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

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2009-2010 Regular Sessions

I N A S S E M B L Y

March 11, 2009

Introduced by M. of A. TEDISCO, THIELE, MILLER, KOLB, BUTLER, McKEVITT -- Multi-Sponsored by -- M. of A. ALFANO, AMEDORE, BACALLES, BARCLAY, BARRA, CONTE, CROUCH, ERRIGO, FINCH, GIGLIO, HAWLEY, HAYES, P. LOPEZ, OAKS, O'MARA, QUINN, RAIA, REILICH, SALADINO, SAYWARD, SCOZZAFAVA, TOBACCO, TOWNSEND, WALKER -- read once and referred to the Committee on Education

AN ACT to amend the education law, the state finance law and the tax law, in relation to increasing educational opportunities in the fields of math, science and technology or any high-tech field; and making an appropriation therefor

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

Section 1. Short title. This act shall be known and may be cited as the "New Edison Project Act".

S 2. Legislative intent. Today, Americans are feeling the far-reaching effects of economic globalization and the loss of the American distinction as the leader in technological innovation. While there is recognition throughout the United States from academic, political and business leaders of the nature of the problem, solutions appear both varied and isolated. Only recently has government been compelled to put forth legislative efforts.

Here in New York, we have made great efforts to cultivate a new generation of high tech business, and we have marketed these emerging efforts with names such as Tech Valley and Silicon Alley. If we are to continue to build a future for New York as a technological center for innovation and science, we must be committed to cultivating a new generation of scientists.

The New Edison Project does not rely on a single decision-making factor to influence a student's career choice, but instead employs a broad range of programs that seek to influence and inspire a generation of high school and college students.

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

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S 3. Section 305 of the education law is amended by adding two new subdivisions 42 and 43 to read as follows:

42. THE COMMISSIONER SHALL DEVELOP GUIDELINES BY WHICH SCHOOL DISTRICTS MAY ESTABLISH HIGH SCHOOLS OFFERING ADVANCED CURRICULA OF THE SCIENCES. SUCH SCHOOLS WOULD BE EITHER DISTINCT HIGH SCHOOLS OR PROGRAMS WITHIN HIGH SCHOOLS DISTRIBUTED REGIONALLY THROUGHOUT THE STATE WHICH PROVIDE STUDENTS WITH ENRICHED MATH, SCIENCE AND TECHNOLOGY CURRICULA. EACH SCHOOL DISTRICT INTERESTED IN PARTICIPATING SHALL SUBMIT AN APPLICATION TO THE DEPARTMENT SETTING FORTH ITS PLAN FOR ADVANCED CURRICULUM. SIX SCHOOL DISTRICTS SHALL BE ACCEPTED FOR ADVANCED CURRICULUM FUNDING OF UP TO ONE MILLION DOLLARS EACH IN ADDITION TO TRADITIONAL SCHOOL AID.

43. TO PROPERLY ACQUAINT THE PUBLIC WITH THE IMPORTANCE OF THE PROVISIONS OF SUBDIVISION FORTY-TWO OF THIS SECTION, THE COMMISSIONER, WITH APPROPRIATE CONSULTATION, SHALL ESTABLISH A CELEBRITY MEDIA CAMPAIGN WHEREBY CELEBRITIES OF TELEVISION, FILM AND THE SCIENCES ARE INVOLVED TO DRAW ATTENTION TO MATH, SCIENCE AND TECHNOLOGY CAREER PATHS. THIS CAMPAIGN WILL ALSO BE AIMED AT PARENTS OF POTENTIAL STUDENTS OF THE ADVANCED CURRICULUM.

S 4. The education law is amended by adding a new section 667-b to read as follows:

S 667-B. SUPPLEMENTAL PROGRAM FOR MATH, SCIENCE AND TECHNOLOGY MAJORS. ANY FULL TIME STUDENT ENTERING HIS OR HER SOPHOMORE YEAR WHO IS ENROLLED IN A MATH, SCIENCE OR TECHNOLOGY MAJOR, AND WHO IS A RECIPIENT OF TUITION ASSISTANCE PURSUANT TO SECTION SIX HUNDRED SIXTY-SEVEN OF THIS SUBPART, SHALL RECEIVE AN ADDITIONAL SUM OF FIVE HUNDRED DOLLARS TOWARD TUITION.

