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

5498

2011-2012 Regular Sessions

I N A S S E M B L Y

February 22, 2011

Introduced by M. of A. ENGLEBRIGHT, SCHIMEL, MOLINARO, LATIMER -- read once and referred to the Committee on Governmental Employees

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 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

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

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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:

Section 1. Short title. This act shall be known and may be cited as the "framework for the future act".

S 2. This act enacts into law major components of legislation which are necessary to reform real property taxation for the support of public schools, and enhancing the efficiency and transparency of the funding of public education. Each component is wholly contained within a Part identified as Parts A through W. The effective date for each particular provision contained within such Part is set forth in the last section of 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 "of this act", when used in connection with that particular component, shall be deemed to mean and refer to the corresponding section of the Part in which it is found. Section four of this act sets forth the general effective date of this act.

PART A

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

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

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

S 2. This act shall take effect immediately.

PART B

Section 1. Subdivision 1 of section 161 of the civil service law, as amended by section 2 of part T of chapter 56 of the laws of 2010, is amended to read as follows:

1. The president is hereby authorized and directed to establish a health benefit plan for state officers and employees and their dependents and officers and employees of the state colleges of agriculture, home economics, industrial labor relations and veterinary medicine, the state agricultural experiment station at Geneva, and any other institution or agency under the management and control of Cornell university as the representative of the board of trustees of the state university of New York, and the state college of ceramics under the management and control of Alfred university as the representative of the board of trustees of the state university of New York and their dependents; AND THE OFFICERS AND EMPLOYEES OF SCHOOL DISTRICTS AND BOARDS OF COOPERATIVE EDUCATIONAL SERVICES, AND THEIR DEPENDENTS which, subject to the conditions and limitations contained in this article, and in the regulations of the president, will provide for group hospitalization, surgical and medical insurance against the financial costs of hospitalization, surgery, medical treatment and care, and may include, among other things prescribed drugs, medicines, prosthetic appliances, hospital in-patient and out-patient service benefits and medical expense indemnity benefits.

S 2. Subdivisions 1, 2, 4 and 7 of section 163 of the civil service law, subdivisions 1, 2 and 7 as amended by section 4 of part T of chapter 56 of the laws of 2010, and subdivision 4 as amended by chapter 329 of the laws of 1960, are amended to read as follows:

1. All persons in the service of the state, A SCHOOL DISTRICT OR A BOARD OF COOPERATIVE EDUCATIONAL SERVICES, whether elected, appointed or employed, who elect to participate in such health benefit plan shall be eligible to participate therein, provided, however, that the president may adopt such regulations as he or she may deem appropriate excluding temporary, part time or intermittent employment.

2. The contract or contracts shall provide for health benefits for retired employees of the state and of the state colleges of agriculture, home economics, industrial labor relations and veterinary medicine, the state agricultural experiment station at Geneva, and any other institution or agency under the management and control of Cornell university as the representative of the board of trustees of the state university of New York, and the state college of ceramics under the management and control of Alfred university as the representative of the board of trustees of the state university of New York[,]; AND OF THE SCHOOL DISTRICTS AND BOARDS OF COOPERATIVE EDUCATIONAL SERVICES IN THE STATE; and their spouses and dependent children as defined by the regulations of the president, on such terms as the president may deem appropriate,

PROVIDED, HOWEVER, THAT FOR EMPLOYEES, AND THEIR SPOUSES AND DEPENDENTS, THE EMPLOYER SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES SHALL PAY ONE-HALF OF THE EXPENSES OF ADMINISTRATION OF THE PLAN AS DETERMINED BY THE PRESIDENT, and the president may authorize the inclusion in the plan of the employees and retired employees of public authorities, public benefit corporations, [school districts,] special districts, district corporations, municipal corporations excluding active employees and retired employees of cities having a population of one million or more inhabitants whose compensation is or was before retirement paid out of the city treasury, or other appropriate agencies, subdivisions or quasi-public organizations of the state, including active members of volunteer fire and volunteer ambulance companies serving one or more municipal corporations pursuant to subdivision seven of section ninety-two-a of the general municipal law, and their spouses and dependent children as defined by the regulations of the president. Any such corporation, district, agency or organization electing to participate in the plan shall be required to pay its proportionate share of the expenses of administration of the plan in such amounts and at such times as determined and fixed by the president. All amounts payable for such expenses of administration shall be paid to the commissioner of taxation and finance and shall be applied to the reimbursement of funds previously advanced for such purposes. Neither the state nor any other participant in the plan shall be charged with the particular experience attributable to the employees of the participant, and all dividends or retroactive rate credits shall be distributed pro-rata based upon the number of employees of such participant covered by the plan.

