

5593

2011-2012 Regular Sessions

I N S E N A T E

June 3, 2011

Introduced by Sen. FLANAGAN -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions

AN ACT to amend chapter 140 of the laws of 1985 relating to establishing the Randolph Children's Home union free school district, chapter 934 of the laws of 1971 relating to the establishing and constituting as a separate union free school district certain territory in the town of Hamburg in the county of Erie, chapter 566 of the laws of 1967 relating to providing for the apportionment of funds to certain special school districts, chapter 737 of the laws of 1988 amending the education law and other laws relating to the apportionment of funds to certain school districts, and to amend the public authorities law, in relation to the Randolph Academy union free school district

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

1 Section 1. Section 4 of chapter 140 of the laws of 1985 relating to
2 establishing the Randolph Children's Home union free school district, is
3 amended to read as follows:
4 S 4. A. Whenever any territory adjoining any part of the territory
5 described in this act, shall be acquired or purchased by the Western New
6 York Society for the Protection of Homeless and Dependent Children, or
7 shall be held by said society in accordance with the provisions of the
8 not-for-profit corporation law, the same shall become a part of the
9 union free school district hereby established and shall, together with
10 the territory described in this act, enjoy all the powers and privileges
11 of a union free school district under the provisions of the education
12 law.
13 B. THE RANDOLPH ACADEMY UNION FREE SCHOOL DISTRICT, SUBJECT TO THE
14 CONSENT OF THE STATE EDUCATION DEPARTMENT, IS AUTHORIZED TO ACQUIRE,
15 PURCHASE, LEASE, OR OTHERWISE OPERATE ANY PART OR ALL OF THE TERRITORY
16 CONSTITUTING THE UNION FREE SCHOOL DISTRICT NUMBER THREE IN THE TOWN OF

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

LBD11922-01-1

1 HAMBURG, ERIE COUNTY AS CREATED BY CHAPTER 934 OF THE LAWS OF 1971, AS
2 AMENDED BY CHAPTER 501 OF THE LAWS OF 1986, AND THE FACILITIES AVAILABLE
3 TO BE USED BY THE UNION FREE SCHOOL DISTRICT NUMBER THREE IN THE TOWN OF
4 HAMBURG, ERIE COUNTY IN FULFILLING ITS PURPOSES AND SITUATED ON SUCH
5 TERRITORY, FOR THE PURPOSE OF OPERATING EDUCATIONAL PROGRAMS APPROVED BY
6 THE STATE EDUCATION DEPARTMENT AT SUCH SITE.

7 C. ANY TERRITORY ACQUIRED, PURCHASED, LEASED OR OTHERWISE OPERATED BY
8 THE RANDOLPH ACADEMY UNION FREE SCHOOL DISTRICT AS SET FORTH IN SUBDIVI-
9 SION B OF THIS SECTION SHALL BECOME PART OF SUCH UNION FREE SCHOOL
10 DISTRICT FOR SO LONG AS SUCH TERRITORY IS HELD BY SUCH UNION FREE SCHOOL
11 DISTRICT BY DEED, LEASE, OR OTHERWISE. WHERE SUCH ACQUISITION IS BY
12 LEASE, OR OTHER AGREEMENT HAVING A FIXED TERM OR IS TERMINABLE BY ANY
13 PARTY, SUCH TERRITORY SHALL CEASE TO BE A PART OF THE UNION FREE SCHOOL
14 DISTRICT CREATED BY THIS ACT AND SHALL REVERT TO, AND BECOME A PART OF,
15 THE FRONTIER CENTRAL SCHOOL DISTRICT IN THE COUNTY OF ERIE UPON THE
16 EXPIRATION OR TERMINATION OF SUCH LEASE OR OTHER AGREEMENT OR WHEN ANY
17 BONDS OR NOTES ISSUED BY THE DORMITORY AUTHORITY OF THE STATE OF NEW
18 YORK IN CONNECTION WITH THE FINANCING OF CERTAIN IMPROVEMENTS MADE AT
19 SUCH FACILITIES PRIOR TO THE EFFECTIVE DATE OF THIS SUBDIVISION ARE NO
20 LONGER OUTSTANDING, WHICHEVER IS LATER.

