

5619

2013-2014 Regular Sessions

I N A S S E M B L Y

March 4, 2013

Introduced by M. of A. ENGLEBRIGHT, SCHIMEL -- read once and referred to the Committee on Governmental Employees

AN ACT to enact the "framework for the future act"; to amend the education law, in relation to requiring the state to pay one-half of the employer contributions to the New York state teachers' retirement system (Part A); to amend the civil service law, in relation to the provision of a health insurance plan to the officers and employees of school districts and boards of cooperative educational services, and their dependents (Part B); to amend the education law, in relation to public high cost excess cost aid; and to repeal subdivision 5-a of section 3602 of such law relating to supplemental public excess cost aid (Part C); to direct state leaders to lobby for greater federal funding of state public education (Part D); to direct the governor to establish a study group to evaluate and make recommendations relating to the extent to which state mandates exceed federal mandates; to amend the state finance law, in relation to requiring state reimbursement of localities for additional mandate expenses; and providing for the repeal of certain provisions upon the expiration thereof (Part E); to amend the legislative law, in relation to prohibiting unfunded mandates (Part F); to amend the legislative law, the executive law and the state administrative procedure act, in relation to requiring disclosure of the cost and source of funding of any provision requiring a political subdivision of the state to expend additional funds (Part G); to amend the education law, in relation to directing the commissioner of education to develop and implement a program to provide information, expertise and assistance to school districts to facilitate consolidation (Part H); to amend the state finance law and the education law, in relation to efficiency study grants for school districts (Part I); to amend the education law, in relation to expanding the authority of boards of cooperative educational services to provide shared services to their component school districts; and to repeal subparagraph 2 of paragraph a of subdivision 4 of section 1950 of such law relating to limitations on the compensation payable to the superintendent of such board (Part J); to amend the education law, in

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

LBD09334-01-3

relation to providing state aid to boards of cooperative educational services for career and technical education (Part K); to direct the commissioner of education to establish a task force to analyze and report on alternative methods of funding charter schools which do not reduce the funding of the school districts of residence; and providing for the repeal of such provisions upon expiration thereof (Part L); to amend the education law, in relation to providing state aid to school districts for energy cost increases (Part M); to amend the public authorities law, in relation to directing the power authority of the state of New York to provide financing for energy conservation improvements to schools (Part N); to amend the education law, in relation to authorizing boards of cooperative educational services to operate regional transportation systems (Part O); to amend the education law, in relation to total foundation aid to school districts (Part P); to amend the education law, in relation to providing transportation aid based upon school district expenses therefor (Part Q); to amend the education law, in relation to increasing reorganization incentive aid (Part R); to amend the education law, in relation to the financial responsibility for state schools for the blind and the deaf (Part S); to amend the executive law, in relation to directing the department of audit and control to compile and publish an annual taxpayer report card (Part T); to amend the state finance law, the public authorities law and the general municipal law, in relation to requiring governmental entities to publish a detailed copy of their proposed budget not less than 30 days prior to approval thereof (Part U); to amend the executive law, in relation to directing the department of audit and control to publish an annual report on the costs to municipal corporations of requirements imposed thereon by state law, rules and regulations (Part V); and to amend the state finance law and the education law, in relation to appropriations for the support of school districts (Part W)

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

1 Section 1. Short title. This act shall be known and may be cited as
2 the "framework for the future act".
3 S 2. This act enacts into law major components of legislation which
4 are necessary to reform real property taxation for the support of public
5 schools, and enhancing the efficiency and transparency of the funding of
6 public education. Each component is wholly contained within a Part identified as Parts A through W. The effective date for each particular
7 provision contained within such Part is set forth in the last section of
8 such Part. Any provision of any section contained within a Part, including the effective date of the Part, which makes a reference to a section
9 "of this act", when used in connection with that particular component,
10 shall be deemed to mean and refer to the corresponding section of the
11 Part in which it is found. Section four of this act sets forth the
12 general effective date of this act.
13
14

15 PART A

16 Section 1. The education law is amended by adding a new section 521-a
17 to read as follows:

1 S 521-A. STATE CONTRIBUTIONS. 1. NOTWITHSTANDING ANY OTHER PROVISION
2 OF LAW, ON AND AFTER JULY FIRST, TWO THOUSAND THIRTEEN, THE STATE SHALL
3 PAY ONE-HALF OF ALL EMPLOYER CONTRIBUTIONS, EXCEPT WHEN THE EMPLOYER IS
4 THE STATE OR A STATE AGENCY, REQUIRED TO BE MADE TO THE RETIREMENT
5 SYSTEM PURSUANT TO THIS ARTICLE OR ANY OTHER PROVISION OF LAW REQUIRING
6 CONTRIBUTIONS TO THE RETIREMENT SYSTEM.

7 2. THE STATE COMPTROLLER SHALL, BY RULE OR REGULATION, ESTABLISH A
8 SYSTEM FOR THE PAYMENT BY THE STATE OF THE CONTRIBUTIONS REQUIRED BY
9 SUBDIVISION ONE OF THIS SECTION.

10 S 2. This act shall take effect immediately.

11 PART B

12 Section 1. Subdivision 1 of section 161 of the civil service law, as
13 amended by section 2 of part T of chapter 56 of the laws of 2010, is
14 amended to read as follows:

15 1. The president is hereby authorized and directed to establish a
16 health benefit plan for state officers and employees and their depen-
17 dents and officers and employees of the state colleges of agriculture,
18 home economics, industrial labor relations and veterinary medicine, the
19 state agricultural experiment station at Geneva, and any other institu-
20 tion or agency under the management and control of Cornell university as
21 the representative of the board of trustees of the state university of
22 New York, and the state college of ceramics under the management and
23 control of Alfred university as the representative of the board of trus-
24 tees of the state university of New York and their dependents; AND THE
25 OFFICERS AND EMPLOYEES OF SCHOOL DISTRICTS AND BOARDS OF COOPERATIVE
26 EDUCATIONAL SERVICES, AND THEIR DEPENDENTS which, subject to the condi-
27 tions and limitations contained in this article, and in the regulations
28 of the president, will provide for group hospitalization, surgical and
29 medical insurance against the financial costs of hospitalization,
30 surgery, medical treatment and care, and may include, among other things
31 prescribed drugs, medicines, prosthetic appliances, hospital in-patient
32 and out-patient service benefits and medical expense indemnity benefits.

33 S 2. Subdivisions 1, 2, 4 and 7 of section 163 of the civil service
34 law, subdivisions 1, 2 and 7 as amended by section 4 of part T of chap-
35 ter 56 of the laws of 2010, and subdivision 4 as amended by chapter 329
36 of the laws of 1960, are amended to read as follows:

37 1. All persons in the service of the state, A SCHOOL DISTRICT OR A
38 BOARD OF COOPERATIVE EDUCATIONAL SERVICES, whether elected, appointed or
39 employed, who elect to participate in such health benefit plan shall be
40 eligible to participate therein, provided, however, that the president
41 may adopt such regulations as he or she may deem appropriate excluding
42 temporary, part time or intermittent employment.

43 2. The contract or contracts shall provide for health benefits for
44 retired employees of the state and of the state colleges of agriculture,
45 home economics, industrial labor relations and veterinary medicine, the
46 state agricultural experiment station at Geneva, and any other institu-
47 tion or agency under the management and control of Cornell university as
48 the representative of the board of trustees of the state university of
49 New York, and the state college of ceramics under the management and
50 control of Alfred university as the representative of the board of trus-
51 tees of the state university of New York[,]; AND OF THE SCHOOL DISTRICTS
52 AND BOARDS OF COOPERATIVE EDUCATIONAL SERVICES IN THE STATE; and their
53 spouses and dependent children as defined by the regulations of the
54 president, on such terms as the president may deem appropriate,

1 PROVIDED, HOWEVER, THAT FOR EMPLOYEES, AND THEIR SPOUSES AND DEPENDENTS,
2 THE EMPLOYER SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL
3 SERVICES SHALL PAY ONE-HALF OF THE EXPENSES OF ADMINISTRATION OF THE
4 PLAN AS DETERMINED BY THE PRESIDENT, and the president may authorize the
5 inclusion in the plan of the employees and retired employees of public
6 authorities, public benefit corporations, [school districts,] special
7 districts, district corporations, municipal corporations excluding
8 active employees and retired employees of cities having a population of
9 one million or more inhabitants whose compensation is or was before
10 retirement paid out of the city treasury, or other appropriate agencies,
11 subdivisions or quasi-public organizations of the state, including
12 active members of volunteer fire and volunteer ambulance companies serv-
13 ing one or more municipal corporations pursuant to subdivision seven of
14 section ninety-two-a of the general municipal law, and their spouses and
15 dependent children as defined by the regulations of the president. Any
16 such corporation, district, agency or organization electing to partic-
17 ipate in the plan shall be required to pay its proportionate share of
18 the expenses of administration of the plan in such amounts and at such
19 times as determined and fixed by the president. All amounts payable for
20 such expenses of administration shall be paid to the commissioner of
21 taxation and finance and shall be applied to the reimbursement of funds
22 previously advanced for such purposes. Neither the state nor any other
23 participant in the plan shall be charged with the particular experience
24 attributable to the employees of the participant, and all dividends or
25 retroactive rate credits shall be distributed pro-rata based upon the
26 number of employees of such participant covered by the plan.

