

1583

2011-2012 Regular Sessions

I N   S E N A T E

January 10, 2011

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Introduced by Sens. OPPENHEIMER, DIAZ, KLEIN -- read twice and ordered printed, and when printed to be committed to the Committee on Education

AN ACT to amend the education law, in relation to the prohibition of out-of-state school contracts

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

1     Section 1. Subparagraph 2 of paragraph d of subdivision 4 of section  
2     1950 of the education law, as added by chapter 474 of the laws of 1996,  
3     is amended and a new subparagraph 8 is added to paragraph h to read as  
4     follows:  
5     (2) Certain services prohibited. Commencing with the nineteen hundred  
6     ninety-seven--ninety-eight school year, the commissioner shall not be  
7     authorized to approve as an aidable shared service pursuant to this  
8     subdivision any cooperative maintenance services or municipal services,  
9     including but not limited to, lawn mowing services and heating, venti-  
10    lation or air conditioning repair or maintenance or trash collection, or  
11    any other municipal services as defined by the commissioner. On and  
12    after the effective date of this paragraph, the commissioner shall not  
13    approve, as an aidable shared service, any new cooperative maintenance  
14    or municipal services for the nineteen hundred ninety-six--ninety-seven  
15    school year, provided that the commissioner may approve the continuation  
16    of such services for one year if provided in the nineteen hundred nine-  
17    ty-five--ninety-six school year. ON AND AFTER THE EFFECTIVE DATE OF THE  
18    CHAPTER OF THE LAWS OF TWO THOUSAND ELEVEN WHICH AMENDED THIS SUBPARA-  
19    GRAPH, THE COMMISSIONER SHALL NOT APPROVE, AS AN AIDABLE SHARED SERVICE,  
20    ANY SERVICE PROVIDED TO AN OUT-OF-STATE SCHOOL DISTRICT PROVIDED PURSU-  
21    ANT TO SUBPARAGRAPH EIGHT OF PARAGRAPH H OF THIS SUBDIVISION.  
22    (8) TO ENTER INTO CONTRACTS WITH OUT-OF-STATE SCHOOL DISTRICTS, WITH  
23    THE APPROVAL OF THE DISTRICT SUPERINTENDENT OF SCHOOLS AND THE COMMIS-  
24    SIONER IN THEIR SOLE DISCRETION, TO PROVIDE SERVICES MADE AVAILABLE TO

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

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1 ANY SCHOOL DISTRICT WITHIN THE SUPERVISORY DISTRICT UPON SUCH TERMS AS  
2 DETERMINED BY THE COMMISSIONER IN RULES AND REGULATIONS AND AS AGREED  
3 UPON PURSUANT TO CONTRACTS EXECUTED BY SUCH BOARD OF COOPERATIVE EDUCA-  
4 TIONAL SERVICES AND THE TRUSTEES OR BOARDS OF EDUCATION OF SUCH OUT-OF-  
5 STATE SCHOOL DISTRICTS.

6 S 2. This act shall take effect immediately.