S 5. The education law is amended by adding a new section 669-e to read as follows:

S 669-E. ADDITIONAL INCENTIVES IN THE FIELDS OF MATH, SCIENCE AND TECHNOLOGY. IN ADDITION TO THE INCENTIVES TOWARD A TEACHING CAREER PURSUANT TO SECTION SIX HUNDRED SIXTY-NINE-D OF THIS SUBPART, THE COMMISSIONER SHALL SELECT UP TO FIVE HUNDRED FULL TIME STUDENTS WHO ARE MAJORING IN MATH, SCIENCE OR TECHNOLOGY OR ANY OTHER HIGH-TECHNOLOGY FIELD THAT THE COMMISSIONER DEEMS APPROPRIATE, TO RECEIVE LOAN FORGIVENESS OF TEN THOUSAND DOLLARS PER YEAR FOR UP TO FIVE YEARS PROVIDED EACH SUCH STUDENT AGREES IN WRITING TO WORKING WITHIN THIS STATE FOR AT LEAST FIVE YEARS AFTER GRADUATION IN AN APPROPRIATE FIELD OF MATH, SCIENCE OR TECHNOLOGY OR ANY OTHER HIGH-TECHNOLOGY FIELD THAT THE COMMISSIONER DEEMS APPROPRIATE.

S 6. The state finance law is amended by adding a new section 89-h to read as follows:

S 89-H. MICROSCOPE FUND. 1. THERE IS HEREBY ESTABLISHED IN THE JOINT CUSTODY OF THE COMMISSIONER OF TAXATION AND FINANCE AND THE COMPTROLLER, A SPECIAL FUND TO BE KNOWN AS THE "MICROSCOPE FUND".

2. SUCH FUND SHALL CONSIST OF ALL REVENUES RECEIVED BY THE DEPARTMENT OF TAXATION AND FINANCE FROM GRANTS, CONTRIBUTIONS, DONATIONS AND ALL OTHER MONEYS CREDITED OR TRANSFERRED THERETO FROM ANY OTHER FUND OR SOURCE PURSUANT TO LAW. THE COMMISSIONER OF EDUCATION SHALL ESTABLISH A LOW INTEREST LOAN FUND, TO BE ADMINISTERED BY A PRIVATE FINANCIAL CORPORATION. SUCH FUND SHALL PROVIDE UP TO FIFTY THOUSAND DOLLARS PER HIGH SCHOOL GRANTED A LOW INTEREST LOAN PURSUANT TO THIS SECTION. HIGH SCHOOLS SHALL QUALIFY FOR SUCH A LOAN BASED ON CRITERIA TO BE DETERMINED BY THE PRIVATE FINANCIAL CORPORATION ADMINISTERING THE LOAN FUND AND PRIORITY SHALL BE GIVEN TO FUNDING FOR SPECIALIZED PROJECTS.

3. ON OR BEFORE THE FIRST DAY OF FEBRUARY EACH YEAR, THE COMPTROLLER SHALL CERTIFY TO THE GOVERNOR, TEMPORARY PRESIDENT OF THE SENATE, SPEAK-

ER OF THE ASSEMBLY, MINORITY LEADER OF THE SENATE, MINORITY LEADER OF THE ASSEMBLY, CHAIR OF THE SENATE FINANCE COMMITTEE, RANKING MINORITY MEMBER OF THE SENATE FINANCE COMMITTEE, CHAIR OF THE ASSEMBLY WAYS AND MEANS COMMITTEE AND RANKING MINORITY MEMBER OF THE ASSEMBLY WAYS AND MEANS COMMITTEE, THE AMOUNT OF MONEY DEPOSITED IN SUCH FUND DURING THE PRECEDING CALENDAR YEAR.

4. MONEYS IN SUCH FUND SHALL BE KEPT SEPARATE AND SHALL NOT BE COMMINGLED WITH ANY OTHER MONEYS IN THE CUSTODY OF THE COMMISSIONER OF TAXATION AND FINANCE AND THE COMPTROLLER.

