

7209

2009-2010 Regular Sessions

I N A S S E M B L Y

March 26, 2009

Introduced by M. of A. ENGLEBRIGHT, EDDINGTON -- read once and referred to the Committee on Governmental Employees

AN ACT to enact the "school property tax reform act"; to amend the education law, in relation to requiring the state to pay one-half of the employer contributions to the New York state teachers' retirement system (Part A); to amend the civil service law, in relation to the provision of a health insurance plan to the officers and employees of school districts and boards of cooperative educational services, and their dependents (Part B); to amend the education law, in relation to public high cost excess cost aid; and to repeal subdivision 5-a of section 3602 of such law relating to supplemental public excess cost aid (Part C); to direct state leaders to lobby for greater federal funding of state public education (Part D); to direct the commissioner of education to establish a study group to evaluate and make recommendations relating to the provision of special education; and providing for the repeal of such provisions upon the expiration thereof (Part E); to amend the legislative law, in relation to prohibiting unfunded mandates (Part F); to amend the legislative law, the executive law and the state administrative procedure act, in relation to requiring disclosure of the cost and source of funding of any provision requiring a political subdivision of the state to expend additional funds (Part G); to amend the education law, in relation to directing the commissioner of education to develop and implement a program to provide information, expertise and assistance to school districts to facilitate consolidation (Part H); to amend the state finance law and the education law, in relation to efficiency study grants for school districts (Part I); to amend the education law, in relation to expanding the authority of boards of cooperative educational services to provide shared services to their component school districts; and to repeal subparagraph 2 of paragraph a of subdivision 4 of section 1950 of such law relating to limitations on the compensation payable to the superintendent of such board (Part J); to amend the education law, in relation to providing state aid to boards of cooperative educational services for career and technical education (Part K); to direct the

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

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commissioner of education to establish a task force to analyze and report on alternative methods of funding charter schools which do not reduce the funding of the school districts of residence; and providing for the repeal of such provisions upon expiration thereof (Part L); to amend the education law, in relation to providing state aid to school districts for energy cost increases (Part M); to amend the public authorities law, in relation to directing the power authority of the state of New York to provide financing for energy conservation improvements to schools (Part N); to amend the education law, in relation to authorizing boards of cooperative educational services to operate regional transportation systems (Part O); to amend the education law, in relation to total foundation aid to school districts (Part P); to amend the education law, in relation to providing transportation aid based upon school district expenses therefor (Part Q); to amend the education law, in relation to increasing reorganization incentive aid (Part R); to amend the education law, in relation to the financial responsibility for state schools for the blind and the deaf (Part S); to amend the executive law, in relation to directing the department of audit and control to compile and publish an annual taxpayer report card (Part T); to amend the state finance law, the public authorities law and the general municipal law, in relation to requiring governmental entities to publish a detailed copy of their proposed budget not less than 30 days prior to approval thereof (Part U); and to amend the executive law, in relation to directing the department of audit and control to publish an annual report on the costs to municipal corporations of requirements imposed thereon by state law, rules and regulations (Part V)

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

1 Section 1. Short title. This act shall be known and may be cited as
2 the "school property tax reform act".
3 S 2. This act enacts into law major components of legislation which
4 are necessary to reform real property taxation for the support of public
5 schools, and enhancing the efficiency and transparency of the funding of
6 public education. Each component is wholly contained within a Part identified as Parts A through V. The effective date for each particular
7 provision contained within such Part is set forth in the last section of
8 such Part. Any provision of any section contained within a Part, including the effective date of the Part, which makes a reference to a section
9 "of this act", when used in connection with that particular component,
10 shall be deemed to mean and refer to the corresponding section of the
11 Part in which it is found. Section four of this act sets forth the
12 general effective date of this act.
13
14

15 PART A

16 Section 1. The education law is amended by adding a new section 521-a
17 to read as follows:

18 S 521-A. STATE CONTRIBUTIONS. 1. NOTWITHSTANDING ANY OTHER PROVISION
19 OF LAW, ON AND AFTER JULY FIRST, TWO THOUSAND NINE, THE STATE SHALL PAY
20 ONE-HALF OF ALL EMPLOYER CONTRIBUTIONS, EXCEPT WHEN THE EMPLOYER IS THE
21 STATE OR A STATE AGENCY, REQUIRED TO BE MADE TO THE RETIREMENT SYSTEM

1 PURSUANT TO THIS ARTICLE OR ANY OTHER PROVISION OF LAW REQUIRING
2 CONTRIBUTIONS TO THE RETIREMENT SYSTEM.

3 2. THE STATE COMPTROLLER SHALL, BY RULE OR REGULATION, ESTABLISH A
4 SYSTEM FOR THE PAYMENT BY THE STATE OF THE CONTRIBUTIONS REQUIRED BY
5 SUBDIVISION ONE OF THIS SECTION.

6 S 2. This act shall take effect immediately.

7

PART B

8 Section 1. Subdivision 1 of section 161 of the civil service law, as
9 amended by chapter 329 of the laws of 1960, is amended to read as
10 follows:

11 1. The president is hereby authorized and directed to establish a
12 health insurance plan for state officers and employees and their depen-
13 dents; and officers and employees of the state colleges of agriculture,
14 home economics, industrial labor relations and veterinary medicine, the
15 state agricultural experiment station at Geneva, and any other institu-
16 tion or agency under the management and control of Cornell university as
17 the representative of the board of trustees of the state university of
18 New York, and the state college of ceramics under the management and
19 control of Alfred university as the representative of the board of trus-
20 tees of the state university of New York and their dependents; AND THE
21 OFFICERS AND EMPLOYEES OF SCHOOL DISTRICTS AND BOARDS OF COOPERATIVE
22 EDUCATIONAL SERVICES, AND THEIR DEPENDENTS which, subject to the condi-
23 tions and limitations contained in this article, and in the regulations
24 of the president, will provide for group hospitalization, surgical and
25 medical insurance against the financial costs of hospitalization,
26 surgery, medical treatment and care, and may include, among other things
27 prescribed drugs, medicines, prosthetic appliances, hospital in-patient
28 and out-patient service benefits and medical expense indemnity benefits.

29 S 2. Subdivisions 1, 2, 4 and 7 of section 163 of the civil service
30 law, subdivisions 1 and 4 as amended by chapter 329 of the laws of 1960,
31 subdivision 2 as amended by chapter 617 of the laws of 1967 and subdivi-
32 sion 7 as amended by chapter 198 of the laws of 1966, are amended to
33 read as follows:

34 1. All persons in the service of the state, A SCHOOL DISTRICT OR A
35 BOARD OF COOPERATIVE EDUCATIONAL SERVICES, whether elected, appointed or
36 employed, who elect to participate in such health insurance plan shall
37 be eligible to participate therein, provided, however, that the presi-
38 dent may adopt such regulations as he may deem appropriate excluding
39 temporary, part time or intermittent employment.

40 2. The contract or contracts shall provide for health insurance for
41 retired employees of the state; and of the state colleges of agricul-
42 ture, home economics, industrial labor relations and veterinary medi-
43 cine, the state agricultural experiment station at Geneva, and any other
44 institution or agency under the management and control of Cornell
45 university as the representative of the board of trustees of the state
46 university of New York, and the state college of ceramics under the
47 management and control of Alfred university as the representative of the
48 board of trustees of the state university of New York[,]; AND OF THE
49 SCHOOL DISTRICTS AND BOARDS OF COOPERATIVE EDUCATIONAL SERVICES IN THE
50 STATE; and their spouses and dependent children as defined by the regu-
51 lations of the president, on such terms as the president may deem appro-
52 priate, PROVIDED, HOWEVER, THAT FOR EMPLOYEES, AND THEIR SPOUSES AND
53 DEPENDENTS, THE EMPLOYER SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCA-
54 TIONAL SERVICES SHALL PAY ONE-HALF OF THE EXPENSES OF ADMINISTRATION OF

1 THE PLAN AS DETERMINED BY THE PRESIDENT, and the president may authorize
2 the inclusion in the plan of the employees and retired employees of
3 public authorities, public benefit corporations, [school districts,]
4 special districts, district corporations, municipal corporations exclud-
5 ing active employees and retired employees of cities having a population
6 of one million or more inhabitants whose compensation is or was before
7 retirement paid out of the city treasury, or other appropriate agencies,
8 subdivisions or quasi-public organizations of the state and their spous-
9 es and dependent children as defined by the regulations of the presi-
10 dent. Any such corporation, district, agency or organization electing to
11 participate in the plan shall be required to pay its proportionate share
12 of the expenses of administration of the plan in such amounts and at
13 such times as determined and fixed by the president. All amounts paya-
14 ble for such expenses of administration shall be paid to the commission-
15 er of taxation and finance and shall be applied to the reimbursement of
16 funds previously advanced for such purposes. Neither the state nor any
17 other participant in the plan shall be charged with the particular expe-
18 rience attributable to the employees of the participant, and all divi-
19 dends or retroactive rate credits shall be distributed pro-rata based
20 upon the number of employees of such participant covered by the plan.

