

8119

2011-2012 Regular Sessions

I N A S S E M B L Y

June 2, 2011

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

AN ACT relating to actions taken by the Smithtown Central School
District regarding capital improvements eligible for state aid

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

1 Section 1. Legislative intent. The legislature hereby finds that the
2 Smithtown Central School District approved several capital improvement
3 projects which were designated by the State Education Department as
4 project numbers 7999-002, 0034-022, 0027-008 and 0023-021. In addition,
5 the projects were eligible for certain state aid. The legislature
6 further finds that due to an administrative error, required filings for
7 eligibility for such aid were not made by the district in a timely
8 manner making the district ineligible for certain aid. The legislature
9 further finds that without such aid, the capital improvement projects
10 will impose an additional, unanticipated hardship on district taxpayers.
11 S 2. All the acts done and proceedings heretofore had and taken or
12 caused to be had and taken by the Smithtown Central School District and
13 by all its officers or agents relating to or in connection with certain
14 final cost reports to be filed with the State Education Department for
15 projects 7999-002, 0034-022, 0027-008 and 0023-021, and all acts inci-
16 dental thereto are hereby legalized, validated, ratified and confirmed,
17 notwithstanding any failure to comply with the approval and filing
18 provisions of the education law or any other law or any other statutory
19 authority, rule or regulation, in relation to any omission, error,
20 defect, irregularity or illegality in such proceedings had and taken,
21 and provided further that any amount due and payable to the Smithtown
22 Central School District for school years prior to the 2012-13 school
23 year as a result of this act shall be paid pursuant to the provisions of
24 paragraph c of subdivision 5 of section 3604 of the education law.

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

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1 S 3. The state education department is hereby directed to consider the
2 approved costs of the aforementioned projects as valid and proper obli-
3 gations of the Smithtown Central School District.
4 S 4. This act shall take effect immediately.