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

1356--A

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. SCHIMEL -- read once and referred to the Committee on Education -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT in relation to legalizing, validating, ratifying and confirming actions of the Port Washington union free school district with respect to certain building aid contracts

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

Section 1. Legislative intent. The legislature hereby finds that the Port Washington union free school district approved several capital improvement projects which were designated by the state education department as project numbers 0001-006, 0002-001, 0003-004, 0005-008, 0006-004, and 0007-005. In addition, the projects were eligible for certain state aid. The legislature further finds that due to ministerial error, a required filing for eligibility for such aid was not made by the district in a timely manner making the district ineligible for certain aid. The legislature further finds that without such aid, the capital improvement projects will impose an additional, unanticipated hardship on district taxpayers.

S 2. All the acts done and proceedings heretofore had and taken or caused to be had and taken by the Port Washington union free school district and by all its officers or agents relating to or in connection with certain final cost reports to be filed with the state education department for projects 0001-006, 0002-001, 0003-004, 0005-008, 0006-004, and 0007-005, and all acts incidental thereto are hereby legalized, validated, ratified and confirmed, notwithstanding any failure to comply with the approval and filing provisions of the education law or any other law or any other statutory authority, rule or regulation, in relation to any omissions, error, defect, irregularity or

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

LBD04344-02-9

illegality in such proceedings had and taken, and provided further that any amount due and payable to the Port Washington union free school district for school years prior to the 2009--2010 school year as a result of this act shall be paid pursuant to the provisions of paragraph c of subdivision 5 of section 3604 of the education law.

S 3. The education department is hereby directed to consider the approved costs of the aforementioned project as valid and proper obligations of the Port Washington union free school district.

S 4. This act shall take effect immediately.