

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

7209--A

2009-2010 Regular Sessions

I N A S S E M B L Y

March 26, 2009

Introduced by M. of A. ENGLEBRIGHT, SCHIMEL, MOLINARO, LATIMER -- read once and referred to the Committee on Governmental Employees -- recommended to the Committee on Governmental Employees in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to enact the "framework for the future 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 governor to establish a study group to evaluate and make recommendations relating to the extent to which state mandates exceed federal mandates; to amend the state finance law, in relation to requiring state reimbursement of localities for additional mandate expenses; and providing for the repeal of certain 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

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

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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 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); 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); and to amend the state finance law and the education law, in relation to appropriations for the support of school districts (Part W)

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 "framework for the future 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 W. 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

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

3 S 521-A. STATE CONTRIBUTIONS. 1. NOTWITHSTANDING ANY OTHER PROVISION
4 OF LAW, ON AND AFTER JULY FIRST, TWO THOUSAND TEN, THE STATE SHALL PAY
5 ONE-HALF OF ALL EMPLOYER CONTRIBUTIONS, EXCEPT WHEN THE EMPLOYER IS THE
6 STATE OR A STATE AGENCY, REQUIRED TO BE MADE TO THE RETIREMENT SYSTEM
7 PURSUANT TO THIS ARTICLE OR ANY OTHER PROVISION OF LAW REQUIRING
8 CONTRIBUTIONS TO THE RETIREMENT SYSTEM.

9 2. THE STATE COMPTROLLER SHALL, BY RULE OR REGULATION, ESTABLISH A
10 SYSTEM FOR THE PAYMENT BY THE STATE OF THE CONTRIBUTIONS REQUIRED BY
11 SUBDIVISION ONE OF THIS SECTION.

12 S 2. This act shall take effect immediately.

13 PART B

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

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

35 S 2. Subdivisions 1, 2, 4 and 7 of section 163 of the civil service
36 law, subdivisions 1 and 4 as amended by chapter 329 of the laws of 1960,
37 subdivision 2 as amended by chapter 617 of the laws of 1967 and subdivi-
38 sion 7 as amended by chapter 198 of the laws of 1966, are amended to
39 read as follows:

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

46 2. The contract or contracts shall provide for health insurance for
47 retired employees of the state; and of the state colleges of agricul-
48 ture, home economics, industrial labor relations and veterinary medi-
49 cine, the state agricultural experiment station at Geneva, and any other
50 institution or agency under the management and control of Cornell
51 university as the representative of the board of trustees of the state
52 university of New York, and the state college of ceramics under the
53 management and control of Alfred university as the representative of the
54 board of trustees of the state university of New York[,]; AND OF THE

1 SCHOOL DISTRICTS AND BOARDS OF COOPERATIVE EDUCATIONAL SERVICES IN THE
2 STATE; and their spouses and dependent children as defined by the regu-
3 lations of the president, on such terms as the president may deem appro-
4 priate, PROVIDED, HOWEVER, THAT FOR EMPLOYEES, AND THEIR SPOUSES AND
5 DEPENDENTS, THE EMPLOYER SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCA-
6 TIONAL SERVICES SHALL PAY ONE-HALF OF THE EXPENSES OF ADMINISTRATION OF
7 THE PLAN AS DETERMINED BY THE PRESIDENT, and the president may authorize
8 the inclusion in the plan of the employees and retired employees of
9 public authorities, public benefit corporations, [school districts,]
10 special districts, district corporations, municipal corporations exclud-
11 ing active employees and retired employees of cities having a population
12 of one million or more inhabitants whose compensation is or was before
13 retirement paid out of the city treasury, or other appropriate agencies,
14 subdivisions or quasi-public organizations of the state and their spous-
15 es and dependent children as defined by the regulations of the presi-
16 dent. Any such corporation, district, agency or organization electing to
17 participate in the plan shall be required to pay its proportionate share
18 of the expenses of administration of the plan in such amounts and at
19 such times as determined and fixed by the president. All amounts paya-
20 ble for such expenses of administration shall be paid to the commission-
21 er of taxation and finance and shall be applied to the reimbursement of
22 funds previously advanced for such purposes. Neither the state nor any
23 other participant in the plan shall be charged with the particular expe-
24 rience attributable to the employees of the participant, and all divi-
25 dends or retroactive rate credits shall be distributed pro-rata based
26 upon the number of employees of such participant covered by the plan.