27 4. Any public authority, public benefit corporation, [school
28 district,] special district, district corporation, municipal corpo-
29 ration, or other agency, subdivision or quasi-public organization of the
30 state, whose employees and retired employees are authorized to be
31 included in the plan as provided by subdivision two OF THIS SECTION, may
32 elect to participate in such plan. Any such election shall be exercised
33 by the adoption of a resolution by its governing body and, in the case
34 of any municipal corporation where a resolution of its governing body is
35 required by law to be approved by any other body or officer, such resolu-
36 tion shall also be approved by such other body or officer. Any such
37 election may be made with respect to inclusion in the plan of both its
38 employees and its retired employees at the same time, or may be made
39 only with respect to its employees alone and at another time with
40 respect to its retired employees. Any such authority, corporation,
41 district, agency, subdivision or organization making such election shall
42 become a participating employer under such plan, subject to and in
43 accordance with the regulations of the president relating thereto.

44 7. For purposes of eligibility for participation in the health benefit
45 plan no person shall be deemed to be a state officer or employee or to
46 be in the service of the state unless his OR HER salary or compensation
47 is paid directly by the state, and no person shall be deemed to be a
48 retired officer or employee of the state unless his OR HER salary or
49 compensation immediately preceding his OR HER retirement was paid
50 directly by the state; provided, however, that all active and retired
51 justices, judges, officers and employees of the supreme court, surro-
52 gate's court, county court, family court, civil court of the city of New
53 York, criminal court of the city of New York and district court in any
54 county, officers and employees of the office of probation for the courts
55 of New York city, AND ALL ACTIVE AND RETIRED OFFICERS AND EMPLOYEES OF A
56 SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES shall be

1 eligible for participation in the health benefit plan whether or not
2 their salaries are paid or before retirement were paid directly by the
3 state.

4 S 3. Section 165-a of the civil service law, as amended by section 6
5 of part T of chapter 56 of the laws of 2010, the closing paragraph as
6 amended by chapter 582 of the laws of 2011, is amended to read as
7 follows:

8 S 165-a. Continuation of state health benefit plans for survivors of
9 employees of the state, OF A SCHOOL DISTRICT, OF A BOARD OF COOPERATIVE
10 EDUCATIONAL SERVICES and/or of a political subdivision or of a public
11 authority. Notwithstanding any other provision of law to the contrary,
12 the president shall permit the unremarried spouse and the dependents,
13 otherwise qualified as eligible for coverage under regulations of the
14 president, of a person who was an employee of the state, OF A SCHOOL
15 DISTRICT, OF A BOARD OF COOPERATIVE EDUCATIONAL SERVICES and/or of a
16 political subdivision thereof or of a public authority for not less than
17 ten years, provided however, that the ten-year service requirement shall
18 not apply to such employees on active military duty in connection with
19 the Persian Gulf conflict who die on or after August second, nineteen
20 hundred ninety while in the Persian Gulf combat zone or while performing
21 such military duties, who had been a participant in any of the state
22 health benefit plans, to continue under the coverage which such deceased
23 employee had in effect at the time of death, upon the payment at inter-
24 vals determined by the president of the full cost of such coverage[,];
25 provided, however, that the unremarried spouse of an active employee of
26 the [State] STATE, OF A SCHOOL DISTRICT OR OF A BOARD OF COOPERATIVE
27 EDUCATIONAL SERVICES who died on or after April first, nineteen hundred
28 seventy-five and before April first, nineteen hundred seventy-nine who
29 timely elected to continue dependent coverage, or such unremarried
30 spouse who timely elected individual coverage shall continue to pay at
31 intervals determined by the president one-quarter of the full cost of
32 dependent coverage and provided further, that, with regard to employees
33 of the [State] STATE, where and to the extent that an agreement pursuant
34 to article fourteen of this chapter so provides, or where the director
35 of employee relations, with respect to employees of the [State] STATE,
36 OF A SCHOOL DISTRICT OR OF A BOARD OF COOPERATIVE EDUCATIONAL SERVICES
37 who are not included within a negotiating unit so recognized or certi-
38 fied pursuant to article fourteen of this chapter whom the director of
39 employee relations determines should be declared eligible for the
40 continuation of health benefit plans for the survivors of such employees
41 of the [State] STATE, the president shall adopt regulations providing
42 for the continuation of such health benefit or benefits by the unremar-
43 ried spouse of an active employee of the [State] STATE, OF A SCHOOL
44 DISTRICT OR OF A BOARD OF COOPERATIVE EDUCATIONAL SERVICES who died on
45 or after April first, nineteen hundred seventy-nine who elects to
46 continue dependent coverage, or such unremarried spouse who elects indi-
47 vidual coverage, and upon such election shall pay at intervals deter-
48 mined by the president one-quarter of the full cost of dependent cover-
49 age and, provided further with respect to enrolled employees of a
50 political subdivision or public authority in a negotiating unit recog-
51 nized or certified pursuant to article fourteen of this chapter, where
52 an agreement negotiated pursuant to said article so provides, and with
53 respect to enrolled employees of a political subdivision or public
54 authority not included within a negotiating unit so recognized or certi-
55 fied, at the discretion of the appropriate political subdivision or
56 public authority, the unremarried spouse of an active employee of the

political subdivision or of the public authority who died on or after April first, nineteen hundred seventy-five, may elect to continue dependent coverage or such unmarried spouse may elect individual coverage and upon such election shall pay at intervals determined by the president one-quarter of the full cost of dependent coverage.

The president shall adopt such regulations as may be required to carry out the provisions of this [subdivision] SECTION which shall include, but need not be limited to, provisions for filing application for continued coverage.

Notwithstanding any law to the contrary, the survivors of any employee subject to this section shall be entitled to the health benefits granted pursuant to this section, provided that such employee died while on active duty pursuant to Title 10 of the United States Code, with the armed forces of the United States or to service in the uniformed services pursuant to Chapter 43 of Title 38 of the United States Code, and such member died on such active duty or service in the uniformed services on or after June fourteenth, two thousand five as a result of injuries, disease or other medical condition sustained or contracted in such active duty with the armed forces of the United States or in the uniformed services.

S 4. Subdivision 1 of section 167 of the civil service law, as amended by chapter 582 of the laws of 1988, paragraph (a) as amended by section 7 of part T of chapter 56 of the laws of 2010, and paragraph (b) as amended by chapter 317 of the laws of 1995, is amended to read as follows:

1. (a) The full cost of premium or subscription charges for the coverage of retired state EMPLOYEES, AND ONE-HALF OF SUCH COSTS FOR COVERAGE OF SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES employees who are enrolled in the statewide and the supplementary health benefit plans established pursuant to this article and who retired prior to January first, nineteen hundred eighty-three shall be paid by the state. Nine-tenths of the cost of premium or subscription charges for the coverage of state EMPLOYEES, AND FORTY-FIVE PERCENT OF SUCH COSTS FOR COVERAGE OF SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES employees and retired state, SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES employees retiring on or after January first, nineteen hundred eighty-three who are enrolled in the statewide and supplementary health benefit plans shall be paid by the state. Three-quarters of the cost of premium or subscription charges for the coverage of dependents of such state EMPLOYEES, AND THREE-EIGHTHS OF SUCH COSTS FOR COVERAGE OF SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES employees and retired state, SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES employees shall be paid by the state. Except as provided in paragraph (b) of this subdivision, the state shall contribute toward the premium or subscription charges for the coverage of each state, SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES employee or retired state, SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES employee who is enrolled in an optional benefit plan and for the dependents of such state, SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES employee or retired state, SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES employee the same dollar amount which would be paid by the state for the premium or subscription charges for the coverage of such state, SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES employee or retired state, SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES employee and his or her dependents if he or she were enrolled in the statewide

1 and the supplementary health benefit plans, but not in excess of the
2 premium or subscription charges for the coverage of such state, SCHOOL
3 DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES employee or
4 retired state, SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL
5 SERVICES employee and his or her dependents under such optional benefit
6 plan. For purposes of this subdivision, employees of the state colleges
7 of agriculture, home economics, industrial labor relations, and veteri-
8 nary medicine, the state agricultural experiment station at Geneva, and
9 any other institution or agency under the management and control of
10 Cornell university as the representative of the board of trustees of the
11 state university of New York, and employees of the state college of
12 ceramics under the management and control of Alfred university as the
13 representative of the board of trustees of the state university of New
14 York, shall be deemed to be state employees whose salaries or compen-
15 sation are paid directly by the state.

16 (b) Effective January first, nineteen hundred eighty-nine, notwith-
17 standing any other law, rule or regulation, and where, and to the extent
18 that, an agreement between the state and an employee organization
19 entered into pursuant to article fourteen of this chapter so provides or
20 where and to the extent the employee health insurance council so directs
21 with respect to any other state, SCHOOL DISTRICT OR BOARD OF COOPERATIVE
22 EDUCATIONAL SERVICES employees and for retired state, SCHOOL DISTRICT OR
23 BOARD OF COOPERATIVE EDUCATIONAL SERVICES employees retiring on or after
24 January first, nineteen hundred eighty-three, the state shall contribute
25 nine-tenths of the cost of premiums or subscription charges for coverage
26 of each such state EMPLOYEE, AND FORTY-FIVE PERCENT OF SUCH COSTS FOR
27 COVERAGE OF SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES
28 employee or retired state, SCHOOL DISTRICT OR BOARD OF COOPERATIVE
29 EDUCATIONAL SERVICES employee who is enrolled in an optional benefit
30 plan and three-fourths of such premium or subscription charges for
31 dependents of such state EMPLOYEES, AND THREE-EIGHTHS OF SUCH COSTS FOR
32 COVERAGE OF SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES
33 employees or retired state, SCHOOL DISTRICT OR BOARD OF COOPERATIVE
34 EDUCATIONAL SERVICES employees enrolled in such optional benefit plan;
35 provided, however, effective January first, nineteen hundred ninety-six,
36 the contribution rates for the hospitalization and medical components of
37 each optional benefit plan shall not exceed one hundred percent of the
38 dollar amount of the state's contribution toward the hospitalization and
39 medical components of individual and dependent coverage, respectively,
40 in the Empire Plan. In the case of state employees retiring prior to
41 January first, nineteen hundred eighty-three, the state shall contribute
42 one hundred percent of the individual premium and three-fourths of such
43 premium for dependents of such retired employees enrolled in such
44 optional benefit plan; however, these contribution rates shall not
45 exceed one hundred percent of the employer dollar amount contribution
46 for individual and dependent coverage respectively in the Empire Plan.