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

7. For purposes of eligibility for participation in the health benefit plan no person shall be deemed to be a state officer or employee or to be in the service of the state unless his OR HER salary or compensation is paid directly by the state, and no person shall be deemed to be a retired officer or employee of the state unless his OR HER salary or compensation immediately preceding his OR HER retirement was paid directly by the state; provided, however, that all active and retired justices, judges, officers and employees of the supreme court, surrogate's court, county court, family court, civil court of the city of New York, criminal court of the city of New York and district court in any county, officers and employees of the office of probation for the courts of New York city, AND ALL ACTIVE AND RETIRED OFFICERS AND EMPLOYEES OF A SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES shall be

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

S 3. Section 165-a of the civil service law, as amended by section 6 of part T of chapter 56 of the laws of 2010, is amended to read as follows:

S 165-a. Continuation of state health benefit plans for survivors of employees of the state, OF A SCHOOL DISTRICT, OF A BOARD OF COOPERATIVE EDUCATIONAL SERVICES and/or of a political subdivision or of a public authority. Notwithstanding any other provision of law to the contrary, the president shall permit the unremarried spouse and the dependents, otherwise qualified as eligible for coverage under regulations of the president, of a person who was an employee of the state, OF A SCHOOL DISTRICT, OF A BOARD OF COOPERATIVE EDUCATIONAL SERVICES and/or of a political subdivision thereof or of a public authority for not less than ten years, provided however, that the ten-year service requirement shall not apply to such employees on active military duty in connection with the Persian Gulf conflict who die on or after August second, nineteen hundred ninety while in the Persian Gulf combat zone or while performing such military duties, who had been a participant in any of the state health benefit plans, to continue under the coverage which such deceased employee had in effect at the time of death, upon the payment at intervals determined by the president of the full cost of such coverage[,]; provided, however, that the unremarried spouse of an active employee of the [State] STATE, OF A SCHOOL DISTRICT OR OF A BOARD OF COOPERATIVE EDUCATIONAL SERVICES who died on or after April first, nineteen hundred seventy-five and before April first, nineteen hundred seventy-nine who timely elected to continue dependent coverage, or such unremarried spouse who timely elected individual coverage shall continue to pay at intervals determined by the president one-quarter of the full cost of dependent coverage and provided further, that, with regard to employees of the [State] STATE, where and to the extent that an agreement pursuant to article fourteen of this chapter so provides, or where the director of employee relations, with respect to employees of the [State] STATE, OF A SCHOOL DISTRICT OR OF A BOARD OF COOPERATIVE EDUCATIONAL SERVICES who are not included within a negotiating unit so recognized or certified pursuant to article fourteen of this chapter whom the director of employee relations determines should be declared eligible for the continuation of health benefit plans for the survivors of such employees of the [State] STATE, OF A SCHOOL DISTRICT OR OF A BOARD OF COOPERATIVE EDUCATIONAL SERVICES who died on or after April first, nineteen hundred seventy-nine who elects to continue dependent coverage, or such unremarried spouse who elects individual coverage, and upon such election shall pay at intervals determined by the president one-quarter of the full cost of dependent coverage and, provided further with respect to enrolled employees of a political subdivision or public authority in a negotiating unit recognized or certified pursuant to article fourteen of this chapter, where an agreement negotiated pursuant to said article so provides, and with respect to enrolled employees of a political subdivision or public authority not included within a negotiating unit so recognized or certified, at the discretion of the appropriate political subdivision or public authority, the unremarried spouse of an active employee of the political subdivision or of the public authority who died on or after April first, nineteen hundred seventy-five, may elect to continue dependent coverage or such unremarried spouse may elect individual coverage and upon such election shall pay at intervals deter-

mined by the president one-quarter of the full cost of dependent coverage.

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

Notwithstanding any law to the contrary, the survivors of any employee subject to this section shall be entitled to the health benefits granted pursuant to this section, provided that such employee died while on active duty other than for training purposes, pursuant to Title 10 of the United States Code, with the armed forces of the United States, and such member died on such active duty on or after the effective date of chapter one hundred five of the laws of two thousand five as a result of injuries, disease or other medical condition sustained or contracted in such active duty with the armed forces of the United States.