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

44 7. For purposes of eligibility for participation in the health insur-
45 ance plan no person shall be deemed to be a state officer or employee or
46 to be in the service of the state unless his OR HER salary or compen-
47 sation is paid directly by the state, and no person shall be deemed to
48 be a retired officer or employee of the state unless his OR HER salary
49 or compensation immediately preceding his OR HER retirement was paid
50 directly by the state; provided, however, that all active and retired
51 justices, judges, officers and employees of the supreme court, surro-
52 gate's court, county court, family court, civil court of the city of New
53 York, criminal court of the city of New York and district court in any
54 county, officers and employees of the office of probation for the courts
55 of New York city, AND ALL ACTIVE AND RETIRED OFFICERS AND EMPLOYEES OF A
56 SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES shall be

1 eligible for participation in the health insurance plan whether or not
2 their salaries are paid or before retirement were paid directly by the
3 state.

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

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

1 sion or of the public authority who died on or after April first nine-
2 teen hundred seventy-five, may elect to continue dependent coverage or
3 such unremarried spouse may elect individual coverage and upon such
4 election shall pay at intervals determined by the president one-quarter
5 of the full cost of dependent coverage.

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

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

20 S 4. Subdivisions 1 and 4 of section 167 of the civil service law,
21 subdivision 1 as amended by chapter 582 of the laws of 1988, paragraph
22 (b) of subdivision 1 as amended by chapter 317 of the laws of 1995 and
23 subdivision 4 as amended by chapter 407 of the laws of 1970, are amended
24 to read as follows:

25 1. (a) The full cost of premium or subscription charges for the cover-
26 age of retired state EMPLOYEES, AND ONE-HALF OF SUCH COSTS FOR COVERAGE
27 OF SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES employ-
28 ees who are enrolled in the statewide and the supplementary health
29 insurance plans established pursuant to this article and who retired
30 prior to January first, nineteen hundred eighty-three shall be paid by
31 the state. Nine-tenths of the cost of premium or subscription charges
32 for the coverage of state EMPLOYEES, AND FORTY-FIVE PERCENT OF SUCH
33 COSTS FOR COVERAGE OF SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCA-
34 TIONAL SERVICES employees and retired state, SCHOOL DISTRICT OR BOARD OF
35 COOPERATIVE EDUCATIONAL SERVICES employees retiring on or after January
36 first, nineteen hundred eighty-three who are enrolled in the statewide
37 and supplementary health insurance plans shall be paid by the state.
38 Three-quarters of the cost of premium or subscription charges for the
39 coverage of dependents of such state EMPLOYEES, AND THREE-EIGHTHS OF
40 SUCH COSTS FOR COVERAGE OF SCHOOL DISTRICT OR BOARD OF COOPERATIVE
41 EDUCATIONAL SERVICES employees and retired state, SCHOOL DISTRICT OR
42 BOARD OF COOPERATIVE EDUCATIONAL SERVICES employees shall be paid by the
43 state. Except as provided in paragraph (b) of this subdivision, the
44 state shall contribute toward the premium or subscription charges for
45 the coverage of each state, SCHOOL DISTRICT OR BOARD OF COOPERATIVE
46 EDUCATIONAL SERVICES employee or retired state, SCHOOL DISTRICT OR BOARD
47 OF COOPERATIVE EDUCATIONAL SERVICES employee who is enrolled in an
48 optional benefit plan and for the dependents of such state, SCHOOL
49 DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES employee or
50 retired state, SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL
51 SERVICES employee the same dollar amount which would be paid by the
52 state for the premium or subscription charges for the coverage of such
53 state, SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES
54 employee or retired state, SCHOOL DISTRICT OR BOARD OF COOPERATIVE
55 EDUCATIONAL SERVICES employee and his or her dependents if he or she
56 were enrolled in the statewide and the supplementary health insurance

1 plans, but not in excess of the premium or subscription charges for the
2 coverage of such state, SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCA-
3 TIONAL SERVICES employee or retired state, SCHOOL DISTRICT OR BOARD OF
4 COOPERATIVE EDUCATIONAL SERVICES employee and his or her dependents
5 under such optional benefit plan. For purposes of this subdivision,
6 employees of the state colleges of agriculture, home economics, indus-
7 trial labor relations, and veterinary medicine, the state agricultural
8 experiment station at Geneva, and any other institution or agency under
9 the management and control of Cornell university as the representative
10 of the board of trustees of the state university of New York, and
11 employees of the state college of ceramics under the management and
12 control of Alfred university as the representative of the board of trus-
13 tees of the state university of New York, shall be deemed to be state
14 employees whose salaries or compensation are paid directly by the state.