21 4. Any public authority, public benefit corporation, [school
22 district,] special district, district corporation, municipal corpo-
23 ration, or other agency, subdivision or quasi-public organization of the
24 state, whose employees and retired employees are authorized to be
25 included in the plan as provided by subdivision two OF THIS SECTION, may
26 elect to participate in such plan. Any such election shall be exercised
27 by the adoption of a resolution by its governing body and, in the case
28 of any municipal corporation where a resolution of its governing body is
29 required by law to be approved by any other body or officer, such resol-
30 ution shall also be approved by such other body or officer. Any such
31 election may be made with respect to inclusion in the plan of both its
32 employees and its retired employees at the same time, or may be made
33 only with respect to its employees alone and at another time with
34 respect to its retired employees. Any such authority, corporation,
35 district, agency, subdivision or organization making such election shall
36 become a participating employer under such plan, subject to and in
37 accordance with the regulations of the president relating thereto.

38 7. For purposes of eligibility for participation in the health insur-
39 ance plan no person shall be deemed to be a state officer or employee or
40 to be in the service of the state unless his OR HER salary or compen-
41 sation is paid directly by the state, and no person shall be deemed to
42 be a retired officer or employee of the state unless his OR HER salary
43 or compensation immediately preceding his OR HER retirement was paid
44 directly by the state; provided, however, that all active and retired
45 justices, judges, officers and employees of the supreme court, surro-
46 gate's court, county court, family court, civil court of the city of New
47 York, criminal court of the city of New York and district court in any
48 county, officers and employees of the office of probation for the courts
49 of New York city, AND ALL ACTIVE AND RETIRED OFFICERS AND EMPLOYEES OF A
50 SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES shall be
51 eligible for participation in the health insurance plan whether or not
52 their salaries are paid or before retirement were paid directly by the
53 state.

54 S 3. Section 165-a of the civil service law, as amended by chapter 467
55 of the laws of 1991, the closing paragraph as added by chapter 105 of
56 the laws of 2005, is amended to read as follows:

1 S 165-a. Continuation of state health insurance plans for survivors of
2 employees of the state, OF A SCHOOL DISTRICT, OF A BOARD OF COOPERATIVE
3 EDUCATIONAL SERVICES and/or of a political subdivision or of a public
4 authority. Notwithstanding any other provision of law to the contrary,
5 the president shall permit the unremarried spouse and the dependents,
6 otherwise qualified as eligible for coverage under regulations of the
7 president, of a person who was an employee of the state, OF A SCHOOL
8 DISTRICT, OF A BOARD OF COOPERATIVE EDUCATIONAL SERVICES and/or of a
9 political subdivision thereof or of a public authority for not less than
10 ten years, provided however, that the ten-year service requirement shall
11 not apply to such employees on active military duty in connection with
12 the Persian Gulf conflict who die on or after August second, nineteen
13 hundred ninety while in the Persian Gulf combat zone or while performing
14 such military duties, who had been a participant in any of the state
15 health insurance plans, to continue under the coverage which such
16 deceased employee had in effect at the time of death, upon the payment
17 at intervals determined by the president of the full cost of such cover-
18 age[,]; provided, however, that the unremarried spouse of an active
19 employee of the [State] STATE, OF A SCHOOL DISTRICT OR OF A BOARD OF
20 COOPERATIVE EDUCATIONAL SERVICES who died on or after April first nine-
21 teen hundred seventy-five and before April first nineteen hundred seven-
22 ty-nine who timely elected to continue dependent coverage, or such unre-
23 married spouse who timely elected individual coverage shall continue to
24 pay at intervals determined by the president one-quarter of the full
25 cost of dependent coverage and provided further, that, with regard to
26 employees of the [State] STATE, where and to the extent that an agree-
27 ment pursuant to article fourteen of this chapter so provides, or where
28 the director of employee relations, with respect to employees of the
29 [State] STATE, OF A SCHOOL DISTRICT OR OF A BOARD OF COOPERATIVE EDUCA-
30 TIONAL SERVICES who are not included within a negotiating unit so recog-
31 nized or certified pursuant to article fourteen of this chapter whom the
32 director of employee relations determines should be declared eligible
33 for the continuation of health insurance plans for the survivors of such
34 employees of the [State] STATE, OF A SCHOOL DISTRICT OR OF A BOARD OF
35 COOPERATIVE EDUCATIONAL SERVICES, the president shall adopt regulations
36 providing for the continuation of such health insurance by the unremar-
37 ried spouse of an active employee of the [State] STATE, OF A SCHOOL
38 DISTRICT OR OF A BOARD OF COOPERATIVE EDUCATIONAL SERVICES who died on
39 or after April first nineteen hundred seventy-nine who elects to contin-
40 ue dependent coverage, or such unremarried spouse who elects individual
41 coverage, and upon such election shall pay at intervals determined by
42 the president one-quarter of the full cost of dependent coverage and,
43 provided further with respect to enrolled employees of a political
44 subdivision or public authority in a negotiating unit recognized or
45 certified pursuant to article fourteen of this chapter, where an agree-
46 ment negotiated pursuant to said article so provides, and with respect
47 to enrolled employees of a political subdivision or public authority not
48 included within a negotiating unit so recognized or certified, at the
49 discretion of the appropriate political subdivision or public authority,
50 the unremarried spouse of an active employee of the political subdivi-
51 sion or of the public authority who died on or after April first nine-
52 teen hundred seventy-five, may elect to continue dependent coverage or
53 such unremarried spouse may elect individual coverage and upon such
54 election shall pay at intervals determined by the president one-quarter
55 of the full cost of dependent coverage.

1 The president shall adopt such regulations as may be required to carry
2 out the provisions of this [subdivision] SECTION which shall include,
3 but need not be limited to, provisions for filing application for
4 continued coverage.

5 Notwithstanding any law to the contrary, the survivors of any employee
6 subject to this section shall be entitled to the health insurance bene-
7 fits granted pursuant to this section, provided that such employee died
8 while on active duty other than for training purposes, pursuant to Title
9 10 of the United States Code, with the armed forces of the United
10 States, and such member died on such active duty on or after the effec-
11 tive date of [the] chapter ONE HUNDRED FIVE of the laws of two thousand
12 five [which added this paragraph] as a result of injuries, disease or
13 other medical condition sustained or contracted in such active duty with
14 the armed forces of the United States.

15 S 4. Subdivisions 1 and 4 of section 167 of the civil service law,
16 subdivision 1 as amended by chapter 582 of the laws of 1988, paragraph
17 (b) of subdivision 1 as amended by chapter 317 of the laws of 1995 and
18 subdivision 4 as amended by chapter 407 of the laws of 1970, are amended
19 to read as follows:

20 1. (a) The full cost of premium or subscription charges for the cover-
21 age of retired state EMPLOYEES, AND ONE-HALF OF SUCH COSTS FOR COVERAGE
22 OF SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES employ-
23 ees who are enrolled in the statewide and the supplementary health
24 insurance plans established pursuant to this article and who retired
25 prior to January first, nineteen hundred eighty-three shall be paid by
26 the state. Nine-tenths of the cost of premium or subscription charges
27 for the coverage of state EMPLOYEES, AND FORTY-FIVE PERCENT OF SUCH
28 COSTS FOR COVERAGE OF SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCA-
29 TIONAL SERVICES employees and retired state, SCHOOL DISTRICT OR BOARD OF
30 COOPERATIVE EDUCATIONAL SERVICES employees retiring on or after January
31 first, nineteen hundred eighty-three who are enrolled in the statewide
32 and supplementary health insurance plans shall be paid by the state.
33 Three-quarters of the cost of premium or subscription charges for the
34 coverage of dependents of such state EMPLOYEES, AND THREE-EIGHTHS OF
35 SUCH COSTS FOR COVERAGE OF SCHOOL DISTRICT OR BOARD OF COOPERATIVE
36 EDUCATIONAL SERVICES employees and retired state, SCHOOL DISTRICT OR
37 BOARD OF COOPERATIVE EDUCATIONAL SERVICES employees shall be paid by the
38 state. Except as provided in paragraph (b) of this subdivision, the
39 state shall contribute toward the premium or subscription charges for
40 the coverage of each state, SCHOOL DISTRICT OR BOARD OF COOPERATIVE
41 EDUCATIONAL SERVICES employee or retired state, SCHOOL DISTRICT OR BOARD
42 OF COOPERATIVE EDUCATIONAL SERVICES employee who is enrolled in an
43 optional benefit plan and for the dependents of such state, SCHOOL
44 DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES employee or
45 retired state, SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL
46 SERVICES employee the same dollar amount which would be paid by the
47 state for the premium or subscription charges for the coverage of such
48 state, SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES
49 employee or retired state, SCHOOL DISTRICT OR BOARD OF COOPERATIVE
50 EDUCATIONAL SERVICES employee and his or her dependents if he or she
51 were enrolled in the statewide and the supplementary health insurance
52 plans, but not in excess of the premium or subscription charges for the
53 coverage of such state, SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCA-
54 TIONAL SERVICES employee or retired state, SCHOOL DISTRICT OR BOARD OF
55 COOPERATIVE EDUCATIONAL SERVICES employee and his or her dependents
56 under such optional benefit plan. For purposes of this subdivision,

1 employees of the state colleges of agriculture, home economics, indus-
2 trial labor relations, and veterinary medicine, the state agricultural
3 experiment station at Geneva, and any other institution or agency under
4 the management and control of Cornell university as the representative
5 of the board of trustees of the state university of New York, and
6 employees of the state college of ceramics under the management and
7 control of Alfred university as the representative of the board of trus-
8 tees of the state university of New York, shall be deemed to be state
9 employees whose salaries or compensation are paid directly by the state.

