS

10 The several sums, or so much thereof as may be sufficient
 11 to accomplish in full the purposes designated by the
 12 appropriations, are hereby appropriated and are, subject
 13 to the issuance of certificates of approval of avail-
 14 ability by the director of the budget, available for the
 15 purpose of making payments for lease purchase obli-
 16 gations, in accordance with the following schedule 39,900,000
 17 -----

18
19 SCHEDULE

21	For payment to the Urban Development Corpo-		
22	ration for the south mall	35,000,000	
23	For payment to the Dormitory Authority for		
24	the New York public library for the blind		
25	and physically handicapped pursuant to		
26	chapter 349 of the laws of 1988	1,200,000	
27	For payment to the Dormitory Authority for		
28	the Judicial Institute at Pace University,		
29	pursuant to chapter 613 of the laws of		
30	1999, as amended	1,000,000	
31	For payment of the lease purchase agreement		
32	for Hampton Plaza	700,000	
33	For payment of the lease purchase agreement		
34	for the department of transportation		
35	region one headquarters building in the		
36	city of Schenectady	1,500,000	
37		-----	
38	Total of debt service schedule	39,400,000	
39		-----	

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

43
44 SCHEDULE

45			
46	Urban Development Corporation	50,000	
47	Dormitory Authority	350,000	
48	Office of General Services	100,000	
49		-----	
50	Total of related expenses schedule	500,000	
51		-----	
52			
53	Total of schedules	39,900,000	
54		=====	

55
56 SPECIAL CONTRACTUAL OBLIGATION PAYMENTS

57 The several sums, or so much thereof as may be sufficient
 58 to accomplish in full the purposes designated by the
 59 appropriations, are hereby appropriated and are, subject
 60 to the issuance of certificates of approval of avail-
 61 ability by the director of the budget, available for the
 62 purpose of making payments for special contractual obli-
 63 gations, in accordance with the following schedule 1,758,400,000
 64 -----

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	190,000,000
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	
48	1,900,000
49	-----	
50	Total of sub-schedule	16,000,000
51	-----	
52		
53	For payment to the Urban Development Corpo-	
54	ration pursuant to the provisions of an	
55	agreement or agreements entered into	
56	between, but not limited to, the Urban	
57	Development Corporation and the State for	
58	the rental of youth facilities	20,000,000
59	For payment to the Urban Development Corpo-	
60	ration, the Dormitory Authority, the Thru-	
61	way Authority, and/or the Housing Finance	
62	Agency, for payment of bonds issued to	
63	finance the community enhancement facili-	
64	ties assistance program, pursuant to an	
65	agreement or agreements between such	
66	authorities and the State	8,000,000

1	For payment to the Dormitory Authority, for	
2	payment of bonds issued to finance the	
3	Department of Health's David Axelrod	
4	Institute for Public Health, pursuant to	
5	the provisions of an agreement between the	
6	Dormitory Authority and the Department of	
7	Health	6,000,000
8	For payment to the Dormitory Authority, for	
9	payment of bonds issued to finance State	
10	Department of Education facilities, pursu-	
11	ant to an agreement between the Dormitory	
12	Authority and the State Education Depart-	
13	ment	5,500,000
14	For payment to the Housing Finance Agency	
15	and the Urban Development Corporation for	
16	payment of bonds issued to finance the	
17	State's housing programs	85,000,000
18	For payment to the Metropolitan Transporta-	
19	tion Authority, pursuant to state service	
20	contracts authorized by section 16 of	
21	chapter 314 of the laws of 1981, section	
22	42 of chapter 929 of the laws of 1986, as	
23	amended by chapter 13 of the laws of 1987,	
24	and section 34 of part 0 of chapter 61 of	
25	the laws of 2000	165,000,000
26	For payment to the State University	
27	Construction Fund, for payment to the	
28	Dormitory Authority, pursuant to paragraph	
29	(e) of subdivision 19 of section 1680 of	
30	the public authorities law, to pay for	
31	bonds or notes issued by such authority,	
32	pursuant to agreements between the State	
33	University Construction Fund, State	
34	University of New York and the Dormitory	
35	Authority, relating to State University	
36	education facilities. Notwithstanding the	
37	provisions of section 40 of the state	
38	finance law or any other provision of law	
39	to the contrary, this appropriation shall	
40	remain in full force and effect until	
41	April 30, 2010	365,000,000
42	For payment to the State University	
43	Construction Fund, for payment to the	
44	Dormitory Authority, in accordance with	
45	subdivision 8 of section 6304 of the	
46	education law, for bonds, notes, or other	
47	obligations issued by such authority,	
48	pursuant to an agreement or agreements	
49	among the State University of New York,	
50	various community colleges and their spon-	
51	sors, and the Dormitory Authority for	
52	educational facilities of community	
53	colleges	40,000,000
54	For payment to the Dormitory Authority,	
55	pursuant to subdivision 2 of section	
56	1680-e of the public authorities law, to	
57	pay for bonds or notes issued by such	
58	authority relating to the State University	
59	athletic facilities	2,500,000
60	For payment to the City University	
61	Construction Fund for City University	
62	senior colleges and for community col-	
63	leges. Moneys hereby appropriated, or por-	
64	tions thereof, are for payments net of all	
65	interest and investment earnings on senior	
66	and community college payments and other	

