

4966

2009-2010 Regular Sessions

I N S E N A T E

April 27, 2009

Introduced by Sen. OPPENHEIMER -- read twice and ordered printed, and
when printed to be committed to the Committee on Education

AN ACT to amend the education law, in relation to the prohibition of
out-of-state school contracts

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Subparagraph 2 of paragraph d of subdivision 4 of section
2 1950 of the education law, as added by chapter 474 of the laws of 1996,
3 is amended and a new subparagraph 8 is added to paragraph h to read as
4 follows:

5 (2) Certain services prohibited. Commencing with the nineteen hundred
6 ninety-seven--ninety-eight school year, the commissioner shall not be
7 authorized to approve as an aidable shared service pursuant to this
8 subdivision any cooperative maintenance services or municipal services,
9 including but not limited to, lawn mowing services and heating, venti-
10 lation or air conditioning repair or maintenance or trash collection, or
11 any other municipal services as defined by the commissioner. On and
12 after the effective date of this paragraph, the commissioner shall not
13 approve, as an aidable shared service, any new cooperative maintenance
14 or municipal services for the nineteen hundred ninety-six--ninety-seven
15 school year, provided that the commissioner may approve the continuation
16 of such services for one year if provided in the nineteen hundred nine-
17 ty-five--ninety-six school year. ON AND AFTER THE EFFECTIVE DATE OF
18 THIS PARAGRAPH, THE COMMISSIONER SHALL NOT APPROVE, AS AN AIDABLE SHARED
19 SERVICE, ANY SERVICE PROVIDED TO AN OUT-OF-STATE SCHOOL DISTRICT
20 PROVIDED PURSUANT TO SUBPARAGRAPH EIGHT OF PARAGRAPH H OF THIS SUBDIVI-
21 SION.

22 (8) TO ENTER INTO CONTRACTS WITH OUT-OF-STATE SCHOOL DISTRICTS, WITH
23 THE APPROVAL OF THE DISTRICT SUPERINTENDENT OF SCHOOLS AND THE COMMIS-
24 SIONER IN THEIR SOLE DISCRETION, TO PROVIDE SERVICES MADE AVAILABLE TO
25 ANY SCHOOL DISTRICT WITHIN THE SUPERVISORY DISTRICT UPON SUCH TERMS AS

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

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1 DETERMINED BY THE COMMISSIONER IN RULES AND REGULATIONS AND AS AGREED
2 UPON PURSUANT TO CONTRACTS EXECUTED BY SUCH BOARD OF COOPERATIVE EDUCA-
3 TIONAL SERVICES AND THE TRUSTEES OR BOARDS OF EDUCATION OF SUCH OUT-OF-
4 STATE SCHOOL DISTRICTS.

5 S 2. This act shall take effect immediately.