10 (b) Effective January first, nineteen hundred eighty-nine, notwith-
11 standing any other law, rule or regulation, and where, and to the extent
12 that, an agreement between the state and an employee organization
13 entered into pursuant to article fourteen of this chapter so provides or
14 where and to the extent the employee health insurance council so directs
15 with respect to any other state, SCHOOL DISTRICT OR BOARD OF COOPERATIVE
16 EDUCATIONAL SERVICES employees and for retired state, SCHOOL DISTRICT OR
17 BOARD OF COOPERATIVE EDUCATIONAL SERVICES employees retiring on or after
18 January first, nineteen hundred eighty-three, the state shall contribute
19 nine-tenths of the cost of premiums or subscription charges for coverage
20 of each such state EMPLOYEE, AND FORTY-FIVE PERCENT OF SUCH COSTS FOR
21 COVERAGE OF SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES
22 employee or retired state, SCHOOL DISTRICT OR BOARD OF COOPERATIVE
23 EDUCATIONAL SERVICES employee who is enrolled in an optional benefit
24 plan and three-fourths of such premium or subscription charges for
25 dependents of such state EMPLOYEES, AND THREE-EIGHTHS OF SUCH COSTS FOR
26 COVERAGE OF SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES
27 employees or retired state, SCHOOL DISTRICT OR BOARD OF COOPERATIVE
28 EDUCATIONAL SERVICES employees enrolled in such optional benefit plan;
29 provided, however, effective January first, nineteen hundred ninety-six,
30 the contribution rates for the hospitalization and medical components of
31 each optional benefit plan shall not exceed one hundred percent of the
32 dollar amount of the state's contribution toward the hospitalization and
33 medical components of individual and dependent coverage, respectively,
34 in the Empire Plan. In the case of state employees retiring prior to
35 January first, nineteen hundred eighty-three, the state shall contribute
36 one hundred percent of the individual premium and three-fourths of such
37 premium for dependents of such retired employees enrolled in such
38 optional benefit plan; however, these contribution rates shall not
39 exceed one hundred percent of the employer dollar amount contribution
40 for individual and dependent coverage respectively in the Empire Plan.

41 4. Upon the retirement, on or after July first, nineteen hundred
42 sixty-five, of a state employee whose salary or compensation is paid
43 directly by the state, who is subject to a plan established by law,
44 rule, regulation, written order or written policy which provides for the
45 regular earning and accumulation of sick leave, and who is eligible to
46 continue coverage under the health insurance plan after retirement, the
47 department of civil service shall determine, based on the employee's age
48 at the time of retirement, the actuarial equivalent in monthly install-
49 ments for the remaining life expectancy of such retired employee, of the
50 dollar value of the earned and accumulated but unused sick leave stand-
51 ing to his OR HER credit at the time of retirement, without interest.
52 Such dollar value shall be based on the employee's salary at the time of
53 retirement. In addition to regular employer contributions, contributions
54 in the amount of such monthly installments shall be paid from the
55 state's appropriation to the health insurance fund and applied towards
56 the charges for health insurance on account of such retired employee and

1 his OR HER dependents, to the extent necessary to pay such charges. The
2 remaining amount, if any, necessary to pay such charges shall be
3 contributed by such retired employee. On or after October first, nine-
4 teen hundred seventy when such dollar value of such sick leave amounts
5 to less than one hundred dollars for a particular retired employee, in
6 lieu of contributions which would otherwise be required from such
7 retired employee, additional contributions shall be paid for the state's
8 appropriation to the health insurance fund and applied towards the
9 charges for health insurance on account of such retired employee and his
10 OR HER dependents until the sum of such additional contributions equals
11 such dollar value of such sick leave. The remaining amount, if any,
12 necessary to pay such charges shall be contributed by such retired
13 employee. For purposes of this subdivision, employees of the state
14 colleges of agriculture, home economics, industrial labor relations, and
15 veterinary medicine, the state agricultural experiment station at Gene-
16 va, and any other institution or agency under the management and control
17 of Cornell university as the representative of the board of trustees of
18 the state university of New York, and employees of the state college of
19 ceramics under the management and control of Alfred university as the
20 representative of the board of trustees of the state university of New
21 York, shall be deemed to be state employees whose salaries or compen-
22 sation is paid directly by the state.

23 S 5. This act shall take effect on the first of January next succeed-
24 ing the date on which it shall have become a law.

25

PART C

26 Section 1. Subdivision 5 of section 3602 of the education law, as
27 added by section 13 of part B of chapter 57 of the laws of 2007, is
28 amended to read as follows:

29 5. Public high cost excess cost aid. A school district having a pupil
30 with a disability of school age for whom the cost, as approved by the
31 commissioner, of appropriate special services or programs exceeds the
32 [lesser of ten thousand dollars or four times the expense per pupil
33 without limits shall be entitled to an additional apportionment for each
34 such child computed by multiplying the district's excess cost aid ratio
35 by the amount by which such cost exceeds three times the] district's
36 expense per pupil [without limits] SHALL BE ENTITLED TO AN ADDITIONAL
37 APPORTIONMENT FOR EACH SUCH CHILD EQUAL TO ONE-HALF OF THE EXCESS OF THE
38 COST FOR SUCH CHILD WITH A DISABILITY OVER THE DISTRICTS EXPENSES PER
39 PUPIL.

40 [a.] For the purpose of this subdivision[:

41 (1) Expense], "EXPENSE per pupil [for the purposes of this subdivi-
42 sion]" shall be not less than two thousand dollars and not more than the
43 greater of seven thousand one hundred ten dollars or the statewide aver-
44 age of such expense per pupil. Such statewide average expense per pupil
45 shall be computed and rounded to the nearest fifty dollars by the
46 commissioner using the expense and pupils as estimated by school
47 districts or as determined by the commissioner for use in determining
48 the expense per pupil of the district pursuant to paragraph f of subdivi-
49 sion one of this section for all districts eligible for aid pursuant
50 to this section. For the purposes of calculating such statewide expense
51 per pupil, the data for the city school district of the city of New York
52 shall be city-wide data.

53 [(2) The excess cost aid ratio shall be computed by subtracting from
54 one the product obtained by multiplying fifty-one per centum by the

1 combined wealth ratio. This aid ratio shall be expressed as a decimal
2 carried to three places without rounding, but not less than twenty-five
3 percent.

4 b. Notwithstanding section thirty-six hundred nine-a of this part, the
5 apportionment provided for in this subdivision shall be paid pursuant to
6 section thirty-six hundred nine-b of this part.]

7 S 2. Subdivision 5-a of section 3602 of the education law is REPEALED.

8 S 3. This act shall take effect on the first of July next succeeding
9 the date on which it shall have become a law.

10 PART D

11 Section 1. The governor, executive chamber, commissioner of education
12 and legislative leaders are hereby directed to engage in ongoing contact
13 with members of the United States House of Representatives, United
14 States Senators and the President of the United States to maximize
15 federal funding to the education system of the state of New York for the
16 purposes of both general education and special education.

17 S 2. This act shall take effect immediately.

18 PART E

19 Section 1. Within 60 days of the effective date of this act the
20 commissioner of education shall establish and convene a study group to
21 evaluate the state mandates for the provision of special education as
22 compared to the federal mandates therefor. Such evaluation and compar-
23 ison shall, in particular, study the report prepared by the education
24 department in May 2006 and entitled "New York State Laws and Regulations
25 that Differ from Federal Requirements".

26 S 2. Such study group shall be composed of members who have extensive
27 experience in the provision of special education services, are the
28 parent of a student who receives special education services and were the
29 recipient of special education services.

30 S 3. The commissioner of education shall be the chair of the study
31 group established by this act. The study group shall meet at such times
32 and places as shall be determined by the commissioner of education.

33 S 4. The members of the study group shall receive no compensation for
34 their services, but shall be allowed their actual and necessary expenses
35 incurred in the performance of their duties pursuant to this act.

36 S 5. The study group shall, on or before March 31, 2010, report to the
37 governor and the legislature. Such report shall include the study
38 group's findings, conclusions and recommendations.

39 S 6. This act shall take effect immediately and shall expire and be
40 deemed repealed April 1, 2010.

41 PART F

42 Section 1. The legislative law is amended by adding a new section 49
43 to read as follows:

44 S 49. PROHIBITION ON UNFUNDED MANDATES. 1. (A) ANY PROVISION OF LAW
45 DETERMINED IN ACCORDANCE WITH THIS SECTION TO BE AN UNFUNDED MANDATE
46 SHALL BE VOID.

47 (B) A PROVISION OF LAW THAT REQUIRES ONE OR MORE POLITICAL SUBDIVI-
48 SIONS TO EXPEND FUNDS OR TO TAKE ACTIONS REQUIRING THE EXPENDITURE OF
49 FUNDS SHALL BE DEEMED AN UNFUNDED MANDATE IF SUCH PROVISION OF LAW
50 RESULTS IN AN AGGREGATE NET INCREASE IN NECESSARY DIRECT EXPENDITURES BY

1 ANY POLITICAL SUBDIVISION OF THE STATE. ANY SUCH AGGREGATE NET INCREASE
2 IN EXPENDITURES SHALL BE OFFSET BY: (I) MONIES PROVIDED TO POLITICAL
3 SUBDIVISIONS FOR THE SPECIFIC PURPOSE OF FUNDING SUCH PROVISION OF LAW;
4 AND (II) DECREASES IN EXPENDITURES EXPECTED TO RESULT FROM OTHER
5 PROVISIONS OF LAW ENACTED CONCURRENTLY THEREWITH THAT REPEAL, REDUCE OR
6 MODIFY EXISTING MANDATES ON POLITICAL SUBDIVISIONS. FOR PURPOSES OF THIS
7 SECTION, ALL BUDGET BILLS AND LEGISLATION NECESSARY TO IMPLEMENT THE
8 BUDGET ENACTED PURSUANT TO ARTICLE SEVEN OF THE CONSTITUTION SHALL BE
9 DEEMED TO HAVE BEEN CONCURRENTLY ENACTED INTO LAW.