1	excess earnings held by the City University	
2	Construction Fund, in accordance with	
3	the following sub-schedule	305,000,000
4		
5	sub-schedule	
6		
7	City University senior	
8	colleges	255,000,000
9	City University community	
10	colleges	50,000,000
11		-----
12	Total of sub-schedule	305,000,000
13		-----
14		
15	For payment to the Dormitory Authority,	
16	pursuant to the provisions of a service	
17	contract or contracts, for payment of	
18	bonds or notes issued for the financing of	
19	projects at the Albany County Airport	4,000,000
20	For payment to the Dormitory Authority and	
21	the Urban Development Corporation for	
22	bonds issued for one or more facilities	
23	provided for the department of audit and	
24	control, the New York state and local	
25	employees' retirement system, and the New	
26	York state and local police and fire	
27	retirement system and on behalf of the	
28	departments or agencies having occupancy	
29	or use of other state facilities and park-	
30	ing facilities	5,000,000
31	For payment to the Dormitory Authority, for	
32	payment of bonds issued to finance eligi-	
33	ble school construction projects for	
34	rebuilding schools to uphold education	
35	(RESCUE), pursuant to an agreement or	
36	agreements between the Dormitory Authority	
37	and the state	8,500,000
38	For payment to the Dormitory Authority, for	
39	payment of bonds issued to finance eligi-	
40	ble child care facilities development	
41	projects, pursuant to an agreement or	
42	agreements between the Dormitory Authority	
43	and the state	2,000,000
44	For payment to the Thruway Authority, pursu-	
45	ant to section 380 of the public authori-	
46	ties law, to pay for Local Highway and	
47	Bridge Service Contract bonds or notes	
48	issued by such authority pursuant to an	
49	agreement between the Thruway Authority	
50	and the state	245,000,000
51	For payment to the Environmental Facilities	
52	Corporation to pay for bonds or notes	
53	issued by such authority pursuant to an	
54	agreement between the Environmental Facil-	
55	ities Corporation and the Office of Parks,	
56	Recreation and Historic Preservation	1,800,000
57	For payment to the Environmental Facilities	
58	Corporation, pursuant to subdivision 1 of	
59	section 1290 of the public authorities	
60	law, to pay for bonds or notes issued by	
61	such authority pursuant to a lease agree-	
62	ment between the Environmental Facilities	
63	Corporation and the Office of Parks,	
64	Recreation and Historic Preservation	
65	relating to the financing of Riverbank	
66	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
26 sub-schedule

28	Urban Development Corporation.	150,000,000
29	Dormitory Authority	3,000,000
30		-----
31	Total of sub-schedule	153,000,000
32		-----
34	Total of debt service schedule	1,722,100,000
35		-----

36
37 For payment of related expenses in accord-
38 ance with the following schedule.

39
40 SCHEDULE

42	Urban Development Corporation	3,500,000
43	Housing Finance Agency	3,500,000
44	Dormitory Authority	8,000,000
45	Dormitory Authority Capital Expenses	18,000,000
46	Environmental Facilities Corporation	300,000
47	Triborough Bridge and Tunnel Authority	1,000,000
48	Thruway Authority	2,000,000
49		-----
50	Total of related expenses schedule	36,300,000
51		-----
53	Total of schedules	1,758,400,000
54		=====

55
56 REVENUE BOND FINANCING AGREEMENT PAYMENTS

57 The several sums, or so much thereof as may
58 be necessary, are hereby appropriated for
59 payment to the dormitory authority, the
60 environmental facilities corporation, the
61 housing finance agency, the thruway
62 authority, and the urban development
63 corporation and are, subject to the issu-
64 ance of certificates of approval of avail-
65 ability by the director of the budget,
66 available for the purpose of making

1 financing agreement payments related to
2 personal income tax revenue bond obli-
3 gations, as authorized pursuant to article
4 5-C of the state finance law and in
5 accordance with the following schedule ... 1,716,500,000
6 -----

8 SCHEDULE

9
10 Economic Development and Housing 470,000,000
11 Education 620,000,000
12 Environment 105,000,000
13 Healthcare 30,000,000
14 State Facilities and Equipment 270,000,000
15 Transportation 210,000,000
16 -----
17 Total of schedule 1,705,000,000
18 -----

19
20 For payment of related expenses in accord-
21 ance with the following schedule.