S 4. Subdivision 1 of section 167 of the civil service law, as amended by chapter 582 of the laws of 1988, paragraph (a) as amended by section 7 of part T of chapter 56 of the laws of 2010, and paragraph (b) as amended by chapter 317 of the laws of 1995, is amended to read as follows:

1. (a) The full cost of premium or subscription charges for the coverage of retired state EMPLOYEES, AND ONE-HALF OF SUCH COSTS FOR COVERAGE OF SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES employees who are enrolled in the statewide and the supplementary health benefit plans established pursuant to this article and who retired prior to January first, nineteen hundred eighty-three shall be paid by the state. Nine-tenths of the cost of premium or subscription charges for the coverage of state EMPLOYEES, AND FORTY-FIVE PERCENT OF SUCH COSTS FOR COVERAGE OF SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES employees and retired state, SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES employees retiring on or after January first, nineteen hundred eighty-three who are enrolled in the statewide and supplementary health benefit plans shall be paid by the state. Three-quarters of the cost of premium or subscription charges for the coverage of dependents of such state EMPLOYEES, AND THREE-EIGHTHS OF SUCH COSTS FOR COVERAGE OF SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES employees and retired state, SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES employees shall be paid by the state. Except as provided in paragraph (b) of this subdivision, the state shall contribute toward the premium or subscription charges for the coverage of each state, SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES employee or retired state, SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES employee who is enrolled in an optional benefit plan and for the dependents of such state, SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES employee or retired state, SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES employee the same dollar amount which would be paid by the state for the premium or subscription charges for the coverage of such state, SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES employee or retired state, SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES employee and his or her dependents if he or she were enrolled in the statewide and the supplementary health benefit plans, but not in excess of the premium or subscription charges for the coverage of such state, SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES employee or retired state, SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES employee and his or her dependents under such optional benefit

plan. For purposes of this subdivision, employees of the state colleges of agriculture, home economics, industrial labor relations, and veterinary medicine, the state agricultural experiment station at Geneva, and any other institution or agency under the management and control of Cornell university as the representative of the board of trustees of the state university of New York, and employees of the state college of ceramics under the management and control of Alfred university as the representative of the board of trustees of the state university of New York, shall be deemed to be state employees whose salaries or compensation are paid directly by the state.

(b) Effective January first, nineteen hundred eighty-nine, notwithstanding any other law, rule or regulation, and where, and to the extent that, an agreement between the state and an employee organization entered into pursuant to article fourteen of this chapter so provides or where and to the extent the employee health insurance council so directs with respect to any other state, SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES employees and for retired state, SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES employees retiring on or after January first, nineteen hundred eighty-three, the state shall contribute nine-tenths of the cost of premiums or subscription charges for coverage of each such state EMPLOYEE, AND FORTY-FIVE PERCENT OF SUCH COSTS FOR COVERAGE OF SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES employee or retired state, SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES employee who is enrolled in an optional benefit plan and three-fourths of such premium or subscription charges for dependents of such state EMPLOYEES, AND THREE-EIGHTHS OF SUCH COSTS FOR COVERAGE OF SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES employees or retired state, SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES employees enrolled in such optional benefit plan; provided, however, effective January first, nineteen hundred ninety-six, the contribution rates for the hospitalization and medical components of each optional benefit plan shall not exceed one hundred percent of the dollar amount of the state's contribution toward the hospitalization and medical components of individual and dependent coverage, respectively, in the Empire Plan. In the case of state employees retiring prior to January first, nineteen hundred eighty-three, the state shall contribute one hundred percent of the individual premium and three-fourths of such premium for dependents of such retired employees enrolled in such optional benefit plan; however, these contribution rates shall not exceed one hundred percent of the employer dollar amount contribution for individual and dependent coverage respectively in the Empire Plan.

S 5. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.

PART C

Section 1. Subdivision 5 of section 3602 of the education law, as added by section 13 of part B of chapter 57 of the laws of 2007, is amended to read as follows:

5. Public high cost excess cost aid. A school district having a pupil with a disability of school age for whom the cost, as approved by the commissioner, of appropriate special services or programs exceeds the [lesser of ten thousand dollars or four times the expense per pupil without limits shall be entitled to an additional apportionment for each such child computed by multiplying the district's excess cost aid ratio by the amount by which such cost exceeds three times the] district's

expense per pupil [without limits] SHALL BE ENTITLED TO AN ADDITIONAL APPORTIONMENT FOR EACH SUCH CHILD EQUAL TO ONE-HALF OF THE EXCESS OF THE COST FOR SUCH CHILD WITH A DISABILITY OVER THE DISTRICTS EXPENSES PER PUPIL.

