

DRAFT LBDC

A BUDGET BILL submitted by the Governor
in accordance with Article VII of the Constitution

AN ACT to amend part U of chapter 57 of the laws of 2005, relating to the New York state higher education capital matching grant program for independent colleges, in relation to the New York state higher education matching grant program for independent colleges and the effectiveness thereof

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

1 Section 1. Paragraph (a) of subdivision 1 of section 1 of part U of
2 chapter 57 of the laws of 2005, relating to the New York state higher
3 education capital matching grant program for independent colleges, as
4 amended by section 1 of part H of chapter 56 of the laws of 2014, is
5 amended to read as follows:

6 (a) The New York state higher education capital matching grant board
7 is hereby created to have and exercise the powers, duties and preroga-
8 tives provided by the provisions of this section and any other provision
9 of law. The board shall remain in existence during the period of the New
10 York state higher education capital matching grant program from the
11 effective date of this section through [March 31, 2017, or] the date on
12 which the last of the funds available for grants under this section
13 shall have been disbursed[, whichever is earlier]; provided, however,
14 that the termination of the existence of the board shall not affect the
15 power and authority of the dormitory authority to perform its obli-
16 gations with respect to any bonds, notes, or other indebtedness issued
17 or incurred pursuant to authority granted in this section.

18 § 2. Paragraph (h) of subdivision 4 of section 1 of part U of chapter
19 57 of the laws of 2005, relating to the New York state higher education

1 capital matching grant program for independent colleges, as amended by
2 section 2 of part H of chapter 56 of the laws of 2014, is amended to
3 read as follows:

4 (h) In the event that any colleges do not apply for higher education
5 capital matching grants by March 31, 2009, or in the event they apply
6 for and are awarded, but do not use the full amount of such grants, the
7 unused funds associated with such grants and any additional funds that
8 become available shall thereafter be awarded to colleges on a compet-
9 itive basis. The dormitory authority shall develop a request for
10 proposals and application process, in consultation with the board, for
11 higher education capital matching grants awarded pursuant to this para-
12 graph, and shall develop criteria, subject to review by the board, for
13 the awarding of such grants. Such criteria may include, but not be
14 limited to the matching criteria contained in paragraph (c) of this
15 subdivision, and application criteria set forth in paragraph (e) of this
16 subdivision. [The dormitory authority shall require all applications in
17 response to the request for proposals to be submitted by September 1,
18 2014, and the board shall act on each application for such matching
19 grants by November 1, 2014.]

20 § 3. Subclause (A) of clause (ii) of paragraph (j) of subdivision 4 of
21 section 1 of part U of chapter 57 of the laws of 2005, relating to the
22 New York state higher education capital matching grant program for inde-
23 pendent colleges, as amended by section 3 of part H of chapter 56 of the
24 laws of 2014, is amended to read as follows:

25 (A) Notwithstanding the provision of any general or special law to the
26 contrary, and subject to the provisions of chapter 59 of the laws of
27 2000 and to the making of annual appropriations therefor by the legisla-
28 ture, in order to assist the dormitory authority in providing such high-

1 er education capital matching grants, the director of the budget is
2 authorized in any state fiscal year commencing April 1, 2005 or any
3 state fiscal year thereafter [for a period ending on March 31, 2017], to
4 enter into one or more service contracts, none of which shall exceed 30
5 years in duration, with the dormitory authority, upon such terms as the
6 director of the budget and the dormitory authority agree.

7 § 4. Paragraph (b) of subdivision 7 of section 1 of part U of chapter
8 57 of the laws of 2005, relating to the New York state higher education
9 capital matching grant program for independent colleges, as amended by
10 section 4 of part H of chapter 56 of the laws of 2014, is amended to
11 read as follows:

12 (b) Any eligible institution receiving a grant pursuant to this arti-
13 cle shall report to the dormitory authority [no later than June 1,
14 2018,] on the use of funding received and its programmatic and economic
15 impact no later than twelve months after the completion of the project.
16 The dormitory authority shall submit a report [no later than November 1,
17 2018] to the governor, the director of the budget, the temporary presi-
18 dent of the senate, and the speaker of the assembly on the aggregate
19 impact of the higher education [matching] capital matching grant program
20 no later than eighteen months after the completion of the last project.
21 Such report shall provide information on the progress and economic
22 impact of such [project] projects.

23 § 5. This act shall take effect immediately and shall be deemed to
24 have been in full force and effect on and after April 1, 2015.