47 S 5. This act shall take effect on the first of January next succeed-
48 ing the date on which it shall have become a law.

49

PART C

50 Section 1. Subdivision 5 of section 3602 of the education law, as
51 added by section 13 of part B of chapter 57 of the laws of 2007, is
52 amended to read as follows:

53 5. Public high cost excess cost aid. A school district having a pupil
54 with a disability of school age for whom the cost, as approved by the

1 commissioner, of appropriate special services or programs exceeds the
2 [lesser of ten thousand dollars or four times the expense per pupil
3 without limits shall be entitled to an additional apportionment for each
4 such child computed by multiplying the district's excess cost aid ratio
5 by the amount by which such cost exceeds three times the] district's
6 expense per pupil [without limits] SHALL BE ENTITLED TO AN ADDITIONAL
7 APPORTIONMENT FOR EACH SUCH CHILD EQUAL TO ONE-HALF OF THE EXCESS OF THE
8 COST FOR SUCH CHILD WITH A DISABILITY OVER THE DISTRICT'S EXPENSES PER
9 PUPIL.

10 [a.] For the purpose of this subdivision[:

11 (1) Expense], "EXPENSE per pupil [for the purposes of this subdivi-
12 sion]" shall be not less than two thousand dollars and not more than the
13 greater of seven thousand one hundred ten dollars or the statewide aver-
14 age of such expense per pupil. Such statewide average expense per pupil
15 shall be computed and rounded to the nearest fifty dollars by the
16 commissioner using the expense and pupils as estimated by school
17 districts or as determined by the commissioner for use in determining
18 the expense per pupil of the district pursuant to paragraph f of subdivi-
19 sion one of this section for all districts eligible for aid pursuant
20 to this section. For the purposes of calculating such statewide expense
21 per pupil, the data for the city school district of the city of New York
22 shall be city-wide data.

23 [(2) The excess cost aid ratio shall be computed by subtracting from
24 one the product obtained by multiplying fifty-one per centum by the
25 combined wealth ratio. This aid ratio shall be expressed as a decimal
26 carried to three places without rounding, but not less than twenty-five
27 percent.

28 b. Notwithstanding section thirty-six hundred nine-a of this part, the
29 apportionment provided for in this subdivision shall be paid pursuant to
30 section thirty-six hundred nine-b of this part.]

31 S 2. Subdivision 5-a of section 3602 of the education law is REPEALED.

32 S 3. This act shall take effect on the first of July next succeeding
33 the date on which it shall have become a law.

34

PART D

35 Section 1. The governor, executive chamber, commissioner of education
36 and legislative leaders are hereby directed to engage in ongoing contact
37 with members of the United States House of Representatives, United
38 States Senators and the President of the United States to maximize
39 federal funding to the education system of the state of New York for the
40 purposes of both general education and special education.

41 S 2. This act shall take effect immediately.

42

PART E

43 Section 1. Within 60 days of the effective date of this act the gover-
44 nor shall establish and convene a study group to evaluate state mandates
45 as compared to the federal mandates.

46 S 2. Such study group shall be composed of members who have extensive
47 experience in the provision of services, required pursuant to federal
48 law, rules or regulations.

49 S 3. The lieutenant-governor shall be the chair of the study group
50 established by this act. The study group shall meet at such times and
51 places as shall be determined by the lieutenant-governor.

1 S 4. The members of the study group shall receive no compensation for
2 their services, but shall be allowed their actual and necessary expenses
3 incurred in the performance of their duties pursuant to this act.

4 S 5. The study group shall, on or before March 31, 2014, report to the
5 governor and the legislature. Such report shall include the study
6 group's findings, conclusions and recommendations.

7 S 6. The state finance law is amended by adding a new section 28 to
8 read as follows:

9 S 28. MANDATE RELIEF. 1. DEFINITION. FOR THE PURPOSES OF THIS SECTION,
10 "POLITICAL SUBDIVISION" SHALL MEAN A COUNTY, CITY, TOWN, VILLAGE, SCHOOL
11 DISTRICT OR SPECIAL DISTRICT, AND SHALL INCLUDE ANY AGENCY, AUTHORITY,
12 COMMISSION, DEPARTMENT OR INSTRUMENTALITY THEREOF.

13 2. EACH FISCAL YEAR THE BUDGET SUBMITTED BY THE GOVERNOR AND ENACTED
14 BY THE LEGISLATURE SHALL CONTAIN SEPARATE AND DISTINCT APPROPRIATIONS TO
15 REIMBURSE POLITICAL SUBDIVISIONS FOR THE ENTIRETY OF ANY ADDITIONAL
16 EXPENSES INCURRED BY SUCH POLITICAL SUBDIVISIONS PURSUANT TO ANY STATE
17 LAW, RULE OR REGULATION ENACTED TO COMPLY WITH A REQUIREMENT ESTABLISHED
18 BY FEDERAL LAWS, RULES OR REGULATIONS TO THE EXTENT THAT SUCH STATE
19 LAWS, RULES OR REGULATIONS REQUIRE THE ASSUMPTION OF ADDITIONAL COSTS
20 ABOVE THOSE IMPOSED BY SUCH FEDERAL REQUIREMENTS.

21 S 7. This act shall take effect immediately and sections one through
22 five of this act shall expire and be deemed repealed April 1, 2014.

23 PART F

24 Section 1. The legislative law is amended by adding a new section 49
25 to read as follows:

26 S 49. PROHIBITION ON UNFUNDED MANDATES. 1. (A) ANY PROVISION OF LAW
27 DETERMINED IN ACCORDANCE WITH THIS SECTION TO BE AN UNFUNDED MANDATE
28 SHALL BE VOID.

29 (B) A PROVISION OF LAW THAT REQUIRES ONE OR MORE POLITICAL SUBDIVI-
30 SIONS TO EXPEND FUNDS OR TO TAKE ACTIONS REQUIRING THE EXPENDITURE OF
31 FUNDS SHALL BE DEEMED AN UNFUNDED MANDATE IF SUCH PROVISION OF LAW
32 RESULTS IN AN AGGREGATE NET INCREASE IN NECESSARY DIRECT EXPENDITURES BY
33 ANY POLITICAL SUBDIVISION OF THE STATE. ANY SUCH AGGREGATE NET INCREASE
34 IN EXPENDITURES SHALL BE OFFSET BY: (I) MONIES PROVIDED TO POLITICAL
35 SUBDIVISIONS FOR THE SPECIFIC PURPOSE OF FUNDING SUCH PROVISION OF LAW;
36 AND (II) DECREASES IN EXPENDITURES EXPECTED TO RESULT FROM OTHER
37 PROVISIONS OF LAW ENACTED CONCURRENTLY THEREWITH THAT REPEAL, REDUCE OR
38 MODIFY EXISTING MANDATES ON POLITICAL SUBDIVISIONS. FOR PURPOSES OF THIS
39 SECTION, ALL BUDGET BILLS AND LEGISLATION NECESSARY TO IMPLEMENT THE
40 BUDGET ENACTED PURSUANT TO ARTICLE SEVEN OF THE CONSTITUTION SHALL BE
41 DEEMED TO HAVE BEEN CONCURRENTLY ENACTED INTO LAW.

42 (C) FOR PURPOSES OF THIS SECTION, THE TERM "POLITICAL SUBDIVISION"
43 SHALL MEAN A COUNTY, CITY, TOWN, VILLAGE, SCHOOL DISTRICT OR SPECIAL
44 DISTRICT, AND SHALL INCLUDE ANY AGENCY, AUTHORITY, COMMISSION, DEPART-
45 MENT OR INSTRUMENTALITY THEREOF.

46 (D) FOR PURPOSES OF THIS SECTION, THE TERM "LAW" SHALL MEAN A STATUTE
47 ENACTED BY THE LEGISLATURE, AN EXECUTIVE ORDER ISSUED BY THE GOVERNOR,
48 AND A RULE OR REGULATION PROMULGATED BY A STATE AGENCY, DEPARTMENT,
49 BOARD, BUREAU, OFFICER, AUTHORITY OR COMMISSION.

50 2. NOTWITHSTANDING ANYTHING IN THIS SECTION TO THE CONTRARY, THE
51 FOLLOWING TYPES OF LAWS SHALL NOT BE CONSIDERED UNFUNDED MANDATES:

52 (A) THOSE THAT HAVE BEEN REQUESTED THROUGH A HOME RULE MESSAGE OR
53 OTHER RESOLUTION OF THE AFFECTED POLITICAL SUBDIVISION, OR WHICH HAVE
54 BEEN ACCEPTED BY THE AFFECTED POLITICAL SUBDIVISION;

(B) THOSE APPLICABLE TO BOTH GOVERNMENT AND NON-GOVERNMENT ENTITIES IN THE SAME OR A SUBSTANTIALLY SIMILAR MANNER; AND

(C) THOSE IN FULL FORCE AND EFFECT PRIOR TO THE EFFECTIVE DATE OF THIS SECTION, INCLUDING ANY PROVISION OF LAW THAT EXTENDS OR REAUTHORIZES SUCH A LAW.

S 2. This act shall take effect immediately.