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

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

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

30

PART C

31 Section 1. Subdivision 5 of section 3602 of the education law, as
32 added by section 13 of part B of chapter 57 of the laws of 2007, is
33 amended to read as follows:
34 5. Public high cost excess cost aid. A school district having a pupil
35 with a disability of school age for whom the cost, as approved by the
36 commissioner, of appropriate special services or programs exceeds the
37 [lesser of ten thousand dollars or four times the expense per pupil
38 without limits shall be entitled to an additional apportionment for each
39 such child computed by multiplying the district's excess cost aid ratio
40 by the amount by which such cost exceeds three times the] district's
41 expense per pupil [without limits] SHALL BE ENTITLED TO AN ADDITIONAL
42 APPORTIONMENT FOR EACH SUCH CHILD EQUAL TO ONE-HALF OF THE EXCESS OF THE
43 COST FOR SUCH CHILD WITH A DISABILITY OVER THE DISTRICTS EXPENSES PER
44 PUPIL.
45 [a.] For the purpose of this subdivision[:
46 (1) Expense], "EXPENSE per pupil [for the purposes of this subdivi-
47 sion]" shall be not less than two thousand dollars and not more than the
48 greater of seven thousand one hundred ten dollars or the statewide aver-
49 age of such expense per pupil. Such statewide average expense per pupil
50 shall be computed and rounded to the nearest fifty dollars by the
51 commissioner using the expense and pupils as estimated by school
52 districts or as determined by the commissioner for use in determining
53 the expense per pupil of the district pursuant to paragraph f of subdivi-
54 sion one of this section for all districts eligible for aid pursuant

1 to this section. For the purposes of calculating such statewide expense
2 per pupil, the data for the city school district of the city of New York
3 shall be city-wide data.

4 [(2) The excess cost aid ratio shall be computed by subtracting from
5 one the product obtained by multiplying fifty-one per centum by the
6 combined wealth ratio. This aid ratio shall be expressed as a decimal
7 carried to three places without rounding, but not less than twenty-five
8 percent.

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

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

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

15 PART D

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

22 S 2. This act shall take effect immediately.

23 PART E

24 Section 1. Within 60 days of the effective date of this act the gover-
25 nor shall establish and convene a study group to evaluate state mandates
26 as compared to the federal mandates.

27 S 2. Such study group shall be composed of members who have extensive
28 experience in the provision of services, required pursuant to federal
29 law, rules or regulations.

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

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, 2011, report to the
37 governor and the legislature. Such report shall include the study
38 group's findings, conclusions and recommendations.

39 S 6. The state finance law is amended by adding a new section 28 to
40 read as follows:

41 S 28. MANDATE RELIEF. 1. DEFINITION. FOR THE PURPOSES OF THIS SECTION,
42 "POLITICAL SUBDIVISION" SHALL MEAN A COUNTY, CITY, TOWN, VILLAGE, SCHOOL
43 DISTRICT OR SPECIAL DISTRICT, AND SHALL INCLUDE ANY AGENCY, AUTHORITY,
44 COMMISSION, DEPARTMENT OR INSTRUMENTALITY THEREOF.

45 2. EACH FISCAL YEAR THE BUDGET SUBMITTED BY THE GOVERNOR AND ENACTED
46 BY THE LEGISLATURE SHALL CONTAIN SEPARATE AND DISTINCT APPROPRIATIONS TO
47 REIMBURSE POLITICAL SUBDIVISIONS FOR THE ENTIRETY OF ANY ADDITIONAL
48 EXPENSES INCURRED BY SUCH POLITICAL SUBDIVISIONS PURSUANT TO ANY STATE
49 LAW, RULE OR REGULATION ENACTED TO COMPLY WITH A REQUIREMENT ESTABLISHED
50 BY FEDERAL LAWS, RULES OR REGULATIONS TO THE EXTENT THAT SUCH STATE
51 LAWS, RULES OR REGULATIONS REQUIRE THE ASSUMPTION OF ADDITIONAL COSTS
52 ABOVE THOSE IMPOSED BY SUCH FEDERAL REQUIREMENTS.

S 7. This act shall take effect immediately and sections one through five of this act shall expire and be deemed repealed April 1, 2011.