[a.] For the purpose of this subdivision[:

(1) Expense], "EXPENSE per pupil [for the purposes of this subdivision]" shall be not less than two thousand dollars and not more than the greater of seven thousand one hundred ten dollars or the statewide average of such expense per pupil. Such statewide average expense per pupil shall be computed and rounded to the nearest fifty dollars by the commissioner using the expense and pupils as estimated by school districts or as determined by the commissioner for use in determining the expense per pupil of the district pursuant to paragraph f of subdivision one of this section for all districts eligible for aid pursuant to this section. For the purposes of calculating such statewide expense per pupil, the data for the city school district of the city of New York shall be city-wide data.

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

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

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

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

PART D

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

S 2. This act shall take effect immediately.

PART E

Section 1. Within 60 days of the effective date of this act the governor shall establish and convene a study group to evaluate state mandates as compared to the federal mandates.

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

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

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

S 5. The study group shall, on or before March 31, 2012, report to the governor and the legislature. Such report shall include the study group's findings, conclusions and recommendations.

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

S 28. MANDATE RELIEF. 1. DEFINITION. FOR THE PURPOSES OF THIS SECTION, "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.

2. EACH FISCAL YEAR THE BUDGET SUBMITTED BY THE GOVERNOR AND ENACTED BY THE LEGISLATURE SHALL CONTAIN SEPARATE AND DISTINCT APPROPRIATIONS TO REIMBURSE POLITICAL SUBDIVISIONS FOR THE ENTIRETY OF ANY ADDITIONAL EXPENSES INCURRED BY SUCH POLITICAL SUBDIVISIONS PURSUANT TO ANY STATE LAW, RULE OR REGULATION ENACTED TO COMPLY WITH A REQUIREMENT ESTABLISHED BY FEDERAL LAWS, RULES OR REGULATIONS TO THE EXTENT THAT SUCH STATE LAWS, RULES OR REGULATIONS REQUIRE THE ASSUMPTION OF ADDITIONAL COSTS 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, 2012.

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 TWELVE, 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) For the purposes of this paragraph, "municipality" shall mean counties, cities, towns, villages, special improvement districts, fire districts, public libraries, association libraries, water authorities, sewer authorities, AND regional planning and development boards[, school districts, and boards of cooperative educational services; provided, however, that for the purposes of this definition, a board of cooperative educational services shall be considered a municipality only in instances where such board of cooperative educational services advances a joint application on behalf of school districts and other municipalities within the board of cooperative educational services region; provided, however, that any agreements with a board of cooperative educational services: shall not generate additional state aid; shall be deemed not to be a part of the program, capital and administrative budgets of the board of cooperative educational services for the purposes of computing charges upon component school districts pursuant to subparagraph seven of paragraph b of subdivision four of section nineteen hundred fifty and subdivision one of section nineteen hundred fifty and subdivision one of section nineteen hundred fifty-one of the education law; and shall be deemed to be a cooperative municipal service for purposes of subparagraph two of paragraph d of subdivision four of section nineteen hundred fifty of the education law].

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

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

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

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

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

(2) Efficiency implementation grants may be used to cover costs including, but not limited to, legal and consultant services, capital improvements, transitional personnel costs essential for the implementation of the approved efficiency implementation grant work plan, and other necessary expenses. Grants may be used for capital improvements, transitional personnel costs or joint equipment purchases only where such expenses are integral to the coordinated or consolidated service delivery. [The amounts awarded to a school district pursuant to this subparagraph shall not be included in the approved operating expense of the school district as defined in paragraph t of subdivision one of section thirty-six hundred two of the education law.]

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

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

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

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

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

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

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

(5) THE COMMISSIONER SHALL ENSURE THAT OF THE TOTAL AMOUNT ALLOCATED FOR GRANTS AWARDED UNDER THIS PARAGRAPH, THE AMOUNT OF GRANTS AWARDED

PURSUANT TO SUBPARAGRAPH TWO OF THIS PARAGRAPH SHALL CONSTITUTE NO MORE THAN THIRTY-FIVE PERCENT OF SUCH TOTAL AMOUNT.