10 (C) FOR PURPOSES OF THIS SECTION, THE TERM "POLITICAL SUBDIVISION"
11 SHALL MEAN A COUNTY, CITY, TOWN, VILLAGE, SCHOOL DISTRICT OR SPECIAL
12 DISTRICT, AND SHALL INCLUDE ANY AGENCY, AUTHORITY, COMMISSION, DEPART-
13 MENT OR INSTRUMENTALITY THEREOF.

14 (D) FOR PURPOSES OF THIS SECTION, THE TERM "LAW" SHALL MEAN A STATUTE
15 ENACTED BY THE LEGISLATURE, AN EXECUTIVE ORDER ISSUED BY THE GOVERNOR,
16 AND A RULE OR REGULATION PROMULGATED BY A STATE AGENCY, DEPARTMENT,
17 BOARD, BUREAU, OFFICER, AUTHORITY OR COMMISSION.

18 2. NOTWITHSTANDING ANYTHING IN THIS SECTION TO THE CONTRARY, THE
19 FOLLOWING TYPES OF LAWS SHALL NOT BE CONSIDERED UNFUNDED MANDATES:

20 (A) THOSE THAT HAVE BEEN REQUESTED THROUGH A HOME RULE MESSAGE OR
21 OTHER RESOLUTION OF THE AFFECTED POLITICAL SUBDIVISION, OR WHICH HAVE
22 BEEN ACCEPTED BY THE AFFECTED POLITICAL SUBDIVISION;

23 (B) THOSE APPLICABLE TO BOTH GOVERNMENT AND NON-GOVERNMENT ENTITIES IN
24 THE SAME OR A SUBSTANTIALLY SIMILAR MANNER; AND

25 (C) THOSE IN FULL FORCE AND EFFECT PRIOR TO THE EFFECTIVE DATE OF THIS
26 SECTION, INCLUDING ANY PROVISION OF LAW THAT EXTENDS OR REAUTHORIZES
27 SUCH A LAW.

28 S 2. This act shall take effect immediately.

29

PART G

30 Section 1. Section 51 of the legislative law, as added by chapter 985
31 of the laws of 1983, is amended to read as follows:

32 S 51. Fiscal impact notes on bills affecting political subdivisions.
33 1. For the purpose of this section, the term "political subdivision"
34 means any county, city, town, village, special district or school
35 district.

36 2. The legislature shall by concurrent resolution of the senate and
37 assembly prescribe rules requiring fiscal notes to accompany, on a sepa-
38 rate form, bills and amendments to bills, [except as otherwise
39 prescribed by such rules,] which would [substantially] affect the reven-
40 ues or expenses, or both, of any political subdivision.

41 3. Fiscal notes shall not, however, be required for bills: (a) subject
42 to the provisions of section fifty of this chapter, or (b) accompanied
43 by special home rule requests submitted by political subdivisions, or
44 (c) which provide discretionary authority to political subdivisions[, or
45 (d) submitted pursuant to section twenty-four of the state finance law].

46 4. [If the estimate or estimates contained in a fiscal note are inac-
47 curate, such inaccuracies shall not affect, impair or invalidate such
48 bill] SUCH FISCAL NOTES SHALL FULLY DISCLOSE THE COSTS AND SOURCE OF
49 FUNDING OF EVERY PROVISION OF THE BILL OR AMENDMENT THERETO, WHICH WOULD
50 AFFECT THE REVENUE OR EXPENSES OF ANY POLITICAL SUBDIVISION.

51 S 2. The executive law is amended by adding a new section 13 to read
52 as follows:

53 S 13. FISCAL NOTES ON EXECUTIVE ORDERS AFFECTING POLITICAL SUBDIVI-
54 SIONS. 1. FOR THE PURPOSES OF THIS SECTION, THE TERM "POLITICAL SUBDIVI-

1 SION" MEANS ANY COUNTY, CITY, TOWN, VILLAGE, SPECIAL DISTRICT OR SCHOOL
2 DISTRICT.

3 2. THE GOVERNOR SHALL ATTACH A FISCAL NOTE TO EVERY EXECUTIVE ORDER
4 WHICH WOULD AFFECT THE REVENUES OR EXPENSES, OR BOTH, OF ANY POLITICAL
5 SUBDIVISION. SUCH FISCAL NOTES SHALL FULLY DISCLOSE THE COSTS AND SOURCE
6 OF FUNDING OF EVERY PROVISION OF THE EXECUTIVE ORDER WHICH WOULD AFFECT
7 THE REVENUE OR EXPENSES OF ANY POLITICAL SUBDIVISION.

8 3. FISCAL NOTES SHALL NOT, HOWEVER, BE REQUIRED FOR EXECUTIVE ORDERS
9 WHICH PROVIDE DISCRETIONARY AUTHORITY TO POLITICAL SUBDIVISIONS.

10 S 3. The state administrative procedure act is amended by adding a new
11 section 201-b to read as follows:

12 S 201-B. FISCAL NOTES ON PROPOSED RULES. 1. FOR THE PURPOSES OF THIS
13 SECTION, THE TERM "POLITICAL SUBDIVISION" MEANS ANY COUNTY, CITY, TOWN,
14 VILLAGE, SPECIAL DISTRICT OR SCHOOL DISTRICT.

15 2. EACH AGENCY PROPOSING A RULE SHALL ATTACH A FISCAL NOTE TO A
16 PROPOSED RULE WHICH WOULD AFFECT THE REVENUES OR EXPENSES, OR BOTH, OF
17 ANY POLITICAL SUBDIVISION. SUCH FISCAL NOTES SHALL FULLY DISCLOSE THE
18 COSTS AND SOURCE OF FUNDING OF EVERY PROVISION OF THE PROPOSED RULE
19 WHICH WOULD AFFECT THE REVENUE OR EXPENSES OF ANY POLITICAL SUBDIVISION.

20 3. FISCAL NOTES SHALL NOT, HOWEVER, BE REQUIRED FOR PROPOSED RULES
21 WHICH PROVIDE DISCRETIONARY AUTHORITY TO POLITICAL SUBDIVISIONS.

22 S 4. This act shall take effect on the sixtieth day after it shall
23 have become a law.

24

PART H

25 Section 1. Section 305 of the education law is amended by adding a new
26 subdivision 42 to read as follows:

27 42. THE COMMISSIONER SHALL DEVELOP AND IMPLEMENT, ON OR BEFORE JULY
28 FIRST, TWO THOUSAND TEN, A PROGRAM WITHIN THE DEPARTMENT WHICH PROVIDES
29 INFORMATION, EXPERTISE AND ASSISTANCE TO SCHOOL DISTRICTS IN THE CONSOL-
30 IDATION OF FUNCTIONS WITHIN AND AMONG SUCH DISTRICTS.

31 S 2. This act shall take effect immediately.

32

PART I

33 Section 1. Clause 1 of subparagraph (i) of paragraph o of subdivision
34 10 of section 54 of the state finance law, as added by section 7 of part
35 0 of chapter 56 of the laws of 2008, is amended to read as follows:

36 (1) For the purposes of this paragraph, "municipality" shall mean
37 counties, cities, towns, villages, special improvement districts, fire
38 districts, library districts, water authorities, sewer authorities, AND
39 regional planning and development boards[, school districts, and boards
40 of cooperative educational services; provided, however, that for the
41 purposes of this definition, a board of cooperative educational services
42 shall be considered a municipality only in instances where such board of
43 cooperative educational services advances a joint application on behalf
44 of school districts and other municipalities within the board of cooper-
45 ative educational services region; provided, however, that any agree-
46 ments with a board of cooperative educational services: shall not gener-
47 ate additional state aid; shall be deemed not to be a part of the
48 program, capital and administrative budgets of the board of cooperative
49 educational services for the purposes of computing charges upon compo-
50 nent school districts pursuant to subparagraph seven of paragraph b of
51 subdivision four of section nineteen hundred fifty and subdivision one
52 of section nineteen hundred fifty and subdivision one of section nine-

1 teen hundred fifty-one of the education law; and shall be deemed to be a
2 cooperative municipal service for purposes of subparagraph two of para-
3 graph d of subdivision four of section nineteen hundred fifty of the
4 education law].

5 S 2. Clause 3 of subparagraph (ii) of paragraph o of subdivision 10 of
6 section 54 of the state finance law, as added by section 7 of part 0 of
7 chapter 56 of the laws of 2008, is amended to read as follows:

8 (3) High priority planning grants may be used to cover costs includ-
9 ing, but not limited to, legal and consultant services and other neces-
10 sary expenses. [The amounts awarded to a school district pursuant to
11 this subparagraph shall not be included in the approved operating
12 expense of the school district as defined in paragraph t of subdivision
13 one of section thirty-six hundred two of the education law.] No part of
14 the grant shall be used by the applicant for recurring expenses such as
15 salaries.