PART G

Section 1. Section 51 of the legislative law, as added by chapter 985 of the laws of 1983, is amended to read as follows:

S 51. Fiscal impact notes on bills affecting political subdivisions. 1. For the purpose of this section, the term "political subdivision" means any county, city, town, village, special district or school district.

2. The legislature shall by concurrent resolution of the senate and assembly prescribe rules requiring fiscal notes to accompany, on a separate form, bills and amendments to bills, [except as otherwise prescribed by such rules,] which would [substantially] affect the revenues or expenses, or both, of any political subdivision.

3. Fiscal notes shall not, however, be required for bills: (a) subject to the provisions of section fifty of this [chapter] ARTICLE, or (b) accompanied by special home rule requests submitted by political subdivisions, or (c) which provide discretionary authority to political subdivisions[, or (d) submitted pursuant to section twenty-four of the state finance law].

4. [If the estimate or estimates contained in a fiscal note are inaccurate, such inaccuracies shall not affect, impair or invalidate such bill] SUCH FISCAL NOTES SHALL FULLY DISCLOSE THE COSTS AND SOURCE OF FUNDING OF EVERY PROVISION OF THE BILL OR AMENDMENT THERETO, WHICH WOULD AFFECT THE REVENUE OR EXPENSES OF ANY POLITICAL SUBDIVISION.

S 2. The executive law is amended by adding a new section 13 to read as follows:

S 13. FISCAL NOTES ON EXECUTIVE ORDERS AFFECTING POLITICAL SUBDIVISIONS. 1. FOR THE PURPOSES OF THIS SECTION, THE TERM "POLITICAL SUBDIVISION" MEANS ANY COUNTY, CITY, TOWN, VILLAGE, SPECIAL DISTRICT OR SCHOOL DISTRICT.

2. THE GOVERNOR SHALL ATTACH A FISCAL NOTE TO EVERY EXECUTIVE ORDER WHICH WOULD AFFECT THE REVENUES OR EXPENSES, OR BOTH, OF ANY POLITICAL SUBDIVISION. SUCH FISCAL NOTES SHALL FULLY DISCLOSE THE COSTS AND SOURCE OF FUNDING OF EVERY PROVISION OF THE EXECUTIVE ORDER WHICH WOULD AFFECT THE REVENUE OR EXPENSES OF ANY POLITICAL SUBDIVISION.

3. FISCAL NOTES SHALL NOT, HOWEVER, BE REQUIRED FOR EXECUTIVE ORDERS WHICH PROVIDE DISCRETIONARY AUTHORITY TO POLITICAL SUBDIVISIONS.

S 3. The state administrative procedure act is amended by adding a new section 201-b to read as follows:

S 201-B. FISCAL NOTES ON PROPOSED RULES. 1. FOR THE PURPOSES OF THIS SECTION, THE TERM "POLITICAL SUBDIVISION" MEANS ANY COUNTY, CITY, TOWN, VILLAGE, SPECIAL DISTRICT OR SCHOOL DISTRICT.

2. EACH AGENCY PROPOSING A RULE SHALL ATTACH A FISCAL NOTE TO A PROPOSED RULE WHICH WOULD AFFECT THE REVENUES OR EXPENSES, OR BOTH, OF ANY POLITICAL SUBDIVISION. SUCH FISCAL NOTES SHALL FULLY DISCLOSE THE COSTS AND SOURCE OF FUNDING OF EVERY PROVISION OF THE PROPOSED RULE WHICH WOULD AFFECT THE REVENUE OR EXPENSES OF ANY POLITICAL SUBDIVISION.

1 3. FISCAL NOTES SHALL NOT, HOWEVER, BE REQUIRED FOR PROPOSED RULES
2 WHICH PROVIDE DISCRETIONARY AUTHORITY TO POLITICAL SUBDIVISIONS.
3 S 4. This act shall take effect on the sixtieth day after it shall
4 have become a law.

5 PART H

6 Section 1. Section 305 of the education law is amended by adding a new
7 subdivision 43 to read as follows:

8 43. THE COMMISSIONER SHALL DEVELOP AND IMPLEMENT, ON OR BEFORE JULY
9 FIRST, TWO THOUSAND FOURTEEN, A PROGRAM WITHIN THE DEPARTMENT WHICH
10 PROVIDES INFORMATION, EXPERTISE AND ASSISTANCE TO SCHOOL DISTRICTS IN
11 THE CONSOLIDATION OF FUNCTIONS WITHIN AND AMONG SUCH DISTRICTS.

12 S 2. This act shall take effect immediately.

13 PART I

14 Section 1. Clause 1 of subparagraph (i) of paragraph o of subdivision
15 10 of section 54 of the state finance law, as amended by section 7 of
16 part GG of chapter 56 of the laws of 2009, is amended to read as
17 follows:

18 (1) For the purposes of this paragraph, "municipality" shall mean
19 counties, cities, towns, villages, special improvement districts, fire
20 districts, public libraries, association libraries, water authorities,
21 sewer authorities, AND regional planning and development boards[, school
22 districts, and boards of cooperative educational services; provided,
23 however, that for the purposes of this definition, a board of cooper-
24 ative educational services shall be considered a municipality only in
25 instances where such board of cooperative educational services advances
26 a joint application on behalf of school districts and other munici-
27 palities within the board of cooperative educational services region;
28 provided, however, that any agreements with a board of cooperative
29 educational services: shall not generate additional state aid; shall be
30 deemed not to be a part of the program, capital and administrative budg-
31 ets of the board of cooperative educational services for the purposes of
32 computing charges upon component school districts pursuant to subpara-
33 graph seven of paragraph b of subdivision four of section nineteen
34 hundred fifty and subdivision one of section nineteen hundred fifty and
35 subdivision one of section nineteen hundred fifty-one of the education
36 law; and shall be deemed to be a cooperative municipal service for
37 purposes of subparagraph two of paragraph d of subdivision four of
38 section nineteen hundred fifty of the education law].

39 S 2. Clause 3 of subparagraph (ii) of paragraph o of subdivision 10 of
40 section 54 of the state finance law, as added by section 7 of part O of
41 chapter 56 of the laws of 2008, is amended to read as follows:

42 (3) High priority planning grants may be used to cover costs includ-
43 ing, but not limited to, legal and consultant services and other neces-
44 sary expenses. [The amounts awarded to a school district pursuant to
45 this subparagraph shall not be included in the approved operating
46 expense of the school district as defined in paragraph t of subdivision
47 one of section thirty-six hundred two of the education law.] No part of
48 the grant shall be used by the applicant for recurring expenses such as
49 salaries.

50 S 3. Clause 3 of subparagraph (iii) of paragraph o of subdivision 10
51 of section 54 of the state finance law, as added by section 7 of part O
52 of chapter 56 of the laws of 2008, is amended to read as follows:

1 (3) General efficiency planning grants may be used to cover costs
2 including, but not limited to, legal and consultant services and other
3 necessary expenses. [The amounts awarded to a school district pursuant
4 to this subparagraph shall not be included in the approved operating
5 expense of the school district as defined in paragraph t of subdivision
6 one of section thirty-six hundred two of the education law.] No part of
7 the grant shall be used by the applicant for recurring expenses such as
8 salaries.

9 S 4. Clause 2 of subparagraph (iv) of paragraph o of subdivision 10 of
10 section 54 of the state finance law, as added by section 7 of part 0 of
11 chapter 56 of the laws of 2008, is amended to read as follows:

12 (2) Efficiency implementation grants may be used to cover costs
13 including, but not limited to, legal and consultant services, capital
14 improvements, transitional personnel costs essential for the implementa-
15 tion of the approved efficiency implementation grant work plan, and
16 other necessary expenses. Grants may be used for capital improvements,
17 transitional personnel costs or joint equipment purchases only where
18 such expenses are integral to the coordinated or consolidated service
19 delivery. [The amounts awarded to a school district pursuant to this
20 subparagraph shall not be included in the approved operating expense of
21 the school district as defined in paragraph t of subdivision one of
22 section thirty-six hundred two of the education law.]

23 S 5. Clause 1 of subparagraph (v) of paragraph o of subdivision 10 of
24 section 54 of the state finance law, as added by section 7 of part 0 of
25 chapter 56 of the laws of 2008, is amended to read as follows:

26 (1) Within the amounts appropriated therefor, subject to a plan devel-
27 oped in consultation with the commission on local government efficiency
28 and competitiveness and approved by the director of the budget, the
29 secretary of state may award competitive grants to municipalities to
30 cover costs associated with a functional consolidation or a shared
31 services agreement having great potential to achieve financial savings
32 and serve as a model for other municipalities, including the consol-
33 idation of services on a multi-county basis, the consolidation of
34 certain services countywide as identified in such plan, the creation of
35 a regional entity empowered to provide multiple functions on a county-
36 wide or regional basis, the creation of a regional or city-county
37 consolidated municipal government, [the consolidation of school
38 districts or supporting services for school districts encompassing the
39 area served by a board of cooperative educational services,] or the
40 creation of a regional smart growth compact or program.

41 S 6. Subdivision 14 of section 3602 of the education law is amended by
42 adding a new paragraph h to read as follows:

43 H. EFFICIENCY STUDY GRANTS. (1) ANY SCHOOL DISTRICT WHICH IS ELIGIBLE
44 TO RECEIVE AN APPORTIONMENT UNDER THIS SECTION OR SECTION THIRTY-SIX
45 HUNDRED TWO-B OF THIS ARTICLE MAY SUBMIT PLANS TO THE COMMISSIONER FOR
46 THE PURPOSE OF RECEIVING A GRANT TO STUDY REORGANIZATION OF THE DISTRICT
47 WITH ONE OR MORE SCHOOL DISTRICTS OR THE SHARING OF PROGRAMS BETWEEN
48 SUCH DISTRICTS AND OTHER SCHOOL DISTRICTS.