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

PART J

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

1. The boards of education and school trustees of a supervisory district which is not part of an intermediate district, meeting at a time and place to be designated by the district superintendent of schools, may, by a majority vote of their members present and voting, file with the commissioner [of education] a petition for the establishment of a board of cooperative educational services for the purpose of carrying out a program of SUCH shared educational services [in] AS the schools of the supervisory district ELECT TO HAVE PROVIDED BY SUCH BOARD and for providing instruction in such special subjects as the commissioner may approve. NO PROVISION OF LAW, RULE OR REGULATION, OTHER THAN THE PROVISIONS OF THIS SECTION SHALL LIMIT THE SHARED SERVICES THAT A BOARD OF COOPERATIVE EDUCATIONAL SERVICES IS AUTHORIZED TO PROVIDE OF ITS COMPONENT SCHOOL DISTRICTS. The commissioner, by order, may establish such a board with membership of not less than five nor more than fifteen, upon such application and when a vacancy occurs in the office of district superintendent of schools shall establish such a board, unless the commissioner shall issue an order pursuant to section twenty-two hundred one OF THIS TITLE redistricting the county so as to provide for a lesser number of supervisory districts. The commissioner, by order, may authorize a board, established prior to July second, nineteen hundred sixty-five, to increase its membership to not less than five nor more than fifteen.

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

S 3. Paragraph c of subdivision 4 of section 1950 of the education law, as amended by chapter 378 of the laws of 2010, is amended to read as follows:

c. Make or cause to be made surveys to determine the need for cooperative educational services in the supervisory district and present the findings of their surveys to local school authorities. Each board of cooperative educational services shall prepare long range program plans, including special education and career education program plans, to meet the projected need for such cooperative educational services in the supervisory district for the next five years [as may be specified by the commissioner,] and shall keep on file and make available for public inspection and review by the commissioner such plans and thereafter annual revisions of such plans on or before the first day of December of each year, provided that such plans may be incorporated into a board of cooperative educational services district-wide comprehensive plan.

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

(1) Aidable shared services. At the request of component school districts[, and with the approval of the commissioner,] provide any of the following services on a cooperative basis: school nurse teacher, attendance supervisor, supervisor of teachers, dental hygienist,

psychologist, teachers of art, music, physical education, career education subjects, guidance counsellors, operation of special classes for students with disabilities, as such term is defined in article eighty-nine of this chapter; pupil and financial accounting service by means of mechanical equipment; maintenance and operation of cafeteria or restaurant service for the use of pupils and teachers while at school[,]; OPERATION OF A REGIONAL TRANSPORTATION SYSTEM FOR THE BENEFIT OF THE COMPONENT SCHOOL DISTRICTS and such other services as the [commissioner may approve] COMPONENT SCHOOL DISTRICTS MAY REQUEST. Such cafeteria or restaurant service may be used by the community for school related functions and activities and to furnish meals to the elderly residents of the district, sixty years of age or older. Utilization by elderly residents or school related groups shall be subject to the approval of the board of education. Charges shall be sufficient to bear the direct cost of preparation and serving of such meals, exclusive of any other available reimbursements.

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

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

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

(3) Requests for shared services; operating plan; required notice. Requests for such shared services shall be filed by component school districts with the board of cooperative educational services not later than the first day of February of each year, provided that such requests shall not be binding upon the component school district. The board of cooperative educational services shall submit its proposed annual operating plan for the ensuing school year to the department [for approval] not later than the fifteenth day of February of each year. Such board shall, through its executive officer, notify each component school district on or before the tenth day of March concerning the services which have been approved by the [commissioner] BOARD to be made available for the ensuing school year. Such notice shall set forth the local uniform cost of each such service, based on (i) anticipated participation in the ensuing school year, or (ii) participation in the current year, or (iii) a two or three year average including participation in the current year, which unit cost shall be the same for all participating component districts and shall be based upon a uniform methodology approved annually by at least three-quarters of the participating component school districts after consultation by local school officials with their respective boards; provided, however, such unit cost shall be

subject to final adjustment for programs for students with disabilities based on actual participation in accordance with regulations of the commissioner. [Notwithstanding the determination of the local uniform unit cost methodology selected in accordance with this paragraph, each board of cooperative education services shall annually report to the commissioner the budgeted unit cost and, when available, the actual unit cost of such programs and services, in accordance with both the local uniform unit cost methodology and a statewide uniform unit cost methodology prescribed by the commissioner by regulation, where the budgeted statewide unit cost shall be based on the anticipated participation in the ensuing year and the actual statewide unit cost shall be based on actual participation through the end of each year.]