16 S 3. Clause 3 of subparagraph (iii) of paragraph o of subdivision 10
17 of section 54 of the state finance law, as added by section 7 of part 0
18 of chapter 56 of the laws of 2008, is amended to read as follows:

19 (3) General efficiency planning grants may be used to cover costs
20 including, but not limited to, legal and consultant services and other
21 necessary expenses. [The amounts awarded to a school district pursuant
22 to this subparagraph shall not be included in the approved operating
23 expense of the school district as defined in paragraph t of subdivision
24 one of section thirty-six hundred two of the education law.] No part of
25 the grant shall be used by the applicant for recurring expenses such as
26 salaries.

27 S 4. Clause 2 of subparagraph (iv) of paragraph o of subdivision 10 of
28 section 54 of the state finance law, as added by section 7 of part 0 of
29 chapter 56 of the laws of 2008, is amended to read as follows:

30 (2) Efficiency implementation grants may be used to cover costs
31 including, but not limited to, legal and consultant services, capital
32 improvements, transitional personnel costs essential for the implementa-
33 tion of the approved efficiency implementation grant work plan, and
34 other necessary expenses. Grants may be used for capital improvements,
35 transitional personnel costs or joint equipment purchases only where
36 such expenses are integral to the coordinated or consolidated service
37 delivery. [The amounts awarded to a school district pursuant to this
38 subparagraph shall not be included in the approved operating expense of
39 the school district as defined in paragraph t of subdivision one of
40 section thirty-six hundred two of the education law.]

41 S 5. Clause 1 of subparagraph (v) of paragraph o of subdivision 10 of
42 section 54 of the state finance law, as added by section 7 of part 0 of
43 chapter 56 of the laws of 2008, is amended to read as follows:

44 (1) Within the amounts appropriated therefor, subject to a plan devel-
45 oped in consultation with the commission on local government efficiency
46 and competitiveness and approved by the director of the budget, the
47 secretary of state may award competitive grants to municipalities to
48 cover costs associated with a functional consolidation or a shared
49 services agreement having great potential to achieve financial savings
50 and serve as a model for other municipalities, including the consol-
51 idation of services on a multi-county basis, the consolidation of
52 certain services countywide as identified in such plan, the creation of
53 a regional entity empowered to provide multiple functions on a county-
54 wide or regional basis, the creation of a regional or city-county
55 consolidated municipal government, [the consolidation of school
56 districts or supporting services for school districts encompassing the

1 area served by a board of cooperative educational services,] or the
2 creation of a regional smart growth compact or program.

3 S 6. Subdivision 14 of section 3602 of the education law is amended by
4 adding a new paragraph h to read as follows:

5 H. EFFICIENCY STUDY GRANTS. (1) ANY SCHOOL DISTRICT WHICH IS ELIGIBLE
6 TO RECEIVE AN APPORTIONMENT UNDER THIS SECTION OR SECTION THIRTY-SIX
7 HUNDRED TWO-B OF THIS ARTICLE MAY SUBMIT PLANS TO THE COMMISSIONER FOR
8 THE PURPOSE OF RECEIVING A GRANT TO STUDY REORGANIZATION OF THE DISTRICT
9 WITH ONE OR MORE SCHOOL DISTRICTS OR THE SHARING OF PROGRAMS BETWEEN
10 SUCH DISTRICTS AND OTHER SCHOOL DISTRICTS.

11 (2) EFFICIENCY GRANTS MAY ALSO BE AWARDED PURSUANT TO THIS PARAGRAPH
12 TO A SCHOOL DISTRICT, A GROUP OF SCHOOL DISTRICTS, OR TO A BOARD OF
13 COOPERATIVE EDUCATIONAL SERVICES FOR A PROJECT IN WHICH A COUNTY OR
14 OTHER MUNICIPALITY IS A PARTNER FOR THE PURPOSE OF STUDYING A COLLABORA-
15 TIVE SERVICE DELIVERY SYSTEM FOR SCHOOL AGED AT-RISK YOUTH AND THEIR
16 FAMILIES.

17 (3) PLANS SHALL BE IN THE FORM PRESCRIBED BY THE COMMISSIONER AND
18 APPROVED BY HIM OR HER IN ACCORDANCE WITH REGULATIONS ADOPTED FOR SUCH
19 PURPOSES.

20 (4) AFTER HIS OR HER APPROVAL OF A PLAN, THE COMMISSIONER MAY AWARD A
21 MAXIMUM GRANT OF FIFTY THOUSAND DOLLARS PER STUDY PURSUANT TO SUBPARA-
22 GRAPH ONE OF THIS PARAGRAPH AND A MAXIMUM GRANT OF TWENTY THOUSAND
23 DOLLARS PER STUDY PURSUANT TO SUBPARAGRAPH TWO OF THIS PARAGRAPH.

24 (5) THE COMMISSIONER SHALL ENSURE THAT OF THE TOTAL AMOUNT ALLOCATED
25 FOR GRANTS AWARDED UNDER THIS PARAGRAPH, THE AMOUNT OF GRANTS AWARDED
26 PURSUANT TO SUBPARAGRAPH TWO OF THIS PARAGRAPH SHALL CONSTITUTE NO MORE
27 THAN THIRTY-FIVE PERCENT OF SUCH TOTAL AMOUNT.

28 S 7. This act shall take effect on the first of July next succeeding
29 the date on which it shall have become a law.

30 PART J

31 Section 1. Subdivision 1 of section 1950 of the education law, as
32 amended by chapter 396 of the laws of 1974, is amended to read as
33 follows:

34 1. The boards of education and school trustees of a supervisory
35 district which is not part of an intermediate district, meeting at a
36 time and place to be designated by the district superintendent of
37 schools, may, by a majority vote of their members present and voting,
38 file with the commissioner [of education] a petition for the establish-
39 ment of a board of cooperative educational services for the purpose of
40 carrying out a program of SUCH shared educational services [in] AS the
41 schools of the supervisory district ELECT TO HAVE PROVIDED BY SUCH BOARD
42 and for providing instruction in such special subjects as the commis-
43 sioner may approve. NO PROVISION OF LAW, RULE OR REGULATION, OTHER THAN
44 THE PROVISIONS OF THIS SECTION SHALL LIMIT THE SHARED SERVICES THAT A
45 BOARD OF COOPERATIVE EDUCATIONAL SERVICES IS AUTHORIZED TO PROVIDE OF
46 ITS COMPONENT SCHOOL DISTRICTS. The commissioner, by order, may estab-
47 lish such a board with membership of not less than five nor more than
48 fifteen, upon such application and when a vacancy occurs in the office
49 of district superintendent of schools shall establish such a board,
50 unless the commissioner shall issue an order pursuant to section twen-
51 ty-two hundred one OF THIS TITLE redistricting the county so as to
52 provide for a lesser number of supervisory districts. The commissioner,
53 by order, may authorize a board, established prior to July second, nine-

1 teen hundred sixty-five, to increase its membership to not less than
2 five nor more than fifteen.

3 S 2. Subparagraph 2 of paragraph a of subdivision 4 of section 1950 of
4 the education law is REPEALED.

5 S 3. Paragraph c of subdivision 4 of section 1950 of the education
6 law, as amended by chapter 301 of the laws of 1996, is amended to read
7 as follows:

8 c. Make or cause to be made surveys to determine the need for cooper-
9 ative educational services in the supervisory district and present the
10 findings of their surveys to local school authorities. Each board of
11 cooperative educational services shall prepare long range program plans
12 to meet the projected need for such cooperative educational services in
13 the supervisory district for the next five years [as may be specified by
14 the commissioner,] and shall submit such plans and thereafter annual
15 revisions of such plans to the commissioner on or before the first day
16 of December of each year, except that special education and career
17 education program plans, in a form specified by the commissioner, shall
18 be submitted every two years, no later than the date specified by the
19 commissioner, and revised annually.

20 S 4. Subparagraph 1 of paragraph d of subdivision 4 of section 1950 of
21 the education law, as amended by chapter 474 of the laws of 1996, is
22 amended to read as follows:

23 (1) Aidable shared services. At the request of component school
24 districts[, and with the approval of the commissioner,] provide any of
25 the following services on a cooperative basis: school nurse teacher,
26 attendance supervisor, supervisor of teachers, dental hygienist,
27 psychologist, teachers of art, music, physical education, career educa-
28 tion subjects, guidance counsellors, operation of special classes for
29 students with disabilities, as such term is defined in article eighty-
30 nine of this chapter; pupil and financial accounting service by means of
31 mechanical equipment; maintenance and operation of cafeteria or restau-
32 rant service for the use of pupils and teachers while at school[,]; and
33 such other services as the [commissioner may approve] COMPONENT SCHOOL
34 DISTRICTS MAY REQUEST. Such cafeteria or restaurant service may be used
35 by the community for school related functions and activities and to
36 furnish meals to the elderly residents of the district, sixty years of
37 age or older. Utilization by elderly residents or school related groups
38 shall be subject to the approval of the board of education. Charges
39 shall be sufficient to bear the direct cost of preparation and serving
40 of such meals, exclusive of any other available reimbursements.

41 S 5. Subparagraph 2 of paragraph d of subdivision 4 of section 1950 of
42 the education law, as added by chapter 474 of the laws of 1996, is
43 amended to read as follows:

44 (2) [Certain] ADDITIONAL SHARED services [prohibited] AUTHORIZED.
45 [Commencing with the nineteen hundred ninety-seven--ninety-eight school
46 year, the] THE commissioner shall [not be authorized to] approve as an
47 aidable shared service pursuant to this subdivision any cooperative
48 maintenance services or municipal services, including but not limited
49 to, lawn mowing services and heating, ventilation or air conditioning
50 repair or maintenance or trash collection, or any other municipal
51 services [as defined by the commissioner. On and after the effective
52 date of this paragraph, the commissioner shall not approve, as an aida-
53 ble shared service, any new cooperative maintenance or municipal
54 services for the nineteen hundred ninety-six--ninety-seven school year,
55 provided that the commissioner may approve the continuation of such

1 services for one year if provided in the nineteen hundred ninety-five--
2 ninety-six school year] REQUESTED BY THE COMPONENT SCHOOL DISTRICTS.

