

6490

I N S E N A T E

February 15, 2012

Introduced by Sen. STEWART-COUSINS -- read twice and ordered printed,
and when printed to be committed to the Committee on Education

AN ACT to amend chapter 566 of the laws of 1967, relating to providing for the apportionment of funds to certain special act school districts, in relation to eliminating reference to such union free school district number 13; and to repeal chapter 559 of the laws of 1972, relating to establishing union free school district number 13 in the town of Greenburgh in the county of Westchester, relating to the dissolution of such union free school district

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

1 Section 1. Chapter 559 of the laws of 1972, relating to establishing
2 union free school district number 13 in the town of Greenburgh in the
3 county of Westchester, is REPEALED.
4 S 2. Any funds remaining in the possession of the union free school
5 district number 13, town of Greenburgh, county of Westchester, after all
6 of its debts and obligations have been paid, shall be paid over to the
7 board of cooperative educational services of the sole supervisory
8 district of the county of Westchester (Southern Westchester BOCES) for
9 the services provided to such union free school district pursuant to
10 section three of this act. Though such union free school district number
11 13 be dissolved, section 1518 of the education law shall be deemed to
12 apply, and it shall continue to exist in law for the purpose of provid-
13 ing for and paying all its just debts; provided that the board of coop-
14 erative educational services of the sole supervisory district of the
15 county of Westchester (Southern Westchester BOCES) shall be authorized
16 to act on behalf of the school district pursuant to section three of
17 this act.
18 S 3. Notwithstanding any other provision of law to the contrary,
19 during any period in which there is no duly constituted board of educa-
20 tion of union free school district number 13, town of Greenburgh, county
21 of Westchester, the board of cooperative educational services of the
22 sole supervisory district of the county of Westchester (Southern West-
23 chester BOCES) shall be authorized to take any actions on behalf of the

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

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1 school district that are reasonably necessary to complete the close down
2 and dissolution of the district that the board of education would have,
3 including but not limited to, the power to enter contracts, pay debts
4 and bill for and receive any reimbursement due and owing for tuition or
5 maintenance pursuant to article 81 of the education law or any other
6 provision of law for services rendered to students on or before the
7 school district ceased operation on July 1, 2011. In such capacity, such
8 board of cooperative educational services and its officers and employees
9 shall be entitled to defense and indemnification by the state pursuant
10 to section seventeen of the public officers law.

11 S 4. The records of union free school district number 13, town of
12 Greenburgh, county of Westchester, shall be forwarded to the district
13 superintendent of schools of the sole supervisory district of the coun-
14 ties of Orange and Ulster (Orange-Ulster BOCES) for preservation.
15 Notwithstanding any other provision of law to the contrary, such records
16 shall be deemed to be the records of such board of cooperative educa-
17 tional services for purposes of the management and disposition of such
18 records.

19 S 5. Notwithstanding any other provision of law, rule or regulation to
20 the contrary, all former employees of union free school district number
21 13, town of Greenburgh, county of Westchester for whom such school
22 district agreed by contract to pay the costs of health insurance in
23 retirement shall, as of the effective date of this act, be deemed
24 retired employees of the state of New York entitled to participate in
25 the New York state health insurance program under the terms and condi-
26 tions of such program applicable to managerial and confidential employ-
27 ees of the state.

28 S 6. The territory comprising the union free school district number
29 13, town of Greenburgh, county of Westchester, shall revert to and
30 become part of the Irvington union free school district in the county of
31 Westchester.

32 S 7. Section 1 of chapter 566 of the laws of 1967, relating to provid-
33 ing for the apportionment of funds to certain special school districts,
34 as amended by chapter 213 of the laws of 2011, is amended to read as
35 follows:

36 Section 1. Notwithstanding the provisions of section 3602 and 3602-b
37 of the education law, and in lieu of any apportionments to which such
38 school districts might otherwise be entitled under such sections or
39 under any other provisions of law, the commissioner of education is
40 hereby authorized to include the following school districts in the annu-
41 al apportionment of public moneys and such apportionment shall be
42 computed in accordance with the provisions of sections two, three and
43 four of this act: union free school district number twenty-seven of the
44 town of Dryden, Tompkins county; union free school district number eight
45 of the town of Canaan, Columbia county; union free school districts
46 numbers ten, eleven, AND twelve [and thirteen] of the town of Green-
47 burgh, Westchester county; union free school districts numbers three and
48 four of the town of Mount Pleasant, Westchester county; union free
49 school district number six, Blythedale, town of Mount Pleasant, West-
50 chester county; and Randolph Children's Home union free school district
51 of the town of Randolph, Cattaraugus county; West Park union free school
52 district number two, town of Esopus, Ulster county; common school
53 district number seven of the town of Oyster Bay, Nassau county; and
54 union free school district number three, town of Riverhead, Suffolk
55 county.

1 S 8. This act shall take effect immediately; provided, however that
2 section seven of this act shall take effect upon the dissolution of
3 union free school district number three in the town of Hamburg, Erie
4 county pursuant to the provisions of section 3 of chapter 213 of the
5 laws of 2011.