S T A T E O F N E W Y O R K

2737

2009-2010 Regular Sessions

I N S E N A T E

February 27, 2009

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

AN ACT to direct the commissioner of education to recalculate certain state aid payments which may be payable to the Marlboro central school district; and to establish a 30 year period of probable usefulness for the payment of certain judgments by such school district

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

Section 1. Notwithstanding any other provision of law to the contrary, upon a filing by the Marlboro central school district of court orders or judgments related to tax certiorari proceedings in the supreme court of the state of New York for the county of Orange, with index numbers 2007-6591, 2006-5949, 2005-4763, 2004-4835, 2003-4918 and 2002-5177 (with regard to the Roseton power plant), and 2007-6592, 2006-5948, 2005-4764, 2004-4834, 2003-4913 and 2002-5179 (with regard to the Danskammer power plant), and any related judicial proceedings with the state comptroller within one year from the date of such court orders or judgments, pursuant to paragraph b of subdivision 5 of section 3604 of the education law, the state comptroller shall promptly transmit such court orders or judgments, and any other data required to the director of the office of real property services. Following receipt of such court orders or judgments, the director of the office of real property services shall promptly transmit to the commissioner of education and the state comptroller, revised data on the actual valuation computed pursuant to paragraph c of subdivision 1 of section 3602 of the education law for each year affected by such court orders or judgments. The commissioner of education shall promptly determine what payments, if any, are due to the Marlboro central school district as current year aid as a result of such court orders or judgments, and shall determine what payments, if any, are due to the Marlboro central school district for prior years as a result of such court orders or judgments and shall

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

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certify such payments notwithstanding the provisions of paragraph b of subdivision 5 of section 3604 of the education law.

S 2. Notwithstanding the provisions of any general or special law to the contrary, a period of probable usefulness not to exceed 30 years shall apply to the specific object or purpose of payment, by the Marlboro central school district, in the county of Ulster, of judgments, compromised or settled claims, and all incidental costs associated therewith and related thereto, in tax certiorari proceedings of DYNERGY ROSETON, LLC. V. THE ASSESSOR AND THE BOARD OF ASSESSMENT OF THE TOWN OF NEWBURGH AND THE TOWN OF NEWBURGH, COUNTY OF ORANGE, NEW YORK AND THE MARLBORO CENTRAL SCHOOL DISTRICT and DYNERGY DANSKAMMER, LLC. V. THE ASSESSOR AND THE BOARD OF ASSESSMENT OF THE TOWN OF NEWBURGH AND THE TOWN OF NEWBURGH, COUNTY OF ORANGE, NEW YORK AND THE MARLBORO CENTRAL SCHOOL DISTRICT and any related judicial proceedings. Provided that the aggregate principal amount of bonds hereby authorized shall not exceed eleven million dollars.

S 3. This act shall take effect immediately.