3 S 6. Subparagraph 3 of paragraph d of subdivision 4 of section 1950 of
4 the education law, as amended by chapter 474 of the laws of 1996, is
5 amended to read as follows:

6 (3) Requests for shared services; operating plan; required notice.
7 Requests for such shared services shall be filed by component school
8 districts with the board of cooperative educational services not later
9 than the first day of February of each year, provided that such requests
10 shall not be binding upon the component school district. The board of
11 cooperative educational services shall submit its proposed annual oper-
12 ating plan for the ensuing school year to the department [for approval]
13 not later than the fifteenth day of February of each year. Such board
14 shall, through its executive officer, notify each component school
15 district on or before the tenth day of March concerning the services
16 which have been approved by the [commissioner] BOARD to be made avail-
17 able for the ensuing school year. Such notice shall set forth the local
18 uniform cost of each such service, based on (i) anticipated partic-
19 ipation in the ensuing school year, or (ii) participation in the current
20 year, or (iii) a two or three year average including participation in
21 the current year, which unit cost shall be the same for all participat-
22 ing component districts and shall be based upon a uniform methodology
23 approved annually by at least three-quarters of the participating compo-
24 nent school districts after consultation by local school officials with
25 their respective boards; provided, however, such unit cost shall be
26 subject to final adjustment for programs for students with disabilities
27 based on actual participation in accordance with regulations of the
28 commissioner. [Notwithstanding the determination of the local uniform
29 unit cost methodology selected in accordance with this paragraph, each
30 board of cooperative education services shall annually report to the
31 commissioner the budgeted unit cost and, when available, the actual unit
32 cost of such programs and services, in accordance with both the local
33 uniform unit cost methodology and a statewide uniform unit cost method-
34 ology prescribed by the commissioner by regulation, where the budgeted
35 statewide unit cost shall be based on the anticipated participation in
36 the ensuing year and the actual statewide unit cost shall be based on
37 actual participation through the end of each year.]

38 S 7. Paragraph r of subdivision 4 of section 1950 of the education
39 law, as amended by chapter 53 of the laws of 1990, is amended to read as
40 follows:

41 r. With the approval of the district superintendent of schools [and of
42 the commissioner of education] to furnish any of the educational
43 services provided for in this section or any other section of law which
44 authorizes such board to provide services to school districts outside of
45 the supervisory district, upon such terms as may be agreed upon pursuant
46 to contracts executed by such board of cooperative educational services
47 and the trustees or boards of education of such school districts.

48 S 8. This act shall take effect on the first of January next succeed-
49 ing the date on which it shall have become a law.

50

PART K

51 Section 1. The education law is amended by adding a new section 3602-g
52 to read as follows:

53 S 3602-G. CAREER AND TECHNICAL EDUCATION. THE COMMISSIONER SHALL OUT
54 OF FUNDS APPROPRIATED THEREFOR, DISBURSE STATE ASSISTANCE TO BOARDS OF

1 COOPERATIVE EDUCATIONAL SERVICES FOR THE ESTABLISHMENT AND IMPLEMENTA-
2 TION OF PARTNERSHIPS BETWEEN SCHOOL DISTRICTS, SUCH BOARDS AND INSTI-
3 TUTIONS OF HIGHER EDUCATION FOR THE PROVISION AND COORDINATION OF
4 SCHOOL-BASED CAREER ACADEMIES WITH CAREER AND TECHNICAL EDUCATION
5 PROGRAMS.

6 S 2. This act shall take effect on the first of July next succeeding
7 the date on which it shall have become a law.

8 PART L

9 Section 1. The commissioner of education shall establish a task force
10 to examine, evaluate and make recommendations concerning the various
11 alternative methods for funding charter schools which do not reduce the
12 funding provided to the school districts of residence of the charter
13 school students. Such task force shall review, with particular care, the
14 impact on charter schools and public schools of the funding methodology
15 for charter schools established pursuant to section 2856 of the educa-
16 tion law.

17 S 2. The task force shall be composed of the commissioner of educa-
18 tion, the commissioner of taxation and finance, the executive director
19 of the office of real property services, and such members as the commis-
20 sioner of education shall appoint. The members of the task force
21 appointed by the commissioner of education shall include representatives
22 of school districts, charter schools, parents of students attending
23 charter schools and residents of this state.

24 S 3. The task force shall hold public hearings and shall have all the
25 powers of a legislative committee pursuant to the legislative law.

26 S 4. The members of the task force shall receive no compensation for
27 their services, but shall be allowed their actual and necessary expenses
28 incurred in the performance of their duties pursuant to this act.

29 S 5. The task force shall submit a report, to the governor and the
30 legislature, of its findings, conclusions and recommendations on or
31 before April 1, 2010, and shall submit with its report such legislative
32 proposals as it deems necessary to implement such recommendations.

33 S 6. This act shall take effect immediately, and shall expire and be
34 deemed repealed April 2, 2010.

35 PART M

36 Section 1. Section 3602 of the education law is amended by adding a
37 new subdivision 27 to read as follows:

38 27. AID FOR ENERGY COST INCREASES. COMMENCING WITH AID PAYABLE IN THE
39 TWO THOUSAND NINE--TWO THOUSAND TEN SCHOOL YEAR AND ALL SCHOOL YEARS
40 THEREAFTER, THE COMMISSIONER SHALL APPORTION AID TO EACH SCHOOL DISTRICT
41 EQUAL TO THE AMOUNT BY WHICH THE COST OF ELECTRICITY, PROPANE, NATURAL
42 GAS AND HEATING OIL USED BY THE SCHOOL DISTRICT DURING THE SCHOOL YEAR
43 EXCEEDS THE LESSER OF, ONE HUNDRED FOUR PERCENT OF THE COST THEREOF
44 DURING THE PRECEDING SCHOOL YEAR OR ONE HUNDRED TWENTY PERCENT OF THE
45 CONSUMER PRICE INDEX WITH REGARD TO THE COST THEREOF DURING THE PRECED-
46 ING SCHOOL YEAR.

47 S 2. This act shall take effect immediately.

48 PART N

49 Section 1. The public authorities law is amended by adding a new
50 section 1001-b to read as follows:

1 S 1001-B. ENERGY CONSERVATION IMPROVEMENTS FOR SCHOOLS. THE AUTHORITY
2 SHALL ESTABLISH AND IMPLEMENT A PLAN THAT PROVIDES FINANCING TO SCHOOL
3 DISTRICTS FOR THE COSTS OF ENERGY CONSERVATION IMPROVEMENTS MADE TO ANY
4 SCHOOL IN THE SCHOOL DISTRICT, PROVIDED THAT NO COSTS ASSOCIATED WITH
5 SUCH FINANCIAL ASSISTANCE SHALL BE CHARGED TO THE AUTHORITY'S CUSTOMERS.
6 FINANCIAL ASSISTANCE SHALL BE REPAYED TO THE AUTHORITY, OVER A PERIOD NOT
7 TO EXCEED TEN YEARS, WITH SAVINGS IN ENERGY COSTS AND RELATED COSTS
8 WHICH ACCRUE TO THE SCHOOL DISTRICT AS A RESULT OF SUCH ENERGY CONSERVA-
9 TION IMPROVEMENTS.
10 S 2. This act shall take effect immediately.

11 PART 0

12 Section 1. Subparagraph 1 of paragraph d of subdivision 4 of section
13 1950 of the education law, as amended by chapter 474 of the laws of
14 1996, is amended to read as follows:

15 (1) Aidable shared services. At the request of component school
16 districts, and with the approval of the commissioner, provide any of the
17 following services on a cooperative basis: school nurse teacher, attend-
18 ance supervisor, supervisor of teachers, dental hygienist, psychologist,
19 teachers of art, music, physical education, career education subjects,
20 guidance counsellors, operation of special classes for students with
21 disabilities, as such term is defined in article eighty-nine of this
22 chapter; pupil and financial accounting service by means of mechanical
23 equipment; maintenance and operation of cafeteria or restaurant service
24 for the use of pupils and teachers while at school, OPERATION OF A
25 REGIONAL TRANSPORTATION SYSTEM FOR THE BENEFIT OF THE COMPONENT SCHOOL
26 DISTRICTS and such other services as the commissioner may approve. Such
27 cafeteria or restaurant service may be used by the community for school
28 related functions and activities and to furnish meals to the elderly
29 residents of the district, sixty years of age or older. Utilization by
30 elderly residents or school related groups shall be subject to the
31 approval of the board of education. Charges shall be sufficient to bear
32 the direct cost of preparation and serving of such meals, exclusive of
33 any other available reimbursements.