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

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

S 8. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.

PART K

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

S 3602-G. CAREER AND TECHNICAL EDUCATION. THE COMMISSIONER SHALL OUT OF FUNDS APPROPRIATED THEREFOR, DISBURSE STATE ASSISTANCE TO BOARDS OF COOPERATIVE EDUCATIONAL SERVICES FOR THE ESTABLISHMENT AND IMPLEMENTATION OF PARTNERSHIPS BETWEEN SCHOOL DISTRICTS, SUCH BOARDS AND INSTITUTIONS OF HIGHER EDUCATION FOR THE PROVISION AND COORDINATION OF SCHOOL-BASED CAREER ACADEMIES WITH CAREER AND TECHNICAL EDUCATION PROGRAMS.

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

PART L

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

S 2. The task force shall be composed of the commissioner of education, the commissioner of taxation and finance, the executive director of the office of real property services, and such members as the commissioner of education shall appoint. The members of the task force appointed by the commissioner of education shall include representatives of school districts, charter schools, parents of students attending charter schools and residents of this state.

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

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

S 5. The task force shall submit a report, to the governor and the legislature, of its findings, conclusions and recommendations on or before April 1, 2012, and shall submit with its report such legislative proposals as it deems necessary to implement such recommendations.

S 6. This act shall take effect immediately, and shall expire and be deemed repealed April 2, 2012.

PART M

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

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

S 2. This act shall take effect immediately.

PART N

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

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

S 2. This act shall take effect immediately.

PART O

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

q. To provide transportation for pupils to and from classes maintained by such board of cooperative educational services at the request of one or more school districts. School districts and boards of cooperative educational services are authorized to enter into contracts with one or more school districts, private contractors, and one or more boards of cooperative educational services and any municipal corporation and authority to provide such transportation. Boards of cooperative educational services may operate joint or regional transportation systems for the transportation authorized by articles seventy-three and eighty-nine

of this chapter. Such transportation, except when provided by a political subdivision or a board of cooperative educational services, shall be subject to the requirements of subdivision fourteen of section three hundred five of [the education law] THIS CHAPTER. IN ADDITION, EACH BOARD SHALL, IN COOPERATION WITH ITS COMPONENT SCHOOL DISTRICTS, CONDUCT A STUDY OF THE FEASIBILITY AND SAVINGS DERIVED FROM ESTABLISHING A REGIONAL TRANSPORTATION SYSTEM. THE GOAL OF SUCH STUDY AND THE ESTABLISHMENT OF ANY REGIONAL TRANSPORTATION SYSTEM SHALL BE MAXIMIZATION OF COST EFFICIENCIES AND CONSERVATION OF FUEL.

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

PART P

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

In addition to any other apportionment pursuant to this chapter, a school district, other than a special act school district as defined in subdivision eight of section four thousand one of this chapter, shall be eligible for total foundation aid equal to the product of total aidable foundation pupil units multiplied by the district's selected foundation aid, which shall be the greater of five hundred dollars ($500) or foundation formula aid, provided, however that for the two thousand seven--two thousand eight through two thousand eight--two thousand nine and two thousand eleven--two thousand twelve through two thousand twelve--two thousand thirteen school years, no school district shall receive total foundation aid in excess of the sum of the total foundation aid base for aid payable in the two thousand seven--two thousand eight school year computed pursuant to subparagraph (i) of paragraph j of subdivision one of this section, plus the phase-in foundation increase computed pursuant to paragraph b of this subdivision, and provided further that total foundation aid shall not be less than the product of the total foundation aid base computed pursuant to paragraph j of subdivision one of this section and one hundred three percent, nor more than the product of such total foundation aid base and one hundred fifteen percent, and provided further that for the two thousand nine--two thousand ten and two thousand ten--two thousand eleven school years, each school district shall receive total foundation aid in an amount equal to the amount apportioned to such school district for the two thousand eight--two thousand nine school year pursuant to this subdivision. Total aidable foundation pupil units shall be calculated pursuant to paragraph g of subdivision two of this section. For the purposes of calculating aid pursuant to this subdivision, aid for the city school district of the city of New York shall be calculated on a citywide basis. NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBDIVISION, TOTAL FOUNDATION AID SHALL BE INCREASED TO REFLECT THE REGIONAL COST INDEX OF THE SCHOOL DISTRICT.

