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

5701

2011-2012 Regular Sessions

I N S E N A T E

June 10, 2011

Introduced by Sen. FLANAGAN -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

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 ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Legislative intent. The legislature hereby finds that the Smithtown Central School District approved several capital improvement projects which were designated by the State Education Department as project numbers 7999-002, 0034-022, 0027-008 and 0023-021. In addition, the projects were eligible for certain state aid. The legislature further finds that due to an administrative error, required filings for eligibility for such aid were not made by the district in a timely manner making the district ineligible for certain aid. The legislature further finds that without such aid, the capital improvement projects will impose an additional, unanticipated hardship on district taxpayers.

S 2. All the acts done and proceedings heretofore had and taken or caused to be had and taken by the Smithtown Central School District and by all its officers or agents relating to or in connection with certain final cost reports to be filed with the State Education Department for projects 7999-002, 0034-022, 0027-008 and 0023-021, and all acts incidental thereto are hereby legalized, validated, ratified and confirmed, notwithstanding any failure to comply with the approval and filing provisions of the education law or any other law or any other statutory authority, rule or regulation, in relation to any omission, error, defect, irregularity or illegality in such proceedings had and taken, and provided further that any amount due and payable to the Smithtown Central School District for school years prior to the 2012-13 school year as a result of this act shall be paid pursuant to the provisions of 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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S 3. The state education department is hereby directed to consider the approved costs of the aforementioned projects as valid and proper obligations of the Smithtown Central School District.

S 4. This act shall take effect immediately.