5. ALL PAYMENTS FROM SUCH FUND SHALL BE MADE BY THE DEPARTMENT OF TAXATION AND FINANCE AFTER AUDIT AND WARRANT OF THE COMPTROLLER ON VOUCHERS APPROVED BY THE COMMISSIONER OF EDUCATION.

S 7. The state finance law is amended by adding a new section 89-i to read as follows:

S 89-I. FOUNDATION FUND. 1. THERE IS HEREBY ESTABLISHED IN THE JOINT CUSTODY OF THE COMMISSIONER OF TAXATION AND FINANCE AND THE COMPTROLLER, A SPECIAL FUND TO BE KNOWN AS THE "FOUNDATION FUND".

2. SUCH FUND SHALL CONSIST OF ALL REVENUES RECEIVED BY THE DEPARTMENT OF TAXATION AND FINANCE, FROM MONEYS APPROPRIATED, CREDITED, OR TRANSFERRED THERETO FROM ANY OTHER FUND OR SOURCE PURSUANT TO LAW. NOTHING CONTAINED IN THIS SECTION SHALL PREVENT THE STATE FROM RECEIVING GRANTS, GIFTS OR BEQUESTS FOR THE PURPOSES OF THE FUND AS DEFINED IN THIS SECTION AND DEPOSITING THEM INTO SUCH FUND ACCORDING TO LAW.

3. ON OR BEFORE THE FIRST DAY OF FEBRUARY EACH YEAR, THE COMPTROLLER SHALL CERTIFY TO THE GOVERNOR, TEMPORARY PRESIDENT OF THE SENATE, SPEAKER OF THE ASSEMBLY, MINORITY LEADER OF THE SENATE, MINORITY LEADER OF THE ASSEMBLY, CHAIR OF THE SENATE FINANCE COMMITTEE, RANKING MINORITY MEMBER OF THE SENATE FINANCE COMMITTEE, CHAIR OF THE ASSEMBLY WAYS AND MEANS COMMITTEE AND RANKING MINORITY MEMBER OF THE ASSEMBLY WAYS AND MEANS COMMITTEE, THE AMOUNT OF MONEY DEPOSITED IN SUCH FUND.

4. MONEYS IN SUCH FUND SHALL BE KEPT SEPARATE AND SHALL NOT BE COMMINGLED WITH ANY OTHER MONEYS IN THE CUSTODY OF THE COMMISSIONER OF TAXATION AND FINANCE AND THE COMPTROLLER.

5. ALL PAYMENTS FROM SUCH FUND SHALL BE MADE BY THE DEPARTMENT OF TAXATION AND FINANCE AFTER AUDIT AND WARRANT OF THE COMPTROLLER ON VOUCHERS APPROVED BY THE COMMISSIONER OF EDUCATION.

6. THE MONIES FROM THIS FUND SHALL BE DISTRIBUTED BY THE COMMISSIONER OF EDUCATION TO GRADUATE STUDENTS IN ALL SECTORS TO PURSUE SCIENTIFIC RESEARCH RELATED TO THEIR GRADUATE OR DOCTORAL STUDIES. EACH GRADUATE STUDENT, SELECTED USING CRITERIA TO BE ESTABLISHED BY THE DEPARTMENT OF EDUCATION, SHALL BE ELIGIBLE TO RECEIVE UP TO TWENTY THOUSAND DOLLARS. SUCH AWARD SHALL BE TO HELP SUCH STUDENTS SECURE INCUBATOR SPACE AND PAY FOR COSTS ASSOCIATED WITH DEVELOPMENT AND CONSTRUCTION OF SCIENTIFIC PROTOTYPES. SUCH AWARDS SHALL BE GRANTED ON A COMPETITIVE BASIS AND SHALL BE AVAILABLE TO INDIVIDUALS ONLY ONCE.