PART F

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

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

(B) A PROVISION OF LAW THAT REQUIRES ONE OR MORE POLITICAL SUBDIVISIONS TO EXPEND FUNDS OR TO TAKE ACTIONS REQUIRING THE EXPENDITURE OF FUNDS SHALL BE DEEMED AN UNFUNDED MANDATE IF SUCH PROVISION OF LAW RESULTS IN AN AGGREGATE NET INCREASE IN NECESSARY DIRECT EXPENDITURES BY ANY POLITICAL SUBDIVISION OF THE STATE. ANY SUCH AGGREGATE NET INCREASE IN EXPENDITURES SHALL BE OFFSET BY: (I) MONIES PROVIDED TO POLITICAL SUBDIVISIONS FOR THE SPECIFIC PURPOSE OF FUNDING SUCH PROVISION OF LAW; AND (II) DECREASES IN EXPENDITURES EXPECTED TO RESULT FROM OTHER PROVISIONS OF LAW ENACTED CONCURRENTLY THEREWITH THAT REPEAL, REDUCE OR MODIFY EXISTING MANDATES ON POLITICAL SUBDIVISIONS. FOR PURPOSES OF THIS SECTION, ALL BUDGET BILLS AND LEGISLATION NECESSARY TO IMPLEMENT THE BUDGET ENACTED PURSUANT TO ARTICLE SEVEN OF THE CONSTITUTION SHALL BE DEEMED TO HAVE BEEN CONCURRENTLY ENACTED INTO LAW.

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

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

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

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

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

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

S 2. This act shall take effect immediately.

PART G

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

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

2. The legislature shall by concurrent resolution of the senate and assembly prescribe rules requiring fiscal notes to accompany, on a separate form, bills and amendments to bills, [except as otherwise prescribed by such rules,] which would [substantially] affect the revenues or expenses, or both, of any political subdivision.

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

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

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

S 13. FISCAL NOTES ON EXECUTIVE ORDERS AFFECTING POLITICAL SUBDIVISIONS. 1. FOR THE PURPOSES OF THIS SECTION, THE TERM "POLITICAL SUBDIVISION" MEANS ANY COUNTY, CITY, TOWN, VILLAGE, SPECIAL DISTRICT OR SCHOOL DISTRICT.

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

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

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

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

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

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

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

PART H

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

42. THE COMMISSIONER SHALL DEVELOP AND IMPLEMENT, ON OR BEFORE JULY FIRST, TWO THOUSAND ELEVEN, A PROGRAM WITHIN THE DEPARTMENT WHICH PROVIDES INFORMATION, EXPERTISE AND ASSISTANCE TO SCHOOL DISTRICTS IN THE CONSOLIDATION OF FUNCTIONS WITHIN AND AMONG SUCH DISTRICTS.

S 2. This act shall take effect immediately.

PART I

Section 1. Clause 1 of subparagraph (i) of paragraph o of subdivision 10 of section 54 of the state finance law, as amended by section 7 of part GG of chapter 56 of the laws of 2009, is amended to read as follows:

1 (1) For the purposes of this paragraph, "municipality" shall mean
2 counties, cities, towns, villages, special improvement districts, fire
3 districts, public libraries, association libraries, water authorities,
4 sewer authorities, AND regional planning and development boards[, school
5 districts, and boards of cooperative educational services; provided,
6 however, that for the purposes of this definition, a board of cooper-
7 ative educational services shall be considered a municipality only in
8 instances where such board of cooperative educational services advances
9 a joint application on behalf of school districts and other munici-
10 palities within the board of cooperative educational services region;
11 provided, however, that any agreements with a board of cooperative
12 educational services: shall not generate additional state aid; shall be
13 deemed not to be a part of the program, capital and administrative budg-
14 ets of the board of cooperative educational services for the purposes of
15 computing charges upon component school districts pursuant to subpara-
16 graph seven of paragraph b of subdivision four of section nineteen
17 hundred fifty and subdivision one of section nineteen hundred fifty and
18 subdivision one of section nineteen hundred fifty-one of the education
19 law; and shall be deemed to be a cooperative municipal service for
20 purposes of subparagraph two of paragraph d of subdivision four of
21 section nineteen hundred fifty of the education law].

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

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

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

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

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

47 (2) Efficiency implementation grants may be used to cover costs
48 including, but not limited to, legal and consultant services, capital
49 improvements, transitional personnel costs essential for the implementa-
50 tion of the approved efficiency implementation grant work plan, and
51 other necessary expenses. Grants may be used for capital improvements,
52 transitional personnel costs or joint equipment purchases only where
53 such expenses are integral to the coordinated or consolidated service
54 delivery. [The amounts awarded to a school district pursuant to this
55 subparagraph shall not be included in the approved operating expense of

1 the school district as defined in paragraph t of subdivision one of
2 section thirty-six hundred two of the education law.]

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

6 (1) Within the amounts appropriated therefor, subject to a plan devel-
7 oped in consultation with the commission on local government efficiency
8 and competitiveness and approved by the director of the budget, the
9 secretary of state may award competitive grants to municipalities to
10 cover costs associated with a functional consolidation or a shared
11 services agreement having great potential to achieve financial savings
12 and serve as a model for other municipalities, including the consol-
13 idation of services on a multi-county basis, the consolidation of
14 certain services countywide as identified in such plan, the creation of
15 a regional entity empowered to provide multiple functions on a county-
16 wide or regional basis, the creation of a regional or city-county
17 consolidated municipal government, [the consolidation of school
18 districts or supporting services for school districts encompassing the
19 area served by a board of cooperative educational services,] or the
20 creation of a regional smart growth compact or program.