22 SCHEDULE

23
24
25 Urban Development Corporation 2,000,000
26 Housing Finance Agency 2,000,000
27 Dormitory Authority 6,000,000
28 Dormitory Authority Capital Expenses 800,000
29 Environmental Facilities Corporation 500,000
30 Thruway Authority 200,000
31 -----
32 Total of schedule 11,500,000
33 -----

34
35 Total of schedules 1,716,500,000
36 =====

37
38 Total of schedule 4,004,800,000
39 -----

40
41 DEBT SERVICE FUND--HOUSING DEBT FUND--316

42
43 GENERAL OBLIGATION PAYMENTS

44 The sum of \$21,000,000, or so much thereof as may be
45 necessary, is hereby appropriated for payment by the
46 state comptroller of principal and interest on general
47 obligation bonds issued in connection with state housing
48 (low cost, middle income and urban renewal) 21,000,000
49 =====

50
51 DEBT SERVICE FUND--HEALTH INCOME FUND--319

52
53 For debt service and related expenses in accordance with
54 the following schedule 35,000,000
55 -----

56
57 SCHEDULE

58
59 The sum of \$30,000,000, or so much thereof as may be
60 necessary of operating revenues received from department
61 of health facilities other than the New York City Veter-
62 ans' Home, is hereby appropriated for payment by the
63 state comptroller of all obligations under the terms of
64 agreements between the health department and the dormi-
65 tory authority 30,000,000
66

1 The sum of \$2,000,000, or so much thereof as may be neces-
 2 sary of operating revenues received from the New York
 3 City Veterans' Home, is hereby appropriated for payment
 4 by the state comptroller of all obligations under the
 5 terms of agreements between the health department and
 6 the dormitory authority 2,000,000
 7 Related expenses 500,000
 8 Capital expenses 2,500,000
 9 -----
 10 Total of schedule 35,000,000
 11 =====

12
 13 DEBT SERVICE FUND--STATE UNIVERSITY DORMITORY INCOME FUND--330
 14

15 The sum of \$94,500,000, or so much thereof as may be
 16 necessary, is hereby appropriated for payment by the
 17 state comptroller of all obligations under the terms of
 18 agreements between the state university of New York and
 19 the dormitory authority and refunds to students for room
 20 rental and college fee overpayments, in accordance with
 21 the following schedule 94,500,000
 22 -----
 23

24 SCHEDULE

25
 26 Debt service payments 85,000,000
 27 Related expenses 500,000
 28 Capital expenses 9,000,000
 29 -----
 30 Total of schedule 94,500,000
 31 =====
 32

33 DEBT SERVICE FUND--MENTAL HEALTH SERVICES FUND--304
 34

35 The sum of \$410,000,000, or so much thereof as may be
 36 necessary, is hereby appropriated for payment by the
 37 state comptroller of all obligations of the dormitory
 38 authority, as successor to the facilities development
 39 corporation and the medical care facilities finance
 40 agency pursuant to chapter 83 of the laws of 1995, under
 41 the terms of any lease, sublease, or other financing
 42 agreement with the department of mental hygiene, in
 43 accordance with the following schedule 410,000,000
 44 -----
 45

46 SCHEDULE

47
 48 Debt service payments 400,000,000
 49 Related expenses 10,000,000
 50 -----
 51 Total of schedule 410,000,000
 52 =====
 53

54 DEBT SERVICE FUND--LOCAL GOVERNMENT ASSISTANCE TAX FUND--364
 55

56 The sum of \$403,000,000, or so much thereof as may be
 57 necessary, is hereby appropriated for payment of all
 58 obligations, including but not limited to reserve fund
 59 credit facilities, to the local government assistance
 60 corporation pursuant to a certificate or certificates
 61 filed by the chairman of the corporation with the state
 62 comptroller and the governor, pursuant to subdivision 1
 63 of section 3240 of the public authorities law, in
 64 accordance with the following schedule 403,000,000
 65 -----
 66