49 (2) EFFICIENCY GRANTS MAY ALSO BE AWARDED PURSUANT TO THIS PARAGRAPH
50 TO A SCHOOL DISTRICT, A GROUP OF SCHOOL DISTRICTS, OR TO A BOARD OF
51 COOPERATIVE EDUCATIONAL SERVICES FOR A PROJECT IN WHICH A COUNTY OR
52 OTHER MUNICIPALITY IS A PARTNER FOR THE PURPOSE OF STUDYING A COLLABORA-
53 TIVE SERVICE DELIVERY SYSTEM FOR SCHOOL AGED AT-RISK YOUTH AND THEIR
54 FAMILIES.

(3) PLANS SHALL BE IN THE FORM PRESCRIBED BY THE COMMISSIONER AND APPROVED BY HIM OR HER IN ACCORDANCE WITH REGULATIONS ADOPTED FOR SUCH PURPOSES.

(4) AFTER HIS OR HER APPROVAL OF A PLAN, THE COMMISSIONER MAY AWARD A MAXIMUM GRANT OF FIFTY THOUSAND DOLLARS PER STUDY PURSUANT TO SUBPARAGRAPH ONE OF THIS PARAGRAPH AND A MAXIMUM GRANT OF TWENTY THOUSAND DOLLARS PER STUDY PURSUANT TO SUBPARAGRAPH TWO OF THIS PARAGRAPH.

(5) THE COMMISSIONER SHALL ENSURE THAT OF THE TOTAL AMOUNT ALLOCATED FOR GRANTS AWARDED UNDER THIS PARAGRAPH, THE AMOUNT OF GRANTS AWARDED PURSUANT TO SUBPARAGRAPH TWO OF THIS PARAGRAPH SHALL CONSTITUTE NO MORE THAN THIRTY-FIVE PERCENT OF SUCH TOTAL AMOUNT.

S 7. This act shall take effect on the first of July next succeeding the date on which it shall have become a law.

PART J

Section 1. Subdivision 1 of section 1950 of the education law, as amended by chapter 396 of the laws of 1974, is amended to read as follows:

1. The boards of education and school trustees of a supervisory district which is not part of an intermediate district, meeting at a time and place to be designated by the district superintendent of schools, may, by a majority vote of their members present and voting, file with the commissioner [of education] a petition for the establishment of a board of cooperative educational services for the purpose of carrying out a program of SUCH shared educational services [in] AS the schools of the supervisory district ELECT TO HAVE PROVIDED BY SUCH BOARD and for providing instruction in such special subjects as the commissioner may approve. NO PROVISION OF LAW, RULE OR REGULATION, OTHER THAN THE PROVISIONS OF THIS SECTION SHALL LIMIT THE SHARED SERVICES THAT A BOARD OF COOPERATIVE EDUCATIONAL SERVICES IS AUTHORIZED TO PROVIDE OF ITS COMPONENT SCHOOL DISTRICTS. The commissioner, by order, may establish such a board with membership of not less than five nor more than fifteen, upon such application and when a vacancy occurs in the office of district superintendent of schools shall establish such a board, unless the commissioner shall issue an order pursuant to section twenty-two hundred one OF THIS TITLE redistricting the county so as to provide for a lesser number of supervisory districts. The commissioner, by order, may authorize a board, established prior to July second, nineteen hundred sixty-five, to increase its membership to not less than five nor more than fifteen.

S 2. Subparagraph 2 of paragraph a of subdivision 4 of section 1950 of the education law is REPEALED.

S 3. Paragraph c of subdivision 4 of section 1950 of the education law, as amended by chapter 378 of the laws of 2010, is amended to read as follows:

c. Make or cause to be made surveys to determine the need for cooperative educational services in the supervisory district and present the findings of their surveys to local school authorities. Each board of cooperative educational services shall prepare long range program plans, including special education and career education program plans, to meet the projected need for such cooperative educational services in the supervisory district for the next five years [as may be specified by the commissioner,] and shall keep on file and make available for public inspection and review by the commissioner such plans and thereafter annual revisions of such plans on or before the first day of December of

each year, provided that such plans may be incorporated into a board of cooperative educational services district-wide comprehensive plan.

S 4. Subparagraph 1 of paragraph d of subdivision 4 of section 1950 of the education law, as amended by chapter 474 of the laws of 1996, is amended to read as follows:

(1) Aidable shared services. At the request of component school districts[, and with the approval of the commissioner,] provide any of the following services on a cooperative basis: school nurse teacher, attendance supervisor, supervisor of teachers, dental hygienist, psychologist, teachers of art, music, physical education, career education subjects, guidance counsellors, operation of special classes for students with disabilities, as such term is defined in article eighty-nine of this chapter; pupil and financial accounting service by means of mechanical equipment; maintenance and operation of cafeteria or restaurant service for the use of pupils and teachers while at school[,]; OPERATION OF A REGIONAL TRANSPORTATION SYSTEM FOR THE BENEFIT OF THE COMPONENT SCHOOL DISTRICTS and such other services as the [commissioner may approve] COMPONENT SCHOOL DISTRICTS MAY REQUEST. Such cafeteria or restaurant service may be used by the community for school related functions and activities and to furnish meals to the elderly residents of the district, sixty years of age or older. Utilization by elderly residents or school related groups shall be subject to the approval of the board of education. Charges shall be sufficient to bear the direct cost of preparation and serving of such meals, exclusive of any other available reimbursements.

S 5. Subparagraph 2 of paragraph d of subdivision 4 of section 1950 of the education law, as amended by chapter 396 of the laws of 2012, is amended to read as follows:

(2) [Certain] ADDITIONAL SHARED services [prohibited] AUTHORIZED. [Commencing with the nineteen hundred ninety-seven--ninety-eight school year, the] THE commissioner shall [not be authorized to] approve as an aidable shared service pursuant to this subdivision any cooperative maintenance services or municipal services, including but not limited to, lawn mowing services and heating, ventilation or air conditioning repair or maintenance or trash collection, or any other municipal services [as defined by the commissioner. On and after the effective date of this paragraph, the commissioner shall not approve, as an aidable shared service, any new cooperative maintenance or municipal services for the nineteen hundred ninety-six--ninety-seven school year, provided that the commissioner may approve the continuation of such services for one year if provided in the nineteen hundred ninety-five--ninety-six school year. No service provided to an out-of-state school district pursuant to subparagraph ten of paragraph h of this subdivision shall be eligible for aid] REQUESTED BY THE COMPONENT SCHOOL DISTRICTS.

S 6. Subparagraph 2 of paragraph d of subdivision 4 of section 1950 of the education law, as added by chapter 474 of the laws of 1996, is amended to read as follows:

(2) [Certain] ADDITIONAL SHARED services [prohibited] AUTHORIZED. [Commencing with the nineteen hundred ninety-seven--ninety-eight school year, the] THE commissioner shall [not be authorized to] approve as an aidable shared service pursuant to this subdivision any cooperative maintenance services or municipal services, including but not limited to, lawn mowing services and heating, ventilation or air conditioning repair or maintenance or trash collection, or any other municipal services [as defined by the commissioner. On and after the effective date of this paragraph, the commissioner shall not approve, as an aidable

1 ble shared service, any new cooperative maintenance or municipal
2 services for the nineteen hundred ninety-six--ninety-seven school year,
3 provided that the commissioner may approve the continuation of such
4 services for one year if provided in the nineteen hundred ninety-five--
5 ninety-six school year] REQUESTED BY THE COMPONENT SCHOOL DISTRICTS.

6 S 7. Subparagraph 3 of paragraph d of subdivision 4 of section 1950 of
7 the education law, as amended by chapter 474 of the laws of 1996, is
8 amended to read as follows:

9 (3) Requests for shared services; operating plan; required notice.
10 Requests for such shared services shall be filed by component school
11 districts with the board of cooperative educational services not later
12 than the first day of February of each year, provided that such requests
13 shall not be binding upon the component school district. The board of
14 cooperative educational services shall submit its proposed annual oper-
15 ating plan for the ensuing school year to the department [for approval]
16 not later than the fifteenth day of February of each year. Such board
17 shall, through its executive officer, notify each component school
18 district on or before the tenth day of March concerning the services
19 which have been approved by the [commissioner] BOARD to be made avail-
20 able for the ensuing school year. Such notice shall set forth the local
21 uniform cost of each such service, based on (i) anticipated partic-
22 ipation in the ensuing school year, or (ii) participation in the current
23 year, or (iii) a two or three year average including participation in
24 the current year, which unit cost shall be the same for all participat-
25 ing component districts and shall be based upon a uniform methodology
26 approved annually by at least three-quarters of the participating compo-
27 nent school districts after consultation by local school officials with
28 their respective boards; provided, however, such unit cost shall be
29 subject to final adjustment for programs for students with disabilities
30 based on actual participation in accordance with regulations of the
31 commissioner. [Notwithstanding the determination of the local uniform
32 unit cost methodology selected in accordance with this paragraph, each
33 board of cooperative education services shall annually report to the
34 commissioner the budgeted unit cost and, when available, the actual unit
35 cost of such programs and services, in accordance with both the local
36 uniform unit cost methodology and a statewide uniform unit cost method-
37 ology prescribed by the commissioner by regulation, where the budgeted
38 statewide unit cost shall be based on the anticipated participation in
39 the ensuing year and the actual statewide unit cost shall be based on
40 actual participation through the end of each year.]