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

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

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

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

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

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

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

48 PART J

49 Section 1. Subdivision 1 of section 1950 of the education law, as
50 amended by chapter 396 of the laws of 1974, is amended to read as
51 follows:

52 1. The boards of education and school trustees of a supervisory
53 district which is not part of an intermediate district, meeting at a
54 time and place to be designated by the district superintendent of

1 schools, may, by a majority vote of their members present and voting,
2 file with the commissioner [of education] a petition for the establish-
3 ment of a board of cooperative educational services for the purpose of
4 carrying out a program of SUCH shared educational services [in] AS the
5 schools of the supervisory district ELECT TO HAVE PROVIDED BY SUCH BOARD
6 and for providing instruction in such special subjects as the commis-
7 sioner may approve. NO PROVISION OF LAW, RULE OR REGULATION, OTHER THAN
8 THE PROVISIONS OF THIS SECTION SHALL LIMIT THE SHARED SERVICES THAT A
9 BOARD OF COOPERATIVE EDUCATIONAL SERVICES IS AUTHORIZED TO PROVIDE OF
10 ITS COMPONENT SCHOOL DISTRICTS. The commissioner, by order, may estab-
11 lish such a board with membership of not less than five nor more than
12 fifteen, upon such application and when a vacancy occurs in the office
13 of district superintendent of schools shall establish such a board,
14 unless the commissioner shall issue an order pursuant to section twen-
15 ty-two hundred one OF THIS TITLE redistricting the county so as to
16 provide for a lesser number of supervisory districts. The commissioner,
17 by order, may authorize a board, established prior to July second, nine-
18 teen hundred sixty-five, to increase its membership to not less than
19 five nor more than fifteen.

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

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

25 c. Make or cause to be made surveys to determine the need for cooper-
26 ative educational services in the supervisory district and present the
27 findings of their surveys to local school authorities. Each board of
28 cooperative educational services shall prepare long range program plans
29 to meet the projected need for such cooperative educational services in
30 the supervisory district for the next five years [as may be specified by
31 the commissioner,] and shall submit such plans and thereafter annual
32 revisions of such plans to the commissioner on or before the first day
33 of December of each year, except that special education and career
34 education program plans, in a form specified by the commissioner, shall
35 be submitted every two years, no later than the date specified by the
36 commissioner, and revised annually.

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

40 (1) Aidable shared services. At the request of component school
41 districts[, and with the approval of the commissioner,] provide any of
42 the following services on a cooperative basis: school nurse teacher,
43 attendance supervisor, supervisor of teachers, dental hygienist,
44 psychologist, teachers of art, music, physical education, career educa-
45 tion subjects, guidance counsellors, operation of special classes for
46 students with disabilities, as such term is defined in article eighty-
47 nine of this chapter; pupil and financial accounting service by means of
48 mechanical equipment; maintenance and operation of cafeteria or restau-
49 rant service for the use of pupils and teachers while at school[,];
50 OPERATION OF A REGIONAL TRANSPORTATION SYSTEM FOR THE BENEFIT OF THE
51 COMPONENT SCHOOL DISTRICTS and such other services as the [commissioner
52 may approve] COMPONENT SCHOOL DISTRICTS MAY REQUEST. Such cafeteria or
53 restaurant service may be used by the community for school related func-
54 tions and activities and to furnish meals to the elderly residents of
55 the district, sixty years of age or older. Utilization by elderly resi-
56 dents or school related groups shall be subject to the approval of the

1 board of education. Charges shall be sufficient to bear the direct cost
2 of preparation and serving of such meals, exclusive of any other avail-
3 able reimbursements.

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

7 (2) [Certain] ADDITIONAL SHARED services [prohibited] AUTHORIZED.
8 [Commencing with the nineteen hundred ninety-seven--ninety-eight school
9 year, the] THE commissioner shall [not be authorized to] approve as an
10 aidable shared service pursuant to this subdivision any cooperative
11 maintenance services or municipal services, including but not limited
12 to, lawn mowing services and heating, ventilation or air conditioning
13 repair or maintenance or trash collection, or any other municipal
14 services [as defined by the commissioner. On and after the effective
15 date of this paragraph, the commissioner shall not approve, as an aida-
16 ble shared service, any new cooperative maintenance or municipal
17 services for the nineteen hundred ninety-six--ninety-seven school year,
18 provided that the commissioner may approve the continuation of such
19 services for one year if provided in the nineteen hundred ninety-five--
20 ninety-six school year] REQUESTED BY THE COMPONENT SCHOOL DISTRICTS.