21 D. THE RANDOLPH ACADEMY UNION FREE SCHOOL DISTRICT IS AUTHORIZED,
22 SUBJECT TO THE CONSENT OF THE STATE EDUCATION DEPARTMENT, TO OPERATE
23 AND/OR PURCHASE AND/OR LEASE THE TERRITORY, FACILITIES, AND ASSETS
24 CURRENTLY OR FORMERLY OF THE UNION FREE SCHOOL DISTRICT NUMBER THREE IN
25 THE TOWN OF HAMBURG, ERIE COUNTY, KNOWN AS THE HOPEVALE UNION FREE
26 SCHOOL DISTRICT AND/OR OWNED BY HOPEVALE, INC.

27 S 2. Section 3 of chapter 934 of the laws of 1971 relating to estab-
28 lishing and constituting as a separate union free school district
29 certain territory in the town of Hamburg in the county of Erie, as
30 amended by chapter 501 of the laws of 1986, is amended to read as
31 follows:

32 3. a) Whenever any part of the territory described in this act shall
33 be sold by Hopevale Inc. or Our Lady of Charity Refuge or shall cease to
34 be held by said Hopevale, Inc. or Our Lady of Charity Refuge OTHER THAN
35 TO THE RANDOLPH ACADEMY UNION FREE SCHOOL DISTRICT ESTABLISHED BY CHAP-
36 TER 140 OF THE LAWS OF 1985, in accordance with the provisions of the
37 not-for-profit corporation law, the same shall cease to be a part of the
38 school district hereby established and shall revert to and become a part
39 of the school district from which said territory is separated by the
40 passage of this act. NOTWITHSTANDING THE FOREGOING, ANY PART OF THE
41 TERRITORY DESCRIBED IN THE ACT SOLD BY HOPEVALE INC. OR OUR LADY OF
42 CHARITY REFUGE, OTHER THAN TO THE RANDOLPH ACADEMY UNION FREE SCHOOL
43 DISTRICT ESTABLISHED BY CHAPTER 140 OF THE LAWS OF 1985, THAT IS
44 IMPROVED WITH THE PROCEEDS OF ANY BONDS OR NOTES ISSUED BY THE DORMITORY
45 AUTHORITY OF THE STATE OF NEW YORK SHALL REVERT TO AND BECOME A PART OF
46 THE SCHOOL DISTRICT FROM WHICH SAID TERRITORY IS SEPARATED BY THE
47 PASSAGE OF THIS ACT ONLY WHEN SUCH BONDS OR NOTES ARE NO LONGER
48 OUTSTANDING.

49 B) WHENEVER ONLY A PORTION OF THE TERRITORY DESCRIBED IN THIS ACT IS
50 ACQUIRED, PURCHASED, LEASED OR OTHERWISE OPERATED BY THE RANDOLPH ACAD-
51 MY UNION FREE SCHOOL DISTRICT PURSUANT TO SUBDIVISION B OF SECTION 4 OF
52 CHAPTER 140 OF THE LAWS OF 1985, THE REMAINING PORTION OF SUCH TERRITORY
53 SHALL, UPON ITS SALE, CEASE TO BE A PART OF UNION FREE SCHOOL DISTRICT
54 NUMBER THREE OF THE TOWN OF HAMBURG, ERIE COUNTY, AND, IF SUCH SALE IS
55 TO A PARTY OTHER THAN THE RANDOLPH ACADEMY UNION FREE SCHOOL DISTRICT

1 ESTABLISHED BY CHAPTER 140 OF THE LAWS OF 1985, SHALL REVERT TO AND
2 BECOME A PART OF THE FRONTIER CENTRAL SCHOOL DISTRICT.

3 S 3. Section 6 of chapter 934 of the laws of 1971, relating to the
4 establishing and constituting as a separate union free school district
5 certain territory in the town of Hamburg in the county of Erie is renum-
6 bered section 10 and four new sections 6, 7, 8 and 9 are added to read
7 as follows:

8 S 6. IN THE EVENT THAT ALL OF THE TERRITORY OF THE UNION FREE SCHOOL
9 DISTRICT IS PURCHASED BY A PARTY OTHER THAN HOPEVALE INC. OR OUR LADY OF
10 REFUGE OR THE RANDOLPH ACADEMY UNION FREE SCHOOL DISTRICT, THE SAID
11 DISTRICT CREATED BY THIS CHAPTER SHALL CONTINUE TO EXIST AS A NON-OPER-
12 ATING UNION FREE SCHOOL DISTRICT ONLY FOR THE PURPOSES SET FORTH IN
13 SECTION EIGHT OF THIS ACT, AND, WHEN ANY BONDS OR NOTES ISSUED BY THE
14 DORMITORY AUTHORITY OF THE STATE OF NEW YORK IN CONNECTION WITH THE
15 FINANCING OF CERTAIN IMPROVEMENTS MADE AT SUCH FACILITIES PRIOR TO THE
16 EFFECTIVE DATE OF THIS SECTION ARE NO LONGER OUTSTANDING, SUCH UNION
17 FREE SCHOOL DISTRICT SHALL BE DISSOLVED AND ALL SUCH TERRITORY SHALL
18 CEASE TO BE A PART OF UNION FREE SCHOOL DISTRICT NUMBER THREE OF THE
19 TOWN OF HAMBURG, ERIE COUNTY, AND SHALL REVERT TO AND BECOME A PART OF
20 FRONTIER CENTRAL SCHOOL DISTRICT. NOTWITHSTANDING ANY OTHER PROVISION OF
21 LAW TO THE CONTRARY, SUCH SCHOOL DISTRICT SHALL BE INELIGIBLE FOR STATE
22 AID PURSUANT TO SECTION 1 OF CHAPTER 566 OF THE LAWS OF 1967 FOR
23 EXPENSES INCURRED DURING THE PERIOD IN WHICH IT IS A NON-OPERATING
24 SCHOOL DISTRICT.

25 S 7. IN THE EVENT THAT ALL OR A PORTION OF THE TERRITORY OF THE UNION
26 FREE SCHOOL DISTRICT IS ACQUIRED, PURCHASED, LEASED, OR OTHERWISE OPER-
27 ATED BY THE RANDOLPH ACADEMY UNION FREE SCHOOL DISTRICT PURSUANT TO
28 SUBDIVISION B OF SECTION 4 OF CHAPTER 140 OF THE LAWS OF 1985, THE UNION
29 FREE SCHOOL DISTRICT NUMBER THREE OF THE TOWN OF HAMBURG, ERIE COUNTY
30 SHALL CONTINUE TO EXIST AS A NON-OPERATING UNION FREE SCHOOL DISTRICT
31 COTERMINOUS WITH THE TERRITORY SO ACQUIRED, PURCHASED, LEASED OR OPER-
32 ATED BY THE RANDOLPH ACADEMY UNION FREE SCHOOL DISTRICT, ONLY FOR THE
33 PURPOSES SET FORTH IN SECTION EIGHT OF THIS ACT FOR THE DURATION OF THE
34 PERIOD IN WHICH THE RANDOLPH ACADEMY UNION FREE SCHOOL DISTRICT OWNS,
35 LEASES OR OPERATES SUCH TERRITORY OR UNTIL ANY BONDS OR NOTES ISSUED BY
36 THE DORMITORY AUTHORITY OF THE STATE OF NEW YORK IN CONNECTION WITH THE
37 FINANCING OF CERTAIN IMPROVEMENTS MADE AT SUCH FACILITIES PRIOR TO THE
38 EFFECTIVE DATE OF THIS SECTION ARE NO LONGER OUTSTANDING, WHICHEVER IS
39 LATER, AND, NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY,
40 SUCH SCHOOL DISTRICT SHALL BE INELIGIBLE FOR STATE AID PURSUANT TO
41 SECTION 1 OF CHAPTER 566 OF THE LAWS OF 1967 FOR EXPENSES INCURRED
42 DURING THE PERIOD IN WHICH THE RANDOLPH ACADEMY UNION FREE SCHOOL
43 DISTRICT OWNS, LEASES OR OPERATES SUCH PROPERTY. SUCH TERRITORY
44 ACQUIRED, PURCHASED, LEASED, OR OTHERWISE OPERATED BY THE RANDOLPH ACAD-
45 EMY UNION FREE SCHOOL DISTRICT SHALL BECOME PART OF THE RANDOLPH ACADEMY
46 UNION FREE SCHOOL DISTRICT IN ACCORDANCE WITH SECTION 4 OF CHAPTER 140
47 OF THE LAWS OF 1985. AT THE END OF THE PERIOD IN WHICH THE UNION FREE
48 SCHOOL DISTRICT NUMBER THREE OF THE TOWN OF HAMBURG, ERIE COUNTY CONTIN-
49 UES TO EXIST AS A NON-OPERATING UNION FREE SCHOOL DISTRICT PURSUANT TO
50 THIS SECTION, SUCH SCHOOL DISTRICT SHALL BE DISSOLVED.