41 S 8. Paragraph r of subdivision 4 of section 1950 of the education
42 law, as amended by chapter 53 of the laws of 1990, is amended to read as
43 follows:

44 r. With the approval of the district superintendent of schools [and of
45 the commissioner of education] to furnish any of the educational
46 services provided for in this section or any other section of law which
47 authorizes such board to provide services to school districts outside of
48 the supervisory district, upon such terms as may be agreed upon pursuant
49 to contracts executed by such board of cooperative educational services
50 and the trustees or boards of education of such school districts.

51 S 9. This act shall take effect on the first of January next succeed-
52 ing the date on which it shall have become a law, provided that the
53 amendments to subparagraph 2 of paragraph d of subdivision 4 of section
54 1950 of the education law, made by section five of this act, shall not
55 affect the expiration of such subparagraph and shall expire therewith,
56 when upon such date section six of this act shall take effect.

1

PART K

2 Section 1. The education law is amended by adding a new section 3602-g
3 to read as follows:

4 S 3602-G. CAREER AND TECHNICAL EDUCATION. THE COMMISSIONER SHALL OUT
5 OF FUNDS APPROPRIATED THEREFOR, DISBURSE STATE ASSISTANCE TO BOARDS OF
6 COOPERATIVE EDUCATIONAL SERVICES FOR THE ESTABLISHMENT AND IMPLEMENTA-
7 TION OF PARTNERSHIPS BETWEEN SCHOOL DISTRICTS, SUCH BOARDS AND INSTI-
8 TUTIONS OF HIGHER EDUCATION FOR THE PROVISION AND COORDINATION OF
9 SCHOOL-BASED CAREER ACADEMIES WITH CAREER AND TECHNICAL EDUCATION
10 PROGRAMS.

11 S 2. This act shall take effect on the first of July next succeeding
12 the date on which it shall have become a law.

13

PART L

14 Section 1. The commissioner of education shall establish a task force
15 to examine, evaluate and make recommendations concerning the various
16 alternative methods for funding charter schools which do not reduce the
17 funding provided to the school districts of residence of the charter
18 school students. Such task force shall review, with particular care, the
19 impact on charter schools and public schools of the funding methodology
20 for charter schools established pursuant to section 2856 of the educa-
21 tion law.

22 S 2. The task force shall be composed of the commissioner of educa-
23 tion, the commissioner of taxation and finance, the deputy commissioner
24 for real property services, and such members as the commissioner of
25 education shall appoint. The members of the task force appointed by the
26 commissioner of education shall include representatives of school
27 districts, charter schools, parents of students attending charter
28 schools and residents of this state.

29 S 3. The task force shall hold public hearings and shall have all the
30 powers of a legislative committee pursuant to the legislative law.

31 S 4. The members of the task force shall receive no compensation for
32 their services, but shall be allowed their actual and necessary expenses
33 incurred in the performance of their duties pursuant to this act.

34 S 5. The task force shall submit a report, to the governor and the
35 legislature, of its findings, conclusions and recommendations on or
36 before April 1, 2014, and shall submit with its report such legislative
37 proposals as it deems necessary to implement such recommendations.

38 S 6. This act shall take effect immediately, and shall expire and be
39 deemed repealed April 2, 2014.

40

PART M

41 Section 1. Section 3602 of the education law is amended by adding a
42 new subdivision 27 to read as follows:

43 27. AID FOR ENERGY COST INCREASES. COMMENCING WITH AID PAYABLE IN THE
44 TWO THOUSAND THIRTEEN--TWO THOUSAND FOURTEEN SCHOOL YEAR AND ALL SCHOOL
45 YEARS THEREAFTER, THE COMMISSIONER SHALL APPORTION AID TO EACH SCHOOL
46 DISTRICT EQUAL TO THE AMOUNT BY WHICH THE COST OF ELECTRICITY, PROPANE,
47 NATURAL GAS AND HEATING OIL USED BY THE SCHOOL DISTRICT DURING THE
48 SCHOOL YEAR EXCEEDS THE LESSER OF, ONE HUNDRED FOUR PERCENT OF THE COST
49 THEREOF DURING THE PRECEDING SCHOOL YEAR OR ONE HUNDRED TWENTY PERCENT
50 OF THE CONSUMER PRICE INDEX WITH REGARD TO THE COST THEREOF DURING THE
51 PRECEDING SCHOOL YEAR.

1 S 2. This act shall take effect immediately.

2 PART N

3 Section 1. The public authorities law is amended by adding a new
4 section 1001-b to read as follows:

5 S 1001-B. ENERGY CONSERVATION IMPROVEMENTS FOR SCHOOLS. THE AUTHORITY
6 SHALL ESTABLISH AND IMPLEMENT A PLAN THAT PROVIDES FINANCING TO SCHOOL
7 DISTRICTS FOR THE COSTS OF ENERGY CONSERVATION IMPROVEMENTS MADE TO ANY
8 SCHOOL IN THE SCHOOL DISTRICT, PROVIDED THAT NO COSTS ASSOCIATED WITH
9 SUCH FINANCIAL ASSISTANCE SHALL BE CHARGED TO THE AUTHORITY'S CUSTOMERS.
10 FINANCIAL ASSISTANCE SHALL BE REPAID TO THE AUTHORITY, OVER A PERIOD NOT
11 TO EXCEED TEN YEARS, WITH SAVINGS IN ENERGY COSTS AND RELATED COSTS
12 WHICH ACCRUE TO THE SCHOOL DISTRICT AS A RESULT OF SUCH ENERGY CONSERVA-
13 TION IMPROVEMENTS.

14 S 2. This act shall take effect immediately.

15 PART O

16 Section 1. Paragraph q of subdivision 4 of section 1950 of the educa-
17 tion law, as separately amended by chapters 367 and 563 of the laws of
18 1979, is amended to read as follows:

19 q. To provide transportation for pupils to and from classes maintained
20 by such board of cooperative educational services at the request of one
21 or more school districts. School districts and boards of cooperative
22 educational services are authorized to enter into contracts with one or
23 more school districts, private contractors, and one or more boards of
24 cooperative educational services and any municipal corporation and
25 authority to provide such transportation. Boards of cooperative educa-
26 tional services may operate joint or regional transportation systems for
27 the transportation authorized by articles seventy-three and eighty-nine
28 of this chapter. Such transportation, except when provided by a poli-
29 tical subdivision or a board of cooperative educational services, shall
30 be subject to the requirements of subdivision fourteen of section three
31 hundred five of [the education law] THIS CHAPTER. IN ADDITION, EACH
32 BOARD SHALL, IN COOPERATION WITH ITS COMPONENT SCHOOL DISTRICTS, CONDUCT
33 A STUDY OF THE FEASIBILITY AND SAVINGS DERIVED FROM ESTABLISHING A
34 REGIONAL TRANSPORTATION SYSTEM. THE GOAL OF SUCH STUDY AND THE ESTAB-
35 LISHMENT OF ANY REGIONAL TRANSPORTATION SYSTEM SHALL BE MAXIMIZATION OF
36 COST EFFICIENCIES AND CONSERVATION OF FUEL.

37 S 2. This act shall take effect on the first of July next succeeding
38 the date on which it shall have become a law.

39 PART P

40 Section 1. The opening paragraph of subdivision 4 of section 3602 of
41 the education law, as amended by section 6-a of part A of chapter 57 of
42 the laws of 2012, is amended to read as follows:

43 In addition to any other apportionment pursuant to this chapter, a
44 school district, other than a special act school district as defined in
45 subdivision eight of section four thousand one of this chapter, shall be
46 eligible for total foundation aid equal to the product of total aidable
47 foundation pupil units multiplied by the district's selected foundation
48 aid, which shall be the greater of five hundred dollars (\$500) or foun-
49 dation formula aid, provided, however that for the two thousand seven--
50 two thousand eight through two thousand eight--two thousand nine school

1 years, no school district shall receive total foundation aid in excess
2 of the sum of the total foundation aid base for aid payable in the two
3 thousand seven--two thousand eight school year computed pursuant to
4 subparagraph (i) of paragraph j of subdivision one of this section, plus
5 the phase-in foundation increase computed pursuant to paragraph b of
6 this subdivision, and provided further that for the two thousand twelve-
7 -two thousand thirteen school year and thereafter, no school district
8 shall receive total foundation aid in excess of the sum of the total
9 foundation aid base for aid payable in the two thousand eleven--two
10 thousand twelve school year computed pursuant to paragraph j of subdivi-
11 sion one of this section, plus the phase-in foundation increase computed
12 pursuant to paragraph b of this subdivision, and provided further that
13 total foundation aid shall not be less than the product of the total
14 foundation aid base computed pursuant to paragraph j of subdivision one
15 of this section and one hundred and six-tenths percent (1.006) subject
16 to allocation pursuant to the provisions of subdivision eighteen of this
17 section and any provisions of a chapter of the laws of New York as
18 described therein, nor more than the product of such total foundation
19 aid base and one hundred fifteen percent, and provided further that for
20 the two thousand nine--two thousand ten through two thousand eleven--two
21 thousand twelve school years, each school district shall receive total
22 foundation aid in an amount equal to the amount apportioned to such
23 school district for the two thousand eight--two thousand nine school
24 year pursuant to this subdivision. Total aidable foundation pupil units
25 shall be calculated pursuant to paragraph g of subdivision two of this
26 section. For the purposes of calculating aid pursuant to this subdivi-
27 sion, aid for the city school district of the city of New York shall be
28 calculated on a citywide basis. NOTWITHSTANDING ANY OTHER PROVISION OF
29 THIS SUBDIVISION, TOTAL FOUNDATION AID SHALL BE INCREASED TO REFLECT THE
30 REGIONAL COST INDEX OF THE SCHOOL DISTRICT.