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

PART Q

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

4. NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE TO THE CONTRARY, FOR SCHOOL YEARS COMMENCING AFTER JUNE THIRTIETH, TWO THOUSAND ELEV-

EN, STATE TRANSPORTATION AID SHALL BE EQUAL TO ALL TRANSPORTATION COSTS INCURRED BY A SCHOOL DISTRICT.

S 2. This act shall take effect April 1, 2011.

PART R

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

j. For school districts which reorganize on or after July first, [nineteen hundred ninety-two] TWO THOUSAND ELEVEN, the percent increase in apportionment pursuant to paragraph c of this subdivision shall be [thirty] SIXTY DURING THE YEAR OF SUCH REORGANIZATION, FIFTY DURING THE FIRST YEAR AFTER SUCH REORGANIZATION, FORTY DURING THE SECOND YEAR AFTER SUCH REORGANIZATION, THIRTY DURING THE THIRD YEAR AFTER SUCH REORGANIZATION, TWENTY DURING THE FOURTH YEAR AFTER SUCH REORGANIZATION, AND NO ADDITIONAL APPORTIONMENT THEREOF; provided that such school districts meet all other requirements of the provisions of such paragraph c. All other requirements of paragraph c OF THIS SUBDIVISION shall apply. School districts which receive an apportionment under this paragraph shall not be eligible for an apportionment under paragraph c[, e] or f of this subdivision.

S 2. This act shall take effect July 1, 2011.

PART S

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

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

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

S 4313. [School district and social services district financial] FINANCIAL responsibility. [1. Financial responsibilities. School districts] THE DEPARTMENT and [social services districts] THE OFFICE OF CHILDREN AND FAMILY SERVICES shall be responsible for the cost of tuition and maintenance, respectively, for children in attendance at the New York state school for the blind during the September first through June thirtieth session. [Such costs shall be established pursuant to section forty-four hundred five of this chapter. a.] 1. The [school district of which any such child is resident at the time of admission or readmission to the New York State school for the blind pursuant to this article] DEPARTMENT shall [be required to reimburse the state in an amount equal to the] MAKE tuition payments [made] to the state school [by the state on behalf of the school district] FOR EACH CHILD WHO IS A RESIDENT OF THE STATE. [The comptroller shall deduct the appropriate tuition amounts from any state funds which become due to a school district for each year in which such child is in attendance at such school, and shall deposit such funds to the special revenue accounts

established for such purpose. Any tuition amounts deducted pursuant to this subdivision shall be included in the approved operating expense of the school district pursuant to paragraph t of subdivision one of section thirty-six hundred two of this chapter.

b.] 2. The [social services district in which any such child is resident at the time of admission or readmission to the New York state school for the blind pursuant to this article] OFFICE OF CHILDREN AND FAMILY SERVICES shall be required to reimburse the [state] DEPARTMENT in an amount equal to the maintenance payments made to the state school by the [state] DEPARTMENT on behalf of [the social services district] SUCH OFFICE. [The comptroller may deduct the appropriate maintenance amounts from any state funds which become due to a social services district for each year in which such child is in attendance at such school only upon notification by the commissioner of social services after receiving notice by the commissioner of education that such social services district has failed to remit the required maintenance payments to the state within ninety days of the date on which such social services district was billed by the state for services rendered, and shall deposit such funds to the special revenue accounts established for such purpose.]

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

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

b. The [social services district in which any such child is resident at the time of admission or readmission to the New York state school for the deaf pursuant to this article] OFFICE OF CHILDREN AND FAMILY SERVICES shall be required to reimburse the [state] DEPARTMENT in an amount equal to the maintenance payments made to the state school by the [state] DEPARTMENT on behalf of [the social services district] SUCH OFFICE. [The comptroller may deduct the appropriate maintenance amounts from any state funds which become due to a social services district for each year in which such child is in attendance at such school only upon notification by the commissioner of social services after receiving notice by the commissioner of education that such social services

district has failed to remit the required maintenance payments within ninety days of the date on which such social services district is billed by the state for services rendered, and shall deposit such amount to the special revenue accounts established for such purpose.]