51 S 8. A. IN ACCORDANCE WITH SECTION 1508 OF THE EDUCATION LAW, THE
52 BOARD OF EDUCATION OF THE UNION FREE SCHOOL DISTRICT CREATED BY THIS ACT
53 SHALL CONTINUE TO EXIST IN LAW FOR THE PURPOSE OF PROVIDING FOR AND
54 PAYING ALL OF ITS JUST DEBTS, INCLUDING, WITHOUT LIMITATION, ANY BONDS
55 OR NOTES ISSUED BY THE DORMITORY AUTHORITY OF THE STATE OF NEW YORK IN
56 CONNECTION WITH THE FINANCING OF CERTAIN IMPROVEMENTS MADE AT SUCH

1 SCHOOL DISTRICT, AND THE BOARD OF EDUCATION SHALL CONTINUE TO BE AUTHOR-
2 IZED TO RECEIVE ANY REIMBURSEMENT DUE AND OWING FOR TUITION OR MAINTENANCE PURSUANT TO ARTICLE 81 OF THE EDUCATION LAW, SECTION 4505 OF THE
3 EDUCATION LAW OR ANY OTHER PROVISION OF LAW FOR SERVICES RENDERED TO
4 STUDENTS BY SUCH DISTRICT UNTIL SUCH DEBTS ARE FULLY PAID. ANY ASSETS OF
5 THE SCHOOL DISTRICT REMAINING AFTER PAYMENT OF SUCH JUST DEBTS SHALL BE
6 PAID TO THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES OF THE FIRST
7 SUPERVISORY DISTRICT OF ERIE COUNTY, EXCEPT AS OTHERWISE PROVIDED IN
8 THIS ACT.

9
10 B. FOLLOWING DISSOLUTION OF THE SCHOOL DISTRICT PURSUANT TO SECTION
11 SIX OF THIS ACT, THE RECORDS OF THE UNION FREE SCHOOL DISTRICT NUMBER
12 THREE OF THE TOWN OF HAMBURG, ERIE COUNTY, SHALL BE FORWARDED TO THE
13 DISTRICT SUPERINTENDENT OF SCHOOLS OF THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES OF THE FIRST SUPERVISORY DISTRICT OF ERIE COUNTY FOR
14 PRESERVATION, EXCEPT AS OTHERWISE PROVIDED IN THIS ACT. NOTWITHSTANDING
15 ANY OTHER PROVISION OF LAW TO THE CONTRARY, AND EXCEPT AS OTHERWISE
16 PROVIDED IN THIS ACT, SUCH RECORDS SHALL BE DEEMED TO BE RECORDS OF THE
17 BOARD OF COOPERATIVE EDUCATIONAL SERVICES OF THE FIRST SUPERVISORY
18 DISTRICT OF ERIE COUNTY FOR PURPOSES OF LOCAL GOVERNMENT RECORDS MANAGEMENT GRANTS PURSUANT TO SECTION 57.35 OF THE ARTS AND CULTURAL AFFAIRS
19 LAW.

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21
22 S 9. IN THE EVENT THAT ALL OR A PORTION OF THE TERRITORY OF UNION FREE
23 SCHOOL DISTRICT NUMBER THREE OF THE TOWN OF HAMBURG, ERIE COUNTY IS
24 ACQUIRED, PURCHASED, LEASED, OR OTHERWISE OPERATED BY THE RANDOLPH ACADEMY UNION FREE SCHOOL DISTRICT PURSUANT TO SECTION SEVEN OF THIS ACT AND
25 SUBDIVISION B OF SECTION 4 OF CHAPTER 140 OF THE LAWS OF 1985:

26
27 A. THE RECORDS OF UNION FREE SCHOOL DISTRICT NUMBER THREE OF THE TOWN
28 OF HAMBURG SHALL BE FORWARDED TO AND THEREAFTER MAINTAINED BY THE
29 RANDOLPH ACADEMY UNION FREE SCHOOL DISTRICT IN CONNECTION WITH THE OPERATION BY SAID DISTRICT OF THE FACILITIES FORMERLY OPERATED BY THE UNION
30 FREE SCHOOL DISTRICT CREATED BY THIS ACT; AND

31
32 B. ANY FUNDS REMAINING IN THE POSSESSION OF THE UNION FREE SCHOOL
33 DISTRICT CREATED BY THIS ACT, AFTER ALL OF ITS DEBTS AND OBLIGATIONS
34 HAVE BEEN PAID, INCLUDING ANY REIMBURSEMENT DUE AND OWING FOR TUITION OR
35 MAINTENANCE PURSUANT TO ARTICLE 81 OF THE EDUCATION LAW, SECTION 4505 OF
36 THE EDUCATION LAW OR ANY OTHER PROVISION OF LAW FOR SERVICES RENDERED TO
37 STUDENTS BY SUCH SCHOOL DISTRICT, SHALL BE PAID OVER TO THE RANDOLPH
38 ACADEMY UNION FREE SCHOOL DISTRICT FOR THE OPERATION OF THE FACILITIES
39 FORMERLY OPERATED BY THE UNION FREE SCHOOL DISTRICT CREATED BY THIS
40 CHAPTER.

41
42 C. THE BOARD OF EDUCATION OF THE RANDOLPH ACADEMY UNION FREE SCHOOL
43 DISTRICT SHALL BE AUTHORIZED TO RECEIVE ANY REIMBURSEMENT DUE AND OWING
44 FOR TUITION OR MAINTENANCE PURSUANT TO ARTICLE 81 OF THE EDUCATION LAW,
45 SECTION 4505 OF THE EDUCATION LAW OR ANY OTHER PROVISION OF LAW FOR
46 SERVICES RENDERED TO STUDENTS BY SUCH RANDOLPH ACADEMY UNION FREE SCHOOL
47 DISTRICT AND TO RECEIVE BUILDING AID ON PAYMENTS BY SUCH SCHOOL DISTRICT
48 TO THE DORMITORY AUTHORITY OF THE STATE OF NEW YORK ON ANY BONDS OR
49 NOTES ISSUED BY THE DORMITORY AUTHORITY IN CONNECTION WITH THE FINANCING
50 OF CERTAIN IMPROVEMENTS MADE AT THE FACILITIES OF THE UNION FREE SCHOOL
51 DISTRICT NUMBER THREE OF THE TOWN OF HAMBURG.

52
53 D. NOTWITHSTANDING ANY PROVISIONS OF SUBDIVISION B OF THIS SECTION TO
54 THE CONTRARY, ALL AMOUNTS CURRENTLY OR HEREAFTER HELD BY THE STATE COMPTROLLER FROM TIME TO TIME IN THE SCHOOL CAPITAL FACILITIES FINANCING
55 RESERVE ACCOUNT ESTABLISHED IN CONNECTION WITH THE ISSUANCE OF BONDS BY
56 THE DORMITORY AUTHORITY OF THE STATE OF NEW YORK ON BEHALF OF HOPEVALE UNION FREE SCHOOL DISTRICT (UNION FREE SCHOOL DISTRICT NUMBER THREE OF

THE TOWN OF HAMBURG, ERIE COUNTY) SHALL CONTINUE TO BE HELD TO PROVIDE FOR THE PAYMENT OF SUCH OBLIGATIONS, AND APPLIED IN ACCORDANCE WITH THE PROVISIONS OF PARAGRAPH EIGHT OF SECTION 407-A OF THE EDUCATION LAW.

S 4. (a) Notwithstanding any provision of law to the contrary, Randolph Academy union free school district, created pursuant to chapter 140 of the laws of 1985 shall, to the extent necessary or applicable to effectuate the provisions contained herein, be (i) authorized to assume the obligations of the Hopevale Union Free School District (also known as union free school district number three of the town of Hamburg, Erie county) in connection with the dormitory authority Special Act School Districts Program Insured Revenue Bonds, Series 1998, and/or (ii) operate the capital facilities constituting the union free school district number 3 in the town of Hamburg, Erie county as created by chapter 934 of the laws of 1971 and improved with the proceeds of the dormitory authority Special Act School Districts Program Insured Revenue Bonds, Series 1998 for purposes of providing services pursuant to the school district's contracts with other public school districts or social services districts for the education of children with handicapping conditions pursuant to article eighty-one or eighty-nine of the education law, and not for purposes of any other law, rule, regulation or statute.