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

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

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

4 r. With the approval of the district superintendent of schools [and of
5 the commissioner of education] to furnish any of the educational
6 services provided for in this section or any other section of law which
7 authorizes such board to provide services to school districts outside of
8 the supervisory district, upon such terms as may be agreed upon pursuant
9 to contracts executed by such board of cooperative educational services
10 and the trustees or boards of education of such school districts.

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

13 PART K

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

16 S 3602-G. CAREER AND TECHNICAL EDUCATION. THE COMMISSIONER SHALL OUT
17 OF FUNDS APPROPRIATED THEREFOR, DISBURSE STATE ASSISTANCE TO BOARDS OF
18 COOPERATIVE EDUCATIONAL SERVICES FOR THE ESTABLISHMENT AND IMPLEMENTA-
19 TION OF PARTNERSHIPS BETWEEN SCHOOL DISTRICTS, SUCH BOARDS AND INSTI-
20 TUTIONS OF HIGHER EDUCATION FOR THE PROVISION AND COORDINATION OF
21 SCHOOL-BASED CAREER ACADEMIES WITH CAREER AND TECHNICAL EDUCATION
22 PROGRAMS.

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

25 PART L

26 Section 1. The commissioner of education shall establish a task force
27 to examine, evaluate and make recommendations concerning the various
28 alternative methods for funding charter schools which do not reduce the
29 funding provided to the school districts of residence of the charter
30 school students. Such task force shall review, with particular care, the
31 impact on charter schools and public schools of the funding methodology
32 for charter schools established pursuant to section 2856 of the educa-
33 tion law.

34 S 2. The task force shall be composed of the commissioner of educa-
35 tion, the commissioner of taxation and finance, the executive director
36 of the office of real property services, and such members as the commis-
37 sioner of education shall appoint. The members of the task force
38 appointed by the commissioner of education shall include representatives
39 of school districts, charter schools, parents of students attending
40 charter schools and residents of this state.

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

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

46 S 5. The task force shall submit a report, to the governor and the
47 legislature, of its findings, conclusions and recommendations on or
48 before April 1, 2011, and shall submit with its report such legislative
49 proposals as it deems necessary to implement such recommendations.

50 S 6. This act shall take effect immediately, and shall expire and be
51 deemed repealed April 2, 2011.

1

PART M

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

4 27. AID FOR ENERGY COST INCREASES. COMMENCING WITH AID PAYABLE IN THE
5 TWO THOUSAND TEN--TWO THOUSAND ELEVEN SCHOOL YEAR AND ALL SCHOOL YEARS
6 THEREAFTER, THE COMMISSIONER SHALL APPORTION AID TO EACH SCHOOL DISTRICT
7 EQUAL TO THE AMOUNT BY WHICH THE COST OF ELECTRICITY, PROPANE, NATURAL
8 GAS AND HEATING OIL USED BY THE SCHOOL DISTRICT DURING THE SCHOOL YEAR
9 EXCEEDS THE LESSER OF, ONE HUNDRED FOUR PERCENT OF THE COST THEREOF
10 DURING THE PRECEDING SCHOOL YEAR OR ONE HUNDRED TWENTY PERCENT OF THE
11 CONSUMER PRICE INDEX WITH REGARD TO THE COST THEREOF DURING THE PRECED-
12 ING SCHOOL YEAR.

13 S 2. This act shall take effect immediately.

14

PART N

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

17 S 1001-B. ENERGY CONSERVATION IMPROVEMENTS FOR SCHOOLS. THE AUTHORITY
18 SHALL ESTABLISH AND IMPLEMENT A PLAN THAT PROVIDES FINANCING TO SCHOOL
19 DISTRICTS FOR THE COSTS OF ENERGY CONSERVATION IMPROVEMENTS MADE TO ANY
20 SCHOOL IN THE SCHOOL DISTRICT, PROVIDED THAT NO COSTS ASSOCIATED WITH
21 SUCH FINANCIAL ASSISTANCE SHALL BE CHARGED TO THE AUTHORITY'S CUSTOMERS.
22 FINANCIAL ASSISTANCE SHALL BE REPAYED TO THE AUTHORITY, OVER A PERIOD NOT
23 TO EXCEED TEN YEARS, WITH SAVINGS IN ENERGY COSTS AND RELATED COSTS
24 WHICH ACCRUE TO THE SCHOOL DISTRICT AS A RESULT OF SUCH ENERGY CONSERVA-
25 TION IMPROVEMENTS.

