

5423--A

2011-2012 Regular Sessions

I N S E N A T E

May 19, 2011

Introduced by Sen. LARKIN -- read twice and ordered printed, and when printed to be committed to the Committee on Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to provide for the payment of the debts and obligations of the West Park union free school district, in the town of Esopus in the county of Ulster; to amend chapter 566 of the laws of 1967, relating to providing for the apportionment of funds to certain special school districts, in relation to eliminating references to the West Park union free school district; and to repeal chapter 744 of the laws of 1973 relating to establishing and constituting as a separate union free school district certain territory in the town of Esopus in the county of Ulster

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

1 Section 1. Chapter 744 of the laws of 1973 relating to establishing
2 and constituting as a separate union free school district certain terri-
3 tory in the town of Esopus in the county of Ulster is REPEALED.
4 S 2. Section 1 of chapter 566 of the laws of 1967, relating to provid-
5 ing for the apportionment of funds to certain special school districts,
6 as amended by chapter 478 of the laws of 2006, is amended to read as
7 follows:
8 Section 1. Notwithstanding the provisions of section 3602 and 3602-b
9 of the education law, and in lieu of any apportionments to which such
10 school districts might otherwise be entitled under such sections or
11 under any other provisions of law, the commissioner of education is
12 hereby authorized to include the following school districts in the annu-
13 al apportionment of public moneys and such apportionment shall be
14 computed in accordance with the provisions of sections two, three and
15 four of this act: union free school district number twenty-seven of the
16 town of Dryden, Tompkins county; union free school district number eight

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

LBD10327-03-1

1 of the town of Canaan, Columbia county; union free school districts
2 numbers ten, eleven, twelve and thirteen of the town of Greenburgh,
3 Westchester county; union free school districts numbers three and four
4 of the town of Mount Pleasant, Westchester county; union free school
5 district number six, Blythedale, town of Mount Pleasant, Westchester
6 county; and Randolph Children's Home union free school district of the
7 town of Randolph, Cattaraugus county; [West Park union free school
8 district number two, town of Esopus, Ulster county;] common school
9 district number seven of the town of Oyster Bay, Nassau county; the
10 Hopevale union free school district, town of Hamburg, Erie county; and
11 union free school district number three, town of Riverhead, Suffolk
12 county.

13 S 3. Any funds remaining in the possession of the West Park union free
14 school district number two, after all of its debts and obligations have
15 been paid, shall be paid over to each social services district and
16 school district having resident children served by the West Park union
17 free school district number two in the 2010-2011 school year in the same
18 proportion as the number of students placed by each such social services
19 district or school district and served by the West Park union free
20 school district number two in the 2010-2011 school year bears to the
21 total number of students served by the West Park union free school
22 district number two in the 2010-2011 school year. Though the West Park
23 union free school district number two be dissolved, section 1518 of the
24 education law shall be deemed to apply, and it shall continue to exist
25 in law for the purpose of providing for and paying all its just debts
26 and the board of education shall continue to be authorized to receive
27 funds payable to such school district or board of education, including,
28 but not limited to, any tuition reimbursement pursuant to article 81 of
29 the education law for services rendered to students on or before January
30 1, 2011. The board of education shall establish a trust account, annuity
31 or other appropriate account for the purpose of payment to its former
32 employees of the costs of health insurance in retirement and shall
33 deposit into such account all available funds not otherwise encumbered
34 until an amount sufficient to fulfill its projected obligations for the
35 provision of health insurance pursuant to article 11-A of the civil
36 service law are met.

37 S 4. The records of the West Park union free school district number
38 two shall be forwarded to the district superintendent of schools of the
39 board of cooperative educational services of the sole supervisory
40 district of Ulster county for preservation. Notwithstanding any other
41 provision of law to the contrary, such records shall be deemed to be
42 records of the board of cooperative educational services of the sole
43 supervisory district of Ulster county for purposes of local government
44 records management grants pursuant to section 57.35 of the arts and
45 cultural affairs law.

46 S 5. The territory comprising the West Park union free school district
47 number two, town of Esopus, county of Ulster, shall revert to and become
48 a part of the Kingston city school district in the county of Ulster.

49 S 6. This act shall take effect July 1, 2011; provided that if this
50 act shall not have become a law on or before July 1, 2011, then this act
51 shall take effect immediately and shall be deemed to have been in full
52 force and effect on and after July 1, 2011.