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

9723

I N A S S E M B L Y

March 28, 2012

Introduced by M. of A. WRIGHT -- read once and referred to the Committee on Education

AN ACT to amend chapter 91 of the laws of 2002 amending the education law and other laws relating to reorganization of the New York city school construction authority, board of education and community boards, in relation to extending certain provisions of such chapter; and to amend chapter 345 of the laws of 2009 amending the education law and other laws relating to the New York city board of education, chancellor, community councils and community superintendents, in relation to the effectiveness of certain provisions thereof; and to amend the education law, in relation to increasing the number of members of the board of education of the school district of the city of New York

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

Section 1. Section 34 of chapter 91 of the laws of 2002 amending the education law and other laws relating to reorganization of the New York city school construction authority, board of education and community boards, as amended by chapter 345 of the laws of 2009, is amended to read as follows:

S 34. This act shall take effect July 1, 2002; provided, that sections one through twenty, twenty-four, and twenty-six through thirty of this act shall expire and be deemed repealed June 30, [2015] 2012; provided, further, that notwithstanding any provision of article 5 of the general construction law, on June 30, [2015] 2012 the provisions of subdivisions 3, 5, and 8, paragraph b of subdivision 13, subdivision 14, paragraphs b, d, and e of subdivision 15, and subdivisions 17 and 21 of section 2554 of the education law as repealed by section three of this act, subdivision 1 of section 2590-b of the education law as repealed by section six of this act, paragraph (a) of subdivision 2 of section 2590-b of the education law as repealed by section seven of this act, section 2590-c of the education law as repealed by section eight of this act, paragraph c of subdivision 2 of section 2590-d of the education law as repealed by section twenty-six of this act, subdivision 1 of section

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

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2590-e of the education law as repealed by section twenty-seven of this act, subdivision 28 of section 2590-h of the education law as repealed by section twenty-eight of this act, subdivision 30 of section 2590-h of the education law as repealed by section twenty-nine of this act, subdivision 30-a of section 2590-h of the education law as repealed by section thirty of this act shall be revived and be read as such provisions existed in law on the date immediately preceding the effective date of this act; provided, however, that sections seven and eight of this act shall take effect on November 30, 2003; provided further that the amendments to subdivision 25 of section 2554 of the education law made by section two of this act shall be subject to the expiration and reversion of such subdivision pursuant to section 12 of chapter 147 of the laws of 2001, as amended, when upon such date the provisions of section four of this act shall take effect.

S 2. Subdivision 12 of section 17 of chapter 345 of the laws of 2009 amending the education law and other laws relating to the New York city board of education, chancellor, community councils and community superintendents, is amended to read as follows:

12. any provision in sections one, two, three, four, five, six, seven, eight, nine, ten and eleven of this act not otherwise set to expire pursuant to section 34 of chapter 91 of the laws of 2002, as amended, or section 17 of chapter 123 of the laws of 2003, as amended, shall expire and be deemed repealed June 30, [2015] 2012.

S 3. Paragraph (a) of subdivision 1 of section 2590-b of the education law, as amended by chapter 742 of the laws of 1988, is amended to read as follows:

(a) The board of education of the city school district of the city of New York is hereby continued. Such board of education shall consist of [seven] NINE members, a member to be appointed by each borough president of the city of New York, A MEMBER TO BE APPOINTED BY THE COMMISSIONER, A MEMBER TO BE APPOINTED BY THE CITY COUNCIL and two by the mayor. Each borough president appointee shall be a resident of the borough for which the borough president appointing him was elected. Two members at large shall be appointed by the mayor of the city of New York. Each mayoral appointee shall be a resident of such city. The term of office of each member shall be four years, commencing the first day of July, nineteen hundred seventy-four and every four years thereafter. A vacancy occurring other than by expiration of term of a member appointed by a borough president shall be filled for the unexpired term by appointment by the appropriate borough president of a person who is a resident of such borough. A VACANCY OCCURRING OTHER THAN BY EXPIRATION OF TERM OF THE MEMBER APPOINTED BY THE COMMISSIONER SHALL BE FILLED FOR THE UNEXPIRED TERM BY APPOINTMENT BY THE COMMISSIONER. A VACANCY OCCURRING OTHER THAN BY EXPIRATION OF TERM OF THE MEMBER APPOINTED BY THE CITY COUNCIL SHALL BE FILLED FOR THE UNEXPIRED TERM BY APPOINTMENT BY THE CITY COUNCIL. The mayor shall fill vacancies for an unexpired term of any of his appointees. The president of the board shall be chosen by the members. Notwithstanding any provision of local law, the members of the board shall receive compensation for their services as follows: $20,000 for the board president and $15,000 for each board member and shall be reimbursed for the actual and necessary expenses incurred by them in the performance of their duties.

S 4. The commissioner of education and the city council of the city of New York are hereby directed and authorized to appoint members to the board of education of the school district of the city of New York, as provided in the amendments to paragraph (a) of subdivision 1 of section

2590-b of the education law made by section three of this act, not earlier than April 1, 2012 and not later than June 1, 2012.

S 5. This act shall take effect immediately; provided that the provisions of section three of this act shall take effect on the same date as the reversion of subdivision 1 of section 2590-b of the education law as provided in section 34 of chapter 91 of the laws of 2002, as amended.