(b) Notwithstanding any provision of law to the contrary, the dormitory authority, Randolph Academy union free school district and Hopevale union free school district, are each hereby authorized to enter into such agreements as the dormitory authority deems reasonable or necessary to comply with the requirements of subdivision a of this section and to provide for the performance of the obligations of Randolph Academy union free school district in accordance with title 4 of article 8 of the public authorities law, chapter 737 of the laws of 1988 and the dormitory authority's contract with the holders of Special Act School Districts Program Insured Revenue Bonds, Series 1998.

(c) Nothing in this act shall be construed to impair the validity of dormitory authority Special Act School Districts Program Insured Revenue Bonds, Series 1998, or any bondholders rights thereunder, and such bonds shall, in all respects, continue to be valid and binding obligations of the dormitory authority authorized under and governed by the provisions of title 4 of article 8 of the public authorities law and chapter 737 of the laws of 1988.

S 5. Section 1 of chapter 566 of the laws of 1967, relating to providing for the apportionment of funds to certain special school districts, as amended by chapter 478 of the laws of 2006, is amended to read as follows:

Section 1. Notwithstanding the provisions of section 3602 and 3602-b of the education law, and in lieu of any apportionments to which such school districts might otherwise be entitled under such sections or under any other provisions of law, the commissioner of education is hereby authorized to include the following school districts in the annual apportionment of public moneys and such apportionment shall be computed in accordance with the provisions of sections two, three and four of this act: union free school district number twenty-seven of the town of Dryden, Tompkins county; union free school district number eight of the town of Canaan, Columbia county; union free school districts numbers ten, eleven, twelve and thirteen of the town of Greenburgh, Westchester county; union free school districts numbers three and four of the town of Mount Pleasant, Westchester county; union free school district number six, Blythedale, town of Mount Pleasant, Westchester

1 county; and Randolph Children's Home union free school district of the
2 town of Randolph, Cattaraugus county; West Park union free school
3 district number two, town of Esopus, Ulster county; common school
4 district number seven of the town of Oyster Bay, Nassau county; [the
5 Hopevale union free school district, town of Hamburg, Erie county;] and
6 union free school district number three, town of Riverhead, Suffolk
7 county.

8 S 6. Paragraph (b) of subdivision 2 of section 1676 of the public
9 authorities law is amended by adding a new undesignated paragraph to
10 read as follows:

11 RANDOLPH ACADEMY UNION FREE SCHOOL DISTRICT FOR THE FINANCING, ACQUI-
12 SITION, CONSTRUCTION, RECONSTRUCTION, RENOVATION AND IMPROVEMENT FOR
13 FACILITIES LOCATED IN ERIE COUNTY, NEW YORK.

14 S 7. Subdivision 1 of section 1680 of the public authorities law is
15 amended by adding a new undesignated paragraph to read as follows:

16 RANDOLPH ACADEMY UNION FREE SCHOOL DISTRICT, FOR THE FINANCING, ACQUI-
17 SITION, CONSTRUCTION, RECONSTRUCTION, RENOVATION AND IMPROVEMENT FOR
18 FACILITIES LOCATED IN ERIE COUNTY, NEW YORK. NOTWITHSTANDING ANY OTHER
19 PROVISION OF LAW, RANDOLPH ACADEMY UNION FREE SCHOOL DISTRICT SHALL HAVE
20 FULL POWER AND AUTHORITY TO ASSIGN AND PLEDGE TO THE AUTHORITY ANY AND
21 ALL PUBLIC FUNDS TO BE APPORTIONED OR OTHERWISE MADE PAYABLE BY THE
22 STATE, A POLITICAL SUBDIVISION, AS DEFINED IN SECTION ONE HUNDRED OF THE
23 GENERAL MUNICIPAL LAW, OR ANY SOCIAL SERVICES DISTRICT IN THE STATE IN
24 AN AMOUNT SUFFICIENT TO MAKE ALL PAYMENTS REQUIRED TO BE MADE BY
25 RANDOLPH ACADEMY UNION FREE SCHOOL DISTRICT PURSUANT TO ANY LEASE,
26 SUBLEASE OR OTHER AGREEMENT ENTERED INTO BETWEEN RANDOLPH ACADEMY UNION
27 FREE SCHOOL DISTRICT AND THE AUTHORITY. ALL STATE AND LOCAL OFFICERS ARE
28 HEREBY AUTHORIZED AND REQUIRED TO PAY ALL SUCH FUNDS SO ASSIGNED AND
29 PLEDGED TO THE AUTHORITY OR UPON THE DIRECTION OF THE AUTHORITY, TO ANY
30 TRUSTEE OF ANY AUTHORITY BOND OR NOTE ISSUED PURSUANT TO A CERTIFICATE
31 FILED WITH ANY SUCH STATE OR LOCAL OFFICER BY THE AUTHORITY PURSUANT TO
32 THE PROVISIONS OF THIS SECTION. NO AGREEMENT OR LEASE BY RANDOLPH ACAD-
33 MY UNION FREE SCHOOL DISTRICT PURSUANT TO THIS PARAGRAPH SHALL BE EFFEC-
34 TIVE UNLESS AND UNTIL IT IS APPROVED BY OR ON BEHALF OF THE COMMISSIONER
35 OF EDUCATION.

36 S 8. Chapter 737 of the laws of 1988 amending the education law and
37 other laws relating to the apportionment of funds to certain school
38 districts is amended by adding a new section 3-a to read as follows:

39 S 3-A. THE RANDOLPH ACADEMY UNION FREE SCHOOL DISTRICT, A SPECIAL ACT
40 SCHOOL DISTRICT, MAY ENTER INTO LEASES, SUBLEASES OR OTHER AGREEMENTS
41 WITH THE DORMITORY AUTHORITY PURSUANT TO TITLE FOUR OF ARTICLE EIGHT OF
42 THE PUBLIC AUTHORITIES LAW FOR THE FINANCING OF THE DESIGN,
43 CONSTRUCTION, ACQUISITION, REHABILITATION, IMPROVEMENT, RENOVATION OR
44 OTHERWISE PROVIDING FOR, FURNISHING OR EQUIPPING OF CAPITAL FACILITIES
45 WHICH ARE EDUCATIONAL FACILITIES WHERE THE TOTAL ESTIMATED COST OF SUCH
46 FACILITIES EXCEEDS \$10,000. THE PLANS AND SPECIFICATIONS OF SUCH CAPITAL
47 FACILITIES SHALL BE SUBJECT TO THE APPROVAL OF THE COMMISSIONER OF
48 EDUCATION WITH RESPECT TO EDUCATION FACILITIES. SUCH CAPITAL FACILITIES
49 MAY BE CONSTRUCTED ONLY ON LAND OWNED BY SUCH SPECIAL ACT SCHOOL
50 DISTRICT OR, IF THE LAND IS LEASED, WHERE THE LEASE IS FOR A PERIOD AT
51 LEAST EQUAL TO THE APPROPRIATE PERIOD OF PROBABLE USEFULNESS FOR SUCH
52 FACILITIES AS LISTED IN SECTION 11.00 OF THE LOCAL FINANCE LAW, OR THE
53 LENGTH OF THE LEASE, SUBLEASE OR OTHER AGREEMENT WITH THE DORMITORY
54 AUTHORITY, WHICHEVER IS LONGER.

55 S 9. This act shall take effect July 1, 2011, provided that if it
56 shall become a law after such date, this act shall take effect imme-

1 diately and shall be deemed to have been in full force and effect on and
2 after July 1, 2011; except that section five of this act shall take
3 effect upon the dissolution of union free school district number three
4 in the town of Hamburg, Erie county pursuant to the provisions of
5 section three of this act; provided that the commissioner of education
6 shall notify the legislative bill drafting commission upon the occur-
7 rence of the enactment of the legislation provided for in section three
8 of this act in order that the commission may maintain an accurate and
9 timely effective data base of the official text of the laws of the state
10 of New York in furtherance of effectuating the provisions of section 44
11 of the legislative law and section 70-b of the public officers law.