S 8. Section 210 of the tax law is amended by adding a new subdivision 41 to read as follows:

41. MICROSCOPE FUND TAX CREDIT. A TAXPAYER SHALL BE ALLOWED A CREDIT AGAINST THE TAX IMPOSED BY THIS ARTICLE. THE AMOUNT OF THE CREDIT SHALL BE EQUAL TO FIFTY PERCENT OF THE SUM OF THE FOLLOWING INVESTMENTS AND CONTRIBUTIONS MADE DURING THE TAXABLE YEAR AND CERTIFIED BY THE COMMISSIONER OF EDUCATION FOR TAXABLE YEARS BEGINNING ON AND AFTER JANUARY FIRST, TWO THOUSAND TEN, CONTRIBUTIONS IN THE FORM OF DONATIONS MADE TO THE MICROSCOPE FUND ESTABLISHED PURSUANT TO SECTION EIGHTY-NINE-H OF THE STATE FINANCE LAW. THE AMOUNT OF SUCH CREDIT ALLOWABLE TO A TAXPAYER UNDER THIS SUBDIVISION SHALL NOT EXCEED TWENTY-FIVE THOUSAND DOLLARS.

S 9. The commissioner of education shall create and sponsor a science fair intended to lead the nation in participation and prizes awarded. Such fair shall be designed to challenge and inspire the state's brightest and most inventive high school students to attempt to solve a timely societal challenge, such as our reliance on fossil fuels. After the challenge is announced in September, each participating high school will have six months to solve the problem and host a science fair to be held by February, qualifying one team for the regional competition. The team will win a $2,500 award to aid with additional costs of the project and travel expenses. Each award shall be presented by the school's state senate representative and assembly representative. Each winning team will then compete in one of 10 regional competitions. Each region shall qualify the three top teams to compete in the final state competition to be held in Albany in the spring. The awards for the 30 teams competing in the final:

First Place: The New Edison Medal presented by the governor, $500,000 to the winning high school, $5,000 to each team member to be used for attending a New York state college, and an agreement that seventy-five percent of the award to the school be used to improve math, science and technology programs at the school.

Second Place: $50,000 for the high school, $2,000 for each team member to be used for attending a New York state college, and an agreement that seventy-five percent of the award to the school be used to improve math, science and technology programs at the school.

Third Place and Fourth Place: $10,000 for the high school, and $500 for each team member to be used for attending a New York state college.

S 10. Commission on science, math and technology. 1. There is hereby established a temporary state commission on science, math and technology. The commission shall investigate and make recommendations regarding strengthening science, math and technology education throughout the state; including, but not limited to, identifying ways to utilize guidance counselors as a means of encouraging careers and activities for grades six through twelve that are geared toward math, science and technology.

2. The commission shall report each year to the governor, temporary president of the senate, minority leader of the senate, speaker of the assembly and the minority leader of the assembly as to engaging elementary school children in the study of math, science and technology; identifying internships and fellowships for middle school through college age students high-tech areas; and designing curriculum for kindergarten through twelve and higher education in the science, math and technology areas.

3. The commissioner of education or his or her designee shall chair the commission. In addition, the governor shall appoint three members; one representative of private schools, one representative of public schools and one representative of private industry, the temporary president of the senate, the speaker of the assembly and the comptroller shall each appoint one member of the commission.

4. The members of the commission shall not be compensated for their service but shall be reimbursed for their actual and necessary expenses in providing such service.

5. The department of education and any other state agency shall, if called upon, provide the members with cooperation, information and staff support.

S 11. The sum of two million dollars ($2,000,000), or so much thereof as may be necessary, is hereby appropriated to the foundation fund from

any moneys in the state treasury in the general fund to the credit of the state purposes account not otherwise appropriated for the purposes of carrying out the provisions of section seven of this act. Such sum shall be payable on the audit and warrant of the state comptroller on vouchers certified or approved by the commissioner of education, or his or her duly designated representative in the manner provided by law. No expenditure shall be made from this appropriation until a certificate of approval of availability shall have been issued by the director of the budget and filed with the state comptroller and a copy filed with the chairman of the senate finance committee and the chairman of the assembly ways and means committee. Such certificate may be amended from time to time by the director of the budget and a copy of each such amendment shall be filed with the state comptroller, the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

S 12. This act shall take effect January 1, 2010. The commissioner of education shall immediately develop necessary guidelines and promulgate necessary rules and regulations to carry out the provisions of this act on or before such effective date.