34 S 2. Paragraph q of subdivision 4 of section 1950 of the education
35 law, as separately amended by chapters 367 and 563 of the laws of 1979,
36 is amended to read as follows:

37 q. To provide transportation for pupils to and from classes maintained
38 by such board of cooperative educational services at the request of one
39 or more school districts. School districts and boards of cooperative
40 educational services are authorized to enter into contracts with one or
41 more school districts, private contractors, and one or more boards of
42 cooperative educational services and any municipal corporation and
43 authority to provide such transportation. Boards of cooperative educa-
44 tional services may operate joint or regional transportation systems for
45 the transportation authorized by articles seventy-three and eighty-nine
46 of this chapter. Such transportation, except when provided by a poli-
47 tical subdivision or a board of cooperative educational services, shall
48 be subject to the requirements of subdivision fourteen of section three
49 hundred five of [the education law] THIS CHAPTER. IN ADDITION, EACH
50 BOARD SHALL, IN COOPERATION WITH ITS COMPONENT SCHOOL DISTRICTS, CONDUCT
51 A STUDY OF THE FEASIBILITY AND SAVINGS DERIVED FROM ESTABLISHING A
52 REGIONAL TRANSPORTATION SYSTEM. THE GOAL OF SUCH STUDY AND THE ESTAB-
53 LISHMENT OF ANY REGIONAL TRANSPORTATION SYSTEM SHALL BE MAXIMIZATION OF
54 COST EFFICIENCIES AND CONSERVATION OF FUEL.

1 S 3. This act shall take effect on the first of July next succeeding
2 the date on which it shall have become a law.

3 PART P

4 Section 1. The opening paragraph of subdivision 4 of section 3602 of
5 the education law, as amended by section 14 of part B of chapter 57 of
6 the laws of 2008, is amended to read as follows:

7 In addition to any other apportionment pursuant to this chapter, a
8 school district, other than a special act school district as defined in
9 subdivision eight of section four thousand one of this chapter, shall be
10 eligible for total foundation aid equal to the product of total aidable
11 foundation pupil units multiplied by the district's selected foundation
12 aid, which shall be the greater of five hundred dollars (\$500) or foun-
13 dation formula aid, provided, however that for the two thousand seven--
14 two thousand eight through two thousand nine--two thousand ten school
15 years, no school district shall receive total foundation aid in excess
16 of the sum of the total foundation aid base for aid payable in the two
17 thousand seven--two thousand eight school year computed pursuant to
18 subparagraph (i) of paragraph j of subdivision one of this section, plus
19 the phase-in foundation increase computed pursuant to paragraph b of
20 this subdivision, and provided further that total foundation aid shall
21 not be less than the product of the total foundation aid base computed
22 pursuant to paragraph j of subdivision one of this section and one
23 hundred [three] FIVE percent, nor more than the product of such total
24 foundation aid base and one hundred [fifteen] SEVENTEEN percent. Total
25 aidable foundation pupil units shall be calculated pursuant to paragraph
26 g of subdivision two of this section. For the purposes of calculating
27 aid pursuant to this subdivision, aid for the city school district of
28 the city of New York shall be calculated on a citywide basis. NOTWITH-
29 STANDING ANY OTHER PROVISION OF THIS SUBDIVISION, TOTAL FOUNDATION AID
30 SHALL BE INCREASED TO REFLECT THE REGIONAL COST INDEX OF THE SCHOOL
31 DISTRICT.

32 S 2. This act shall take effect on the first of July next succeeding
33 the date on which it shall have become a law.

34 PART Q

35 Section 1. Section 3623-a of the education law is amended by adding a
36 new subdivision 4 to read as follows:

37 4. NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE TO THE CONTRA-
38 RY, FOR SCHOOL YEARS COMMENCING AFTER JUNE THIRTIETH, TWO THOUSAND NINE,
39 STATE TRANSPORTATION AID SHALL BE EQUAL TO ALL TRANSPORTATION COSTS
40 INCURRED BY A SCHOOL DISTRICT.

41 S 2. This act shall take effect April 1, 2009.

42 PART R

43 Section 1. Paragraph j of subdivision 14 of section 3602 of the educa-
44 tion law, as amended by section 17-b of part B of chapter 57 of the laws
45 of 2007, is amended to read as follows:

46 j. For school districts which reorganize on or after July first,
47 [nineteen hundred ninety-two] TWO THOUSAND NINE, the percent increase in
48 apportionment pursuant to paragraph c of this subdivision shall be
49 [thirty] SIXTY DURING THE YEAR OF SUCH REORGANIZATION, FIFTY DURING THE
50 FIRST YEAR AFTER SUCH REORGANIZATION, FORTY DURING THE SECOND YEAR

1 AFTER SUCH REORGANIZATION, THIRTY DURING THE THIRD YEAR AFTER SUCH REOR-
2 GANIZATION, TWENTY DURING THE FOURTH YEAR AFTER SUCH REORGANIZATION, AND
3 NO ADDITIONAL APPORTIONMENT THEREOF; provided that such school districts
4 meet all other requirements of the provisions of such paragraph c. All
5 other requirements of paragraph c shall apply. School districts which
6 receive an apportionment under this paragraph shall not be eligible for
7 an apportionment under paragraph c[, e] or f of this subdivision.

8 S 2. This act shall take effect July 1, 2009.

9

PART S

10 Section 1. Subparagraph 6 of paragraph n of subdivision 1 of section
11 3602 of the education law, as amended by section 11 of part B of chapter
12 57 of the laws of 2007, is amended to read as follows:

13 (6) "Additional public school enrollment" shall mean resident students
14 with disabilities placed by public school districts in approved private
15 schools, [the New York state school for the blind at Batavia, or the New
16 York state school for the deaf at Rome] and resident students placed in
17 schools subject to the provisions of chapter five hundred sixty-three of
18 the laws of nineteen hundred eighty as amended.

19 S 2. Section 4313 of the education law, as amended by chapter 53 of
20 the laws of 1990, paragraph a of subdivision 1 as amended by section 42
21 of part B of chapter 57 of the laws of 2007, is amended to read as
22 follows:

23 S 4313. [School district and social services district financial]
24 FINANCIAL responsibility. 1. Financial responsibilities. [School
25 districts] THE DEPARTMENT and [social services districts] THE OFFICE OF
26 CHILDREN AND FAMILY SERVICES shall be responsible for the cost of
27 tuition and maintenance, respectively, for children in attendance at the
28 New York state school for the blind during the September first through
29 June thirtieth session. [Such costs shall be established pursuant to
30 section forty-four hundred five of this chapter.] a. The [school
31 district of which any such child is resident at the time of admission or
32 readmission to the New York State school for the blind pursuant to this
33 article] DEPARTMENT shall [be required to reimburse the state in an
34 amount equal to the] MAKE tuition payments [made] to the state school
35 [by the state on behalf of the school district] FOR EACH CHILD WHO IS A
36 RESIDENT OF THE STATE. [The comptroller shall deduct the appropriate
37 tuition amounts from any state funds which become due to a school
38 district for each year in which such child is in attendance at such
39 school, and shall deposit such funds to the special revenue accounts
40 established for such purpose. Any tuition amounts deducted pursuant to
41 this subdivision shall be included in the approved operating expense of
42 the school district pursuant to paragraph t of subdivision one of
43 section thirty-six hundred two of this chapter.]

44 b. The [social services district in which any such child is resident
45 at the time of admission or readmission to the New York state school for
46 the blind pursuant to this article] OFFICE OF CHILDREN AND FAMILY
47 SERVICES shall be required to reimburse the [state] DEPARTMENT in an
48 amount equal to the maintenance payments made to the state school by the
49 [state] DEPARTMENT on behalf of [the social services district] SUCH
50 OFFICE. [The comptroller may deduct the appropriate maintenance amounts
51 from any state funds which become due to a social services district for
52 each year in which such child is in attendance at such school only upon
53 notification by the commissioner of social services after receiving
54 notice by the commissioner of education that such social services

1 district has failed to remit the required maintenance payments to the
2 state within ninety days of the date on which such social services
3 district was billed by the state for services rendered, and shall depos-
4 it such funds to the special revenue accounts established for such
5 purpose.]

6 S 3. Section 4357 of the education law, as amended by chapter 53 of
7 the laws of 1990, paragraph a of subdivision 1 as amended by section 43
8 of part B of chapter 57 of the laws of 2007, is amended to read as
9 follows:

10 S 4357. [School district and social services district financial]
11 FINANCIAL responsibility. 1. Financial responsibilities. [School
12 districts] THE DEPARTMENT and [social services districts] THE OFFICE OF
13 CHILDREN AND FAMILY SERVICES shall be responsible for the costs of
14 tuition and maintenance, respectively, for children attending the New
15 York state school for the deaf during the September first through June
16 thirtieth session. [Such costs shall be established pursuant to section
17 forty-four hundred five of this chapter.] a. The [school district of
18 which any such child is resident at the time of admission or readmission
19 to the New York State school for the deaf pursuant to this article]
20 DEPARTMENT shall [be required to reimburse the state in an amount equal
21 to the] MAKE tuition payments [made] to the state school [by the state
22 on behalf of the school district] FOR EACH CHILD WHO IS A RESIDENT OF
23 THE STATE. [The comptroller shall deduct the appropriate tuition amounts
24 from any state funds which become due to a school district for each year
25 in which such child is in attendance at such school, and shall deposit
26 such funds to the special revenue accounts established for such purpose.
27 Any tuition amounts deducted pursuant to this subdivision shall be
28 included in the approved operating expense of the school district pursu-
29 ant to paragraph t of subdivision one of section thirty-six hundred two
30 of this chapter.]