2. Payment for preschool children with handicapping conditions. The state [share of] SHALL PAY the costs of tuition, maintenance and transportation for preschool children attending the New York state school for the deaf during the July and August summer session and the September through June session [shall be paid from the state moneys appropriated in support of the provisions of section forty-four hundred ten of this chapter. The remaining share shall be a charge on the county, or the city of New York, of which any such child is resident at the time of admission or readmission to such school. The state share shall be as set forth in paragraph b of subdivision eleven of section forty-four hundred ten of this chapter]. For the purposes of this subdivision "preschool child" shall mean a child not eligible, by reason of age, for the deaf-infant program pursuant to section forty-two hundred four-a of this [chapter] TITLE and not eligible, by reason of age, to attend the public schools pursuant to section thirty-two hundred two of this chapter, provided that a child shall be deemed a preschool child through the month of August of the school year in which the child first becomes eligible to attend the public schools. [Preschool education charges on a county, or the city of New York, pursuant to this subdivision shall be deducted by the comptroller within thirty days of the issuance of a warrant by the commissioner from any state funds which become due to a county, or the city of New York, and be credited to the special revenue account established for such purpose.] Such tuition, maintenance and transportation costs shall be determined pursuant to section forty-four hundred five of this [chapter] TITLE.

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

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

PART T

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

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

2. THE INFORMATION PUBLISHED PURSUANT TO SUBDIVISION ONE OF THIS SECTION SHALL BE KNOWN AS THE "TAXPAYER REPORT CARD". IT SHALL BE WRITTEN IN CLEAR AND EASILY UNDERSTANDABLE LANGUAGE, AND INCLUDE A COMPREHENSIVE INDEX WHICH FACILITATES ACCESS TO SPECIFIC INFORMATION WITHIN THE TAXPAYER REPORT CARD.

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

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

PART U

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

S 24-A. PUBLISHING OF PROPOSED BUDGET BILLS. NO LESS THAN THIRTY DAYS PRIOR TO THE ENACTMENT OF THE BUDGET BILLS, AS SPECIFIED IN SECTION TWENTY-FOUR OF THIS ARTICLE, BY THE LEGISLATURE, THE BUDGET BILLS THAT THE LEGISLATURE HAS AGREED TO ENACT SHALL BE PUBLISHED IN BOTH WRITTEN AND ELECTRONIC FORMS AND MADE AVAILABLE TO THE PUBLIC BY THE SENATE AND THE ASSEMBLY, AND SHALL ALSO BE POSTED ON THE INTERNET WEBSITES OF THE SENATE AND ASSEMBLY. SUCH PUBLISHING AND POSTING OF THE AGREED UPON BUDGET BILLS SHALL INCLUDE A DETAILED EXPLANATION OF THE BILLS AND THE SOURCES OF REVENUE THEREFOR.

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

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

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

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

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

PART V

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

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

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

PART W

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

S 29. APPROPRIATIONS FOR PUBLIC ELEMENTARY AND SECONDARY EDUCATION. 1. EACH FISCAL YEAR THE BUDGET SUBMITTED BY THE GOVERNOR AND ENACTED BY THE LEGISLATURE SHALL CONTAIN APPROPRIATIONS FOR THE SUPPORT OF SCHOOL DISTRICTS WHICH EQUAL OR EXCEED THE APPROPRIATIONS THEREFOR IN THE IMMEDIATELY PRECEDING FISCAL YEAR.

2. EACH FISCAL YEAR THE BUDGET SUBMITTED BY THE GOVERNOR AND ENACTED BY THE LEGISLATURE SHALL CONTAIN, TO THE EXTENT PRACTICABLE, APPROPRIATIONS FOR THE SUPPORT OF SCHOOL DISTRICTS WHICH PROVIDE AN ALLOCATION OF STATE FUNDS TO EACH SCHOOL DISTRICT EQUAL TO ONE-HALF OF THE EXPENDITURES OF SUCH DISTRICT DURING THE FISCAL YEAR.

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

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

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

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

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

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

for the two thousand eleven--two thousand twelve school year, the phase-in foundation percent shall equal one hundred five and six hundredths percent (1.0506), the phase-in foundation increase factor shall equal fifty-three and one-tenth percent (0.531), and the phase-in

due-minimum percent shall equal twelve and fifty-five hundredths percent (0.1255); and

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

S 3. This act shall take effect immediately.

S 3. Severability clause. If any clause, sentence, paragraph, subdivision, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

S 4. This act shall take effect immediately provided, however, that the applicable effective date of Parts A through W of this act shall be as specifically set forth in the last section of such Parts.