

4519

2015-2016 Regular Sessions

I N S E N A T E

March 26, 2015

Introduced by Sen. CROCI -- 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 legislature's power over the board of regents

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

1 Section 1. Section 207 of the education law is amended to read as
2 follows:
3 S 207. Legislative power. 1. Subject and in conformity to the consti-
4 tution and laws of the state, the regents shall exercise legislative
5 functions concerning the educational system of the state, determine its
6 educational policies, and, except, as to the judicial functions of the
7 commissioner [of education], establish rules for carrying into effect
8 the laws and policies of the state, relating to education, and the func-
9 tions, powers, duties and trusts conferred or charged upon the universi-
10 ty and the [education] department. But no enactment of the regents
11 shall modify in any degree the freedom of the governing body of any
12 seminary for the training of priests or clergymen to determine and regu-
13 late the entire course of religious, doctrinal or theological instruc-
14 tion to be given in such institution. No rule by which more than a
15 majority vote shall be required for any specified action by the regents
16 shall be amended, suspended or repealed by a smaller vote than that
17 required for action thereunder. Rules or regulations, or amendments or
18 repeals thereof, adopted or prescribed by the commissioner [of educa-
19 tion] as provided by law shall not be effective unless and until
20 approved by the regents, except where authority is conferred by the
21 regents upon the commissioner [of education] to adopt, prescribe, amend
22 or repeal such rules or regulations.
23 2. PROVIDED HOWEVER, PROPOSED AMENDMENTS TO PART ONE HUNDRED
24 FIFTY-FOUR OF THE REGULATIONS OF THE COMMISSIONER OF EDUCATION, AS
25 ADOPTED BY THE BOARD OF REGENTS ON SEPTEMBER FIFTEENTH, TWO THOUSAND

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

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1 FOURTEEN AND ON NOVEMBER SEVENTEENTH, TWO THOUSAND FOURTEEN, SHALL NOT
2 TAKE EFFECT UNTIL SUCH TIME THAT FEDERAL OR STATE MONEY IS APPROPRIATED
3 TO COVER ANY AND ALL LOCAL COSTS ASSOCIATED WITH THE IMPLEMENTATION AND
4 MAINTENANCE OF THIS MANDATE. PROVIDED FURTHER, NO OTHER RULE OR REGU-
5 LATION EFFECTUATING THE SAME, SHALL BE PROMULGATED BY THE BOARD OF
6 REGENTS OR THE COMMISSIONER UNTIL SUCH TIME THAT FEDERAL OR STATE MONEY
7 IS APPROPRIATED TO COVER ANY AND ALL LOCAL COSTS ASSOCIATED WITH THE
8 IMPLEMENTATION AND MAINTENANCE OF THIS MANDATE.

9 S 2. This act shall take effect immediately.