26 S 2. This act shall take effect immediately.

27

PART O

28 Section 1. Paragraph q of subdivision 4 of section 1950 of the educa-
29 tion law, as separately amended by chapters 367 and 563 of the laws of
30 1979, is amended to read as follows:

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

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

1

PART P

2 Section 1. The opening paragraph of subdivision 4 of section 3602 of
3 the education law, as amended by section 13 of part A of chapter 57 of
4 the laws of 2009, is amended to read as follows:

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

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

37

PART Q

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

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

44 S 2. This act shall take effect April 1, 2010.

45

PART R

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

49 j. For school districts which reorganize on or after July first,
50 [nineteen hundred ninety-two] TWO THOUSAND TEN, the percent increase in
51 apportionment pursuant to paragraph c of this subdivision shall be

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

11 S 2. This act shall take effect July 1, 2010.

12 PART S

13 Section 1. Subparagraph 6 of paragraph n of subdivision 1 of section
14 3602 of the education law, as amended by section 11 of part B of chapter
15 57 of the laws of 2007, is amended to read as follows:

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

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

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

47 b.] 2. The [social services district in which any such child is resi-
48 dent at the time of admission or readmission to the New York state
49 school for the blind pursuant to this article] OFFICE OF CHILDREN AND
50 FAMILY SERVICES shall be required to reimburse the [state] DEPARTMENT in
51 an amount equal to the maintenance payments made to the state school by
52 the [state] DEPARTMENT on behalf of [the social services district] SUCH
53 OFFICE. [The comptroller may deduct the appropriate maintenance amounts
54 from any state funds which become due to a social services district for

1 each year in which such child is in attendance at such school only upon
2 notification by the commissioner of social services after receiving
3 notice by the commissioner of education that such social services
4 district has failed to remit the required maintenance payments to the
5 state within ninety days of the date on which such social services
6 district was billed by the state for services rendered, and shall depos-
7 it such funds to the special revenue accounts established for such
8 purpose.]

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

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

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

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

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

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

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

26

PART T

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

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

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

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

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

47

PART U

48 Section 1. The state finance law is amended by adding a new section
49 24-a to read as follows:

50 S 24-A. PUBLISHING OF PROPOSED BUDGET BILLS. NO LESS THAN THIRTY DAYS
51 PRIOR TO THE ENACTMENT OF THE BUDGET BILLS, AS SPECIFIED IN SECTION
52 TWENTY-FOUR OF THIS ARTICLE, BY THE LEGISLATURE, THE BUDGET BILLS THAT

1 THE LEGISLATURE HAS AGREED TO ENACT SHALL BE PUBLISHED IN BOTH WRITTEN
2 AND ELECTRONIC FORMS AND MADE AVAILABLE TO THE PUBLIC BY THE SENATE AND
3 THE ASSEMBLY, AND SHALL ALSO BE POSTED ON THE INTERNET WEBSITES OF THE
4 SENATE AND ASSEMBLY. SUCH PUBLISHING AND POSTING OF THE AGREED UPON
5 BUDGET BILLS SHALL INCLUDE A DETAILED EXPLANATION OF THE BILLS AND THE
6 SOURCES OF REVENUE THEREFOR.

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

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

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

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

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

30 PART V

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

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

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

42 PART W

43 Section 1. The state finance law is amended by adding a new section 29
44 to read as follows:

45 S 29. APPROPRIATIONS FOR PUBLIC ELEMENTARY AND SECONDARY EDUCATION. 1.
46 EACH FISCAL YEAR THE BUDGET SUBMITTED BY THE GOVERNOR AND ENACTED BY THE
47 LEGISLATURE SHALL CONTAIN APPROPRIATIONS FOR THE SUPPORT OF SCHOOL
48 DISTRICTS WHICH EQUAL OR EXCEED THE APPROPRIATIONS THEREFOR IN THE IMME-
49 DIATELY PRECEDING FISCAL YEAR.

50 2. EACH FISCAL YEAR THE BUDGET SUBMITTED BY THE GOVERNOR AND ENACTED
51 BY THE LEGISLATURE SHALL CONTAIN, TO THE EXTENT PRACTICABLE, APPROPRI-
52 ATIONS FOR THE SUPPORT OF SCHOOL DISTRICTS WHICH PROVIDE AN ALLOCATION

1 OF STATE FUNDS TO EACH SCHOOL DISTRICT EQUAL TO ONE-HALF OF THE EXPENDI-
2 TURES OF SUCH DISTRICT DURING THE FISCAL YEAR.

