

S T A T E   O F   N E W   Y O R K

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5716--A

2009-2010 Regular Sessions

I N   S E N A T E

June 1, 2009

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Introduced by Sen. FOLEY -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- recommitted to the Committee on Civil Service and Pensions in accordance with Senate Rule 6, sec. 8 -- 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

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

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provide shared services to their component school districts; and to repeal subparagraph 2 of paragraph a of subdivision 4 of section 1950 of such law relating to limitations on the compensation payable to the superintendent of such board (Part J); to amend the education law, in relation to providing state aid to boards of cooperative educational services for career and technical education (Part K); to direct the 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.

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

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

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

14 S 13. FISCAL NOTES ON EXECUTIVE ORDERS AFFECTING POLITICAL SUBDIVI-  
15 SIONS. 1. FOR THE PURPOSES OF THIS SECTION, THE TERM "POLITICAL SUBDIVI-  
16 SION" MEANS ANY COUNTY, CITY, TOWN, VILLAGE, SPECIAL DISTRICT OR SCHOOL  
17 DISTRICT.

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

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

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

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

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

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

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

## 39 PART H

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

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

46 S 2. This act shall take effect immediately.

## 47 PART I

48 Section 1. Clause 1 of subparagraph (i) of paragraph o of subdivision  
49 10 of section 54 of the state finance law, as amended by section 7 of  
50 part GG of chapter 56 of the laws of 2009, is amended to read as  
51 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.