SCHEDULE

Debt service payments	390,000,000
Related expenses	13,000,000

Total of schedule	403,000,000
	=====

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

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

	35,500,000

SCHEDULE

Debt service payments	35,000,000
Related expenses	250,000
Capital expenses	250,000

Total of schedule	35,500,000
	=====

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

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

	615,200,000

SCHEDULE

Debt service payments	615,000,000
Related expenses	200,000

Total of schedule	615,200,000
	=====

DEBT REDUCTION RESERVE FUND - 064

The sum of \$250,000,000, or so much thereof as may be necessary, is hereby appropriated from the debt reduction reserve fund for the purposes of principal, interest, and related expenses, for retiring or defeasing bonds previously issued, including any accrued interest or other expenses related thereto, for any state-related bonding program or programs and for transfer, upon request of the director of the budget, to various capital projects funds as designated by the director of the budget for the funding of capital

1 projects, equipment acquisitions, or similar expenses
 2 which have been authorized by law to be financed through
 3 the issuance of bonds, notes, or other obligations 250,000,000
 4 =====

5
6 CONTINGENT AND OTHER APPROPRIATIONS
7

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

13
14 GENERAL FUND--STATE PURPOSES ACCOUNT--003
15

16 The sum of \$20,000,000, or so much thereof as may be
 17 necessary, is hereby appropriated from the general fund
 18 to the credit of the state purposes account solely for
 19 the purpose of making payments of rebates to the federal
 20 government to maintain the exemption from federal income
 21 taxation of the interest paid to the holders of state
 22 obligations issued pursuant to sections 55 and 57 of the
 23 state finance law 20,000,000
 24 =====

25
 26 The sum of \$225,000,000, or so much thereof as may be
 27 necessary, is hereby appropriated from the general fund
 28 to the credit of the state purposes account solely for
 29 the purpose of redeeming general obligation bonds issued
 30 by the state of New York, provided, however, that the
 31 amount to be expended from this appropriation shall be
 32 limited to the amount, as determined by the comptroller,
 33 to be necessary to maintain the exemption from federal
 34 taxation of the interest paid to the holders of state
 35 obligations issued pursuant to sections 55 and 57 of the
 36 state finance law 225,000,000
 37 =====

38
39 ALL FUNDS
40

41 For payment of principal and interest, including but not
 42 limited to reserve fund credit facilities, on variable
 43 rate obligations and interest rate exchange and similar
 44 agreements for state-supported debt or for transfer to
 45 any other appropriation, in accordance with the follow-
 46 ing schedule 3,370,000,000
 47 -----

48
49 SCHEDULE

50
 51 Debt service payments 2,470,000,000
 52 Related expenses 100,000,000
 53 Interest rate exchange and similar agreements 800,000,000
 54 -----
 55 Total of schedule 3,370,000,000
 56 =====

57
58 DEBT SERVICE FUND--GENERAL DEBT SERVICE FUND--311
59

60 SPECIAL CONTRACTUAL OBLIGATION PAYMENTS

61 For payment to the dormitory authority, as successor to
 62 the medical care facilities finance agency pursuant to
 63 chapter 83 of the laws of 1995, for payment of principal
 64 interest, and related expenses on bonds or notes issued
 65 pursuant to the provisions of section 7-a of the New
 66 York state medical care facilities finance agency act,

1 as amended, which provide that the service contract
 2 payments will be made to meet the debt service payments
 3 due if the funds and accounts established under the bond
 4 resolution, the secured hospital debt service reserve
 5 fund, and the secured hospital capital reserve fund are
 6 inadequate, in accordance with the following schedule .. 83,000,000
 7 -----

8
 9 SCHEDULE

10
 11 Debt service payments 82,000,000
 12 Related expenses 1,000,000
 13 -----
 14 Total of schedule 83,000,000
 15 =====

16
 17 For payment to the tobacco settlement financing corpo-
 18 ration, for payment of bonds or notes issued pursuant to
 19 the provisions of part D3 of chapter 62 of the laws of
 20 2003 which provides that contingency contract payments
 21 will be made to meet the debt service payments due if
 22 the funds and accounts established under the bond inden-
 23 tures, the debt service accounts, the debt service
 24 reserve accounts and the supplemental accounts are inad-
 25 equate, in accordance with the following schedule 291,000,000
 26 -----

27
 28 SCHEDULE

29
 30 Debt service payments 290,000,000
 31 Related expenses 1,000,000
 32 -----
 33 Total of schedule 291,000,000
 34 =====
 35