3 3. IN ANY FISCAL YEAR IN WHICH THE APPROPRIATIONS FOR THE SUPPORT OF
4 SCHOOL DISTRICTS IN THE BUDGET ENACTED BY THE LEGISLATURE ARE GREATER
5 THAN THOSE IN THE BUDGET FOR THE IMMEDIATELY PRECEDING FISCAL YEAR, THE
6 DIFFERENCE BETWEEN SUCH APPROPRIATIONS SHALL BE ALLOCATED TO THE SCHOOL
7 DISTRICTS OF THE STATE FOR THE EXPENSES OF EMPLOYEE HEALTH INSURANCE
8 PREMIUMS, PUBLIC RETIREMENT SYSTEM CONTRIBUTIONS AND THE EXPENSES OF
9 PROVIDING SPECIAL EDUCATION. NO ADDITIONAL ALLOCATION TO ANY SCHOOL
10 DISTRICT PURSUANT TO THIS SUBDIVISION SHALL AUTHORIZE THE REDUCTION OF
11 ANY ALLOCATION OTHERWISE PROVIDED AND REQUIRED TO BE DISBURSED TO A
12 SCHOOL DISTRICT. NOR SHALL THE PROVISIONS OF THIS SUBDIVISION, PREVENT
13 ANY SCHOOL DISTRICT FROM ELECTING TO RECEIVE INCREASED ALLOCATIONS
14 PURSUANT TO THE PROVISIONS OF THE EDUCATION LAW.

15 S 2. Subparagraph 2 of paragraph b of subdivision 4 of section 3602 of
16 the education law, as amended by section 13 of part A of chapter 57 of
17 the laws of 2009, is amended to read as follows:

18 (2) For the two thousand seven--two thousand eight school year, the
19 phase-in foundation percent shall equal one hundred seven and sixty-
20 eight hundredths percent (1.0768), the phase-in foundation increase
21 factor shall equal twenty percent (0.20), and the phase-in due-minimum
22 percent shall equal twelve and fifty-five hundredths percent (0.1255);

23 for the two thousand eight--two thousand nine school year, the phase-
24 in foundation percent shall equal one hundred five and twenty-six
25 hundredths percent (1.0526), the phase-in foundation increase factor
26 shall equal thirty-seven and one-half percent (0.375), and the phase-in
27 due-minimum percent shall equal twelve and fifty-five hundredths percent
28 (0.1255);

29 for the two thousand nine--two thousand ten school year, the phase-in
30 foundation percent shall equal one hundred two and five tenths percent
31 (1.025), the phase-in foundation increase factor shall equal thirty-sev-
32 en and one-half percent (0.375), and the phase-in due-minimum percent
33 shall equal twelve and fifty-five hundredths percent (0.1255)

34 for the two thousand ten--two thousand eleven school year, the phase-
35 in foundation percent shall equal one hundred seven and sixty-eight
36 hundredths percent (1.0768), the phase-in foundation increase factor
37 shall equal [thirty-seven and one-half] FORTY-ONE AND SIX-TENTHS percent
38 [(0.375)] (0.416), and the phase-in due-minimum percent shall equal
39 twelve and fifty-five hundredths percent (0.1255);

40 for the two thousand eleven--two thousand twelve school year, the
41 phase-in foundation percent shall equal one hundred five and six
42 hundredths percent (1.0506), the phase-in foundation increase factor
43 shall equal fifty-three and one-tenth percent (0.531), and the phase-in
44 due-minimum percent shall equal twelve and fifty-five hundredths percent
45 (0.1255); and

46 for the two thousand twelve--two thousand thirteen school year, the
47 phase-in foundation percent shall equal one hundred two and five
48 hundredths percent (1.0250), the phase-in foundation increase factor
49 shall equal seventy-five percent (0.75), and the phase-in due-minimum
50 percent shall equal twelve and fifty-five hundredths percent (0.1255).

51 S 3. This act shall take effect immediately.

52 S 3. Severability clause. If any clause, sentence, paragraph, subdivi-
53 sion, section or part of this act shall be adjudged by any court of
54 competent jurisdiction to be invalid, such judgment shall not affect,
55 impair, or invalidate the remainder thereof, but shall be confined in
56 its operation to the clause, sentence, paragraph, subdivision, section

1 or part thereof directly involved in the controversy in which such judg-
2 ment shall have been rendered. It is hereby declared to be the intent of
3 the legislature that this act would have been enacted even if such
4 invalid provisions had not been included herein.
5 S 4. This act shall take effect immediately provided, however, that
6 the applicable effective date of Parts A through W of this act shall be
7 as specifically set forth in the last section of such Parts.