31 b. The [social services district in which any such child is resident
32 at the time of admission or readmission to the New York state school for
33 the deaf pursuant to this article] OFFICE OF CHILDREN AND FAMILY
34 SERVICES shall be required to reimburse the [state] DEPARTMENT in an
35 amount equal to the maintenance payments made to the state school by the
36 [state] DEPARTMENT on behalf of [the social services district] SUCH
37 OFFICE. [The comptroller may deduct the appropriate maintenance amounts
38 from any state funds which become due to a social services district for
39 each year in which such child is in attendance at such school only upon
40 notification by the commissioner of social services after receiving
41 notice by the commissioner of education that such social services
42 district has failed to remit the required maintenance payments within
43 ninety days of the date on which such social services district is billed
44 by the state for services rendered, and shall deposit such amount to the
45 special revenue accounts established for such purpose.]

46 2. Payment for preschool children with handicapping conditions. The
47 state [share of] SHALL PAY the costs of tuition, maintenance and trans-
48 portation for preschool children attending the New York state school for
49 the deaf during the July and August summer session and the September
50 through June session [shall be paid from the state moneys appropriated
51 in support of the provisions of section forty-four hundred ten of this
52 chapter. The remaining share shall be a charge on the county, or the
53 city of New York, of which any such child is resident at the time of
54 admission or readmission to such school. The state share shall be as set
55 forth in paragraph b of subdivision eleven of section forty-four hundred
56 ten of this chapter]. For the purposes of this subdivision "preschool

1 child" shall mean a child not eligible, by reason of age, for the deaf-
2 infant program pursuant to section forty-two hundred four-a of this
3 chapter and not eligible, by reason of age, to attend the public schools
4 pursuant to section thirty-two hundred two of this chapter, provided
5 that a child shall be deemed a preschool child through the month of
6 August of the school year in which the child first becomes eligible to
7 attend the public schools. [Preschool education charges on a county, or
8 the city of New York, pursuant to this subdivision shall be deducted by
9 the comptroller within thirty days of the issuance of a warrant by the
10 commissioner from any state funds which become due to a county, or the
11 city of New York, and be credited to the special revenue account estab-
12 lished for such purpose.] Such tuition, maintenance and transportation
13 costs shall be determined pursuant to section forty-four hundred five of
14 this chapter.

15 3. Deaf infants. The full costs of a deaf-infant program, as deter-
16 mined by the commissioner [of education and approved by the director of
17 the budget], for children below the age of three served by the New York
18 state school for the deaf pursuant to section forty-two hundred four-a
19 of this chapter shall be paid from the state moneys appropriated in
20 support of such section forty-two hundred four-a.

21 S 4. This act shall take effect on the first of July next succeeding
22 the date on which it shall have become a law.

23

PART T

24 Section 1. The executive law is amended by adding a new section 44-a
25 to read as follows:

26 S 44-A. TAXPAYER REPORT CARD. 1. ANNUALLY, ON OR BEFORE MARCH FIRST,
27 THE DEPARTMENT OF AUDIT AND CONTROL SHALL COMPILE AND PUBLISH IN BOTH
28 WRITTEN AND ELECTRONIC FORMS THE INFORMATION DERIVED FROM REPORTS TO THE
29 COMPTROLLER OR SUCH DEPARTMENT, AND FROM AUDITS CONDUCTED BY THE COMP-
30 TROLLER OR SUCH DEPARTMENT, RELATING TO THE STATE AND ITS POLITICAL
31 SUBDIVISIONS AND ALL AGENCIES AND PUBLIC AUTHORITIES THEREOF. SUCH
32 INFORMATION SHALL, IN PARTICULAR, RELATE TO GOVERNMENT FINANCES DURING
33 THE IMMEDIATELY PRECEDING CALENDAR YEAR.

34 2. THE INFORMATION PUBLISHED PURSUANT TO SUBDIVISION ONE OF THIS
35 SECTION SHALL BE KNOWN AS THE "TAXPAYER REPORT CARD". IT SHALL BE WRIT-
36 TEN IN CLEAR AND EASILY UNDERSTANDABLE LANGUAGE, AND INCLUDE A COMPRE-
37 HENSIVE INDEX WHICH FACILITATES ACCESS TO SPECIFIC INFORMATION WITHIN
38 THE TAXPAYER REPORT CARD.

39 3. THE TAXPAYER REPORT CARD SHALL INCLUDE DETAILED INFORMATION ON ALL
40 EXPENDITURES AND REVENUE OF THE STATE AND ITS POLITICAL SUBDIVISIONS,
41 AND ALL AGENCIES AND PUBLIC AUTHORITIES THEREOF.

42 S 2. This act shall take effect on the first of April next succeeding
43 the date on which it shall have become a law.

44

PART U

45 Section 1. The state finance law is amended by adding a new section
46 24-a to read as follows:

47 S 24-A. PUBLISHING OF PROPOSED BUDGET BILLS. NO LESS THAN THIRTY DAYS
48 PRIOR TO THE ENACTMENT OF THE BUDGET BILLS, AS SPECIFIED IN SECTION
49 TWENTY-FOUR OF THIS ARTICLE, BY THE LEGISLATURE, THE BUDGET BILLS THAT
50 THE LEGISLATURE HAS AGREED TO ENACT SHALL BE PUBLISHED IN BOTH WRITTEN
51 AND ELECTRONIC FORMS AND MADE AVAILABLE TO THE PUBLIC BY THE SENATE AND
52 THE ASSEMBLY, AND SHALL ALSO BE POSTED ON THE INTERNET WEBSITES OF THE

1 SENATE AND ASSEMBLY. SUCH PUBLISHING AND POSTING OF THE AGREED UPON
2 BUDGET BILLS SHALL INCLUDE A DETAILED EXPLANATION OF THE BILLS AND THE
3 SOURCES OF REVENUE THEREFOR.

4 S 2. Section 2801 of the public authorities law is amended by adding a
5 new subdivision 3 to read as follows:

6 3. ALL AUTHORITIES. EVERY STATE OR LOCAL AUTHORITY HERETOFORE OR
7 HEREFTER CONTINUED OR CREATED BY THIS CHAPTER SHALL, NOT LESS THAN
8 THIRTY DAYS PRIOR TO THE APPROVAL OF THE ANNUAL BUDGET OF SUCH AUTHORITY
9 OR COMMISSION, PUBLISH IN BOTH WRITTEN AND ELECTRONIC FORMS AND MAKE
10 AVAILABLE TO THE PUBLIC THE PROPOSED BUDGET OF THE AUTHORITY OR COMMIS-
11 SION, AND SHALL ALSO POST SUCH PROPOSED BUDGET ON THE INTERNET WEBSITE
12 OF THE COMMISSION OR AUTHORITY. SUCH PUBLISHING AND POSTING OF THE
13 PROPOSED BUDGET SHALL INCLUDE SUCH DETAILED INFORMATION AS IS REQUIRED
14 BY SUBDIVISION ONE OF THIS SECTION.

15 S 3. The general municipal law is amended by adding a new section 3-c
16 to read as follows:

17 S 3-C. PUBLISHING OF PROPOSED BUDGET. NO LESS THAN THIRTY DAYS PRIOR
18 TO THE APPROVAL OF ANY ANNUAL BUDGET OF A MUNICIPAL CORPORATION, SUCH
19 CORPORATION SHALL PUBLISH IN BOTH WRITTEN AND ELECTRONIC FORMS AND MAKE
20 AVAILABLE TO THE PUBLIC THE PROPOSED BUDGET OF THE MUNICIPAL CORPO-
21 RATION, AND SHALL ALSO POST SUCH PROPOSED BUDGET ON THE INTERNET WEBSITE
22 OF THE MUNICIPAL CORPORATION. SUCH PUBLISHING AND POSTING OF THE
23 PROPOSED BUDGET SHALL INCLUDE A DETAILED EXPLANATION OF THE PROPOSED
24 BUDGET AND THE SOURCES OF REVENUE THEREFOR.

25 S 4. This act shall take effect on the first of October next succeed-
26 ing the date on which it shall have become a law.

27

PART V

28 Section 1. Section 40 of the executive law is amended by adding a new
29 subdivision 4 to read as follows:

30 4. ANNUALLY, ON OR BEFORE FEBRUARY FIFTEENTH, THE DEPARTMENT SHALL
31 COMPILE AND PUBLISH, IN WRITTEN FORM AND ON ITS DEPARTMENTAL INTERNET
32 WEBSITE, A REPORT ON THE COSTS DURING THE IMMEDIATELY PRECEDING CALENDAR
33 YEAR TO EACH MUNICIPAL CORPORATION, AS DEFINED IN SECTION TWO OF THE
34 GENERAL MUNICIPAL LAW, OF THE REQUIREMENTS IMPOSED THEREUPON BY STATE
35 LAWS, RULES AND REGULATIONS. SUCH REPORT SHALL BE MADE AVAILABLE TO THE
36 PUBLIC, AND SUBMITTED TO THE GOVERNOR AND THE LEGISLATURE.

37 S 2. This act shall take effect on the first of September next
38 succeeding the date on which it shall have become a law.

39 S 3. Severability clause. If any clause, sentence, paragraph, subdivi-
40 sion, section or part of this act shall be adjudged by any court of
41 competent jurisdiction to be invalid, such judgment shall not affect,
42 impair, or invalidate the remainder thereof, but shall be confined in
43 its operation to the clause, sentence, paragraph, subdivision, section
44 or part thereof directly involved in the controversy in which such judg-
45 ment shall have been rendered. It is hereby declared to be the intent of
46 the legislature that this act would have been enacted even if such
47 invalid provisions had not been included herein.

48 S 4. This act shall take effect immediately provided, however, that
49 the applicable effective date of Parts A through V of this act shall be
50 as specifically set forth in the last section of such Parts.