31 S 2. This act shall take effect on the first of July next succeeding
32 the date on which it shall have become a law.

33 PART Q

34 Section 1. Section 3623-a of the education law is amended by adding a
35 new subdivision 4 to read as follows:

36 4. NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE TO THE CONTRA-
37 RY, FOR SCHOOL YEARS COMMENCING AFTER JUNE THIRTIETH, TWO THOUSAND THIR-
38 TEEN, STATE TRANSPORTATION AID SHALL BE EQUAL TO ALL TRANSPORTATION
39 COSTS INCURRED BY A SCHOOL DISTRICT.

40 S 2. This act shall take effect April 1, 2013.

41 PART R

42 Section 1. Paragraph j of subdivision 14 of section 3602 of the educa-
43 tion law, as amended by section 17-b of part B of chapter 57 of the laws
44 of 2007, is amended to read as follows:

45 j. For school districts which reorganize on or after July first,
46 [nineteen hundred ninety-two] TWO THOUSAND THIRTEEN, the percent
47 increase in apportionment pursuant to paragraph c of this subdivision
48 shall be [thirty] SIXTY DURING THE YEAR OF SUCH REORGANIZATION, FIFTY
49 DURING THE FIRST YEAR AFTER SUCH REORGANIZATION, FORTY DURING THE
50 SECOND YEAR AFTER SUCH REORGANIZATION, THIRTY DURING THE THIRD YEAR
51 AFTER SUCH REORGANIZATION, TWENTY DURING THE FOURTH YEAR AFTER SUCH
52 REORGANIZATION, AND NO ADDITIONAL APPORTIONMENT THEREOF; provided that

1 such school districts meet all other requirements of the provisions of
2 such paragraph c. All other requirements of paragraph c OF THIS SUBDIVI-
3 SION shall apply. School districts which receive an apportionment under
4 this paragraph shall not be eligible for an apportionment under para-
5 graph c[, e] or f of this subdivision.
6 S 2. This act shall take effect July 1, 2013.

PART S

8 Section 1. Subparagraph 6 of paragraph n of subdivision 1 of section
9 3602 of the education law, as amended by section 11 of part B of chapter
10 57 of the laws of 2007, is amended to read as follows:

11 (6) "Additional public school enrollment" shall mean resident students
12 with disabilities placed by public school districts in approved private
13 schools, [the New York state school for the blind at Batavia, or the New
14 York state school for the deaf at Rome] and resident students placed in
15 schools subject to the provisions of chapter five hundred sixty-three of
16 the laws of nineteen hundred eighty as amended.

17 S 2. Section 4313 of the education law, as amended by chapter 53 of
18 the laws of 1990, paragraph a of subdivision 1 as amended by section 42
19 of part B of chapter 57 of the laws of 2007, is amended to read as
20 follows:

21 S 4313. [School district and social services district financial]
22 FINANCIAL responsibility. [1. Financial responsibilities. School
23 districts] THE DEPARTMENT and [social services districts] THE OFFICE OF
24 CHILDREN AND FAMILY SERVICES shall be responsible for the cost of
25 tuition and maintenance, respectively, for children in attendance at the
26 New York state school for the blind during the September first through
27 June thirtieth session. [Such costs shall be established pursuant to
28 section forty-four hundred five of this chapter. a.] 1. The [school
29 district of which any such child is resident at the time of admission or
30 readmission to the New York State school for the blind pursuant to this
31 article] DEPARTMENT shall [be required to reimburse the state in an
32 amount equal to the] MAKE tuition payments [made] to the state school
33 [by the state on behalf of the school district] FOR EACH CHILD WHO IS A
34 RESIDENT OF THE STATE. [The comptroller shall deduct the appropriate
35 tuition amounts from any state funds which become due to a school
36 district for each year in which such child is in attendance at such
37 school, and shall deposit such funds to the special revenue accounts
38 established for such purpose. Any tuition amounts deducted pursuant to
39 this subdivision shall be included in the approved operating expense of
40 the school district pursuant to paragraph t of subdivision one of
41 section thirty-six hundred two of this chapter.

42 b.] 2. The [social services district in which any such child is resi-
43 dent at the time of admission or readmission to the New York state
44 school for the blind pursuant to this article] OFFICE OF CHILDREN AND
45 FAMILY SERVICES shall be required to reimburse the [state] DEPARTMENT in
46 an amount equal to the maintenance payments made to the state school by
47 the [state] DEPARTMENT on behalf of [the social services district] SUCH
48 OFFICE. [The comptroller may deduct the appropriate maintenance amounts
49 from any state funds which become due to a social services district for
50 each year in which such child is in attendance at such school only upon
51 notification by the commissioner of social services after receiving
52 notice by the commissioner of education that such social services
53 district has failed to remit the required maintenance payments to the
54 state within ninety days of the date on which such social services

1 district was billed by the state for services rendered, and shall depos-
2 it such funds to the special revenue accounts established for such
3 purpose.]

4 S 3. Section 4357 of the education law, as amended by chapter 53 of
5 the laws of 1990, paragraph a of subdivision 1 as amended by section 43
6 of part B of chapter 57 of the laws of 2007, is amended to read as
7 follows:

8 S 4357. [School district and social services district financial]
9 FINANCIAL responsibility. 1. Financial responsibilities. [School
10 districts] THE DEPARTMENT and [social services districts] THE OFFICE OF
11 CHILDREN AND FAMILY SERVICES shall be responsible for the costs of
12 tuition and maintenance, respectively, for children attending the New
13 York state school for the deaf during the September first through June
14 thirtieth session. [Such costs shall be established pursuant to section
15 forty-four hundred five of this chapter.] a. The [school district of
16 which any such child is resident at the time of admission or readmission
17 to the New York State school for the deaf pursuant to this article]
18 DEPARTMENT shall [be required to reimburse the state in an amount equal
19 to the] MAKE tuition payments [made] to the state school [by the state
20 on behalf of the school district] FOR EACH CHILD WHO IS A RESIDENT OF
21 THE STATE. [The comptroller shall deduct the appropriate tuition amounts
22 from any state funds which become due to a school district for each year
23 in which such child is in attendance at such school, and shall deposit
24 such funds to the special revenue accounts established for such purpose.
25 Any tuition amounts deducted pursuant to this subdivision shall be
26 included in the approved operating expense of the school district pursu-
27 ant to paragraph t of subdivision one of section thirty-six hundred two
28 of this chapter.]

29 b. The [social services district in which any such child is resident
30 at the time of admission or readmission to the New York state school for
31 the deaf pursuant to this article] OFFICE OF CHILDREN AND FAMILY
32 SERVICES shall be required to reimburse the [state] DEPARTMENT in an
33 amount equal to the maintenance payments made to the state school by the
34 [state] DEPARTMENT on behalf of [the social services district] SUCH
35 OFFICE. [The comptroller may deduct the appropriate maintenance amounts
36 from any state funds which become due to a social services district for
37 each year in which such child is in attendance at such school only upon
38 notification by the commissioner of social services after receiving
39 notice by the commissioner of education that such social services
40 district has failed to remit the required maintenance payments within
41 ninety days of the date on which such social services district is billed
42 by the state for services rendered, and shall deposit such amount to the
43 special revenue accounts established for such purpose.]

44 2. Payment for preschool children with handicapping conditions. The
45 state [share of] SHALL PAY the costs of tuition, maintenance and trans-
46 portation for preschool children attending the New York state school for
47 the deaf during the July and August summer session and the September
48 through June session [shall be paid from the state moneys appropriated
49 in support of the provisions of section forty-four hundred ten of this
50 chapter. The remaining share shall be a charge on the county, or the
51 city of New York, of which any such child is resident at the time of
52 admission or readmission to such school. The state share shall be as set
53 forth in paragraph b of subdivision eleven of section forty-four hundred
54 ten of this chapter]. For the purposes of this subdivision "preschool
55 child" shall mean a child not eligible, by reason of age, for the deaf-
56 infant program pursuant to section forty-two hundred four-a of this

1 [chapter] TITLE and not eligible, by reason of age, to attend the public
2 schools pursuant to section thirty-two hundred two of this chapter,
3 provided that a child shall be deemed a preschool child through the
4 month of August of the school year in which the child first becomes
5 eligible to attend the public schools. [Preschool education charges on a
6 county, or the city of New York, pursuant to this subdivision shall be
7 deducted by the comptroller within thirty days of the issuance of a
8 warrant by the commissioner from any state funds which become due to a
9 county, or the city of New York, and be credited to the special revenue
10 account established for such purpose.] Such tuition, maintenance and
11 transportation costs shall be determined pursuant to section forty-four
12 hundred five of this [chapter] TITLE.

13 3. Deaf infants. The full costs of a deaf-infant program, as deter-
14 mined by the commissioner [of education and approved by the director of
15 the budget], for children below the age of three served by the New York
16 state school for the deaf pursuant to section forty-two hundred four-a
17 of this [chapter] TITLE shall be paid from the state moneys appropriated
18 in support of such section forty-two hundred four-a.

19 S 4. This act shall take effect on the first of July next succeeding
20 the date on which it shall have become a law.

21

PART T

22 Section 1. The executive law is amended by adding a new section 44-a
23 to read as follows:

24 S 44-A. TAXPAYER REPORT CARD. 1. ANNUALLY, ON OR BEFORE MARCH FIRST,
25 THE DEPARTMENT OF AUDIT AND CONTROL SHALL COMPILE AND PUBLISH IN BOTH
26 WRITTEN AND ELECTRONIC FORMS THE INFORMATION DERIVED FROM REPORTS TO THE
27 COMPTROLLER OR SUCH DEPARTMENT, AND FROM AUDITS CONDUCTED BY THE COMP-
28 TROLLER OR SUCH DEPARTMENT, RELATING TO THE STATE AND ITS POLITICAL
29 SUBDIVISIONS AND ALL AGENCIES AND PUBLIC AUTHORITIES THEREOF. SUCH
30 INFORMATION SHALL, IN PARTICULAR, RELATE TO GOVERNMENT FINANCES DURING
31 THE IMMEDIATELY PRECEDING CALENDAR YEAR.

32 2. THE INFORMATION PUBLISHED PURSUANT TO SUBDIVISION ONE OF THIS
33 SECTION SHALL BE KNOWN AS THE "TAXPAYER REPORT CARD". IT SHALL BE WRIT-
34 TEN IN CLEAR AND EASILY UNDERSTANDABLE LANGUAGE, AND INCLUDE A COMPRE-
35 HENSIVE INDEX WHICH FACILITATES ACCESS TO SPECIFIC INFORMATION WITHIN
36 THE TAXPAYER REPORT CARD.

37 3. THE TAXPAYER REPORT CARD SHALL INCLUDE DETAILED INFORMATION ON ALL
38 EXPENDITURES AND REVENUE OF THE STATE AND ITS POLITICAL SUBDIVISIONS,
39 AND ALL AGENCIES AND PUBLIC AUTHORITIES THEREOF.

40 S 2. This act shall take effect on the first of April next succeeding
41 the date on which it shall have become a law.

42

PART U

43 Section 1. The state finance law is amended by adding a new section
44 24-a to read as follows:

45 S 24-A. PUBLISHING OF PROPOSED BUDGET BILLS. NO LESS THAN THIRTY DAYS
46 PRIOR TO THE ENACTMENT OF THE BUDGET BILLS, AS SPECIFIED IN SECTION
47 TWENTY-FOUR OF THIS ARTICLE, BY THE LEGISLATURE, THE BUDGET BILLS THAT
48 THE LEGISLATURE HAS AGREED TO ENACT SHALL BE PUBLISHED IN BOTH WRITTEN
49 AND ELECTRONIC FORMS AND MADE AVAILABLE TO THE PUBLIC BY THE SENATE AND
50 THE ASSEMBLY, AND SHALL ALSO BE POSTED ON THE INTERNET WEBSITES OF THE
51 SENATE AND ASSEMBLY. SUCH PUBLISHING AND POSTING OF THE AGREED UPON

1 BUDGET BILLS SHALL INCLUDE A DETAILED EXPLANATION OF THE BILLS AND THE
2 SOURCES OF REVENUE THEREFOR.

3 S 2. Section 2801 of the public authorities law is amended by adding a
4 new subdivision 4 to read as follows:

5 4. ALL AUTHORITIES. EVERY STATE OR LOCAL AUTHORITY HERETOFORE OR
6 HEREAFTER CONTINUED OR CREATED BY THIS CHAPTER SHALL, NOT LESS THAN
7 THIRTY DAYS PRIOR TO THE APPROVAL OF THE ANNUAL BUDGET OF SUCH AUTHORITY
8 OR COMMISSION, PUBLISH IN BOTH WRITTEN AND ELECTRONIC FORMS AND MAKE
9 AVAILABLE TO THE PUBLIC THE PROPOSED BUDGET OF THE AUTHORITY OR COMMIS-
10 SION, AND SHALL ALSO POST SUCH PROPOSED BUDGET ON THE INTERNET WEBSITE
11 OF THE COMMISSION OR AUTHORITY. SUCH PUBLISHING AND POSTING OF THE
12 PROPOSED BUDGET SHALL INCLUDE SUCH DETAILED INFORMATION AS IS REQUIRED
13 BY SUBDIVISION ONE OF THIS SECTION.

14 S 3. The general municipal law is amended by adding a new section 3-d
15 to read as follows:

16 S 3-D. PUBLISHING OF PROPOSED BUDGET. NO LESS THAN THIRTY DAYS PRIOR
17 TO THE APPROVAL OF ANY ANNUAL BUDGET OF A MUNICIPAL CORPORATION, SUCH
18 CORPORATION SHALL PUBLISH IN BOTH WRITTEN AND ELECTRONIC FORMS AND MAKE
19 AVAILABLE TO THE PUBLIC THE PROPOSED BUDGET OF THE MUNICIPAL CORPO-
20 RATION, AND SHALL ALSO POST SUCH PROPOSED BUDGET ON THE INTERNET WEBSITE
21 OF THE MUNICIPAL CORPORATION. SUCH PUBLISHING AND POSTING OF THE
22 PROPOSED BUDGET SHALL INCLUDE A DETAILED EXPLANATION OF THE PROPOSED
23 BUDGET AND THE SOURCES OF REVENUE THEREFOR.

24 S 4. This act shall take effect on the first of October next succeed-
25 ing the date on which it shall have become a law.

26

PART V

27 Section 1. Section 40 of the executive law is amended by adding a new
28 subdivision 4 to read as follows:

29 4. ANNUALLY, ON OR BEFORE FEBRUARY FIFTEENTH, THE DEPARTMENT SHALL
30 COMPILE AND PUBLISH, IN WRITTEN FORM AND ON ITS DEPARTMENTAL INTERNET
31 WEBSITE, A REPORT ON THE COSTS DURING THE IMMEDIATELY PRECEDING CALENDAR
32 YEAR TO EACH MUNICIPAL CORPORATION, AS DEFINED IN SECTION TWO OF THE
33 GENERAL MUNICIPAL LAW, OF THE REQUIREMENTS IMPOSED THEREUPON BY STATE
34 LAWS, RULES AND REGULATIONS. SUCH REPORT SHALL BE MADE AVAILABLE TO THE
35 PUBLIC, AND SUBMITTED TO THE GOVERNOR AND THE LEGISLATURE.

36 S 2. This act shall take effect on the first of September next
37 succeeding the date on which it shall have become a law.

38

PART W

39 Section 1. The state finance law is amended by adding a new section 29
40 to read as follows:

41 S 29. APPROPRIATIONS FOR PUBLIC ELEMENTARY AND SECONDARY EDUCATION. 1.
42 EACH FISCAL YEAR THE BUDGET SUBMITTED BY THE GOVERNOR AND ENACTED BY THE
43 LEGISLATURE SHALL CONTAIN APPROPRIATIONS FOR THE SUPPORT OF SCHOOL
44 DISTRICTS WHICH EQUAL OR EXCEED THE APPROPRIATIONS THEREFOR IN THE IMME-
45 DIATELY PRECEDING FISCAL YEAR.

46 2. EACH FISCAL YEAR THE BUDGET SUBMITTED BY THE GOVERNOR AND ENACTED
47 BY THE LEGISLATURE SHALL CONTAIN, TO THE EXTENT PRACTICABLE, APPROPRI-
48 ATIONS FOR THE SUPPORT OF SCHOOL DISTRICTS WHICH PROVIDE AN ALLOCATION
49 OF STATE FUNDS TO EACH SCHOOL DISTRICT EQUAL TO ONE-HALF OF THE EXPENDI-
50 TURES OF SUCH DISTRICT DURING THE FISCAL YEAR.

51 3. IN ANY FISCAL YEAR IN WHICH THE APPROPRIATIONS FOR THE SUPPORT OF
52 SCHOOL DISTRICTS IN THE BUDGET ENACTED BY THE LEGISLATURE ARE GREATER

1 THAN THOSE IN THE BUDGET FOR THE IMMEDIATELY PRECEDING FISCAL YEAR, THE
2 DIFFERENCE BETWEEN SUCH APPROPRIATIONS SHALL BE ALLOCATED TO THE SCHOOL
3 DISTRICTS OF THE STATE FOR THE EXPENSES OF EMPLOYEE HEALTH INSURANCE
4 PREMIUMS, PUBLIC RETIREMENT SYSTEM CONTRIBUTIONS AND THE EXPENSES OF
5 PROVIDING SPECIAL EDUCATION. NO ADDITIONAL ALLOCATION TO ANY SCHOOL
6 DISTRICT PURSUANT TO THIS SUBDIVISION SHALL AUTHORIZE THE REDUCTION OF
7 ANY ALLOCATION OTHERWISE PROVIDED AND REQUIRED TO BE DISBURSED TO A
8 SCHOOL DISTRICT. NOR SHALL THE PROVISIONS OF THIS SUBDIVISION, PREVENT
9 ANY SCHOOL DISTRICT FROM ELECTING TO RECEIVE INCREASED ALLOCATIONS
10 PURSUANT TO THE PROVISIONS OF THE EDUCATION LAW.

11 S 2. Subparagraph 2 of paragraph b of subdivision 4 of section 3602 of
12 the education law, as amended by section 26 of part A of chapter 58 of
13 the laws of 2011, the closing paragraph as amended by section 6-a of
14 part A of chapter 57 of the laws of 2012, is amended to read as follows:

15 (2) The phase-in foundation percent shall equal one hundred thirteen
16 and fourteen one hundredths percent (1.1314) for the two thousand
17 eleven--two thousand twelve school year, one hundred ten and thirty-
18 eight hundredths percent (1.1038) for the two thousand twelve--two thou-
19 sand thirteen school year, one hundred seven and sixty-eight hundredths
20 percent (1.0768) for the two thousand thirteen--two thousand fourteen
21 school year, one hundred five and six hundredths percent (1.0506) for
22 the two thousand fourteen--two thousand fifteen school year, and one
23 hundred two and five tenths percent (1.0250) for the two thousand
24 fifteen--two thousand sixteen school year.

25 For the two thousand eleven--two thousand twelve school year, the
26 phase-in foundation increase factor shall equal [thirty-seven and one-
27 half] FORTY-ONE AND SIX-TENTHS percent [(0.375)] (0.416) and the phase-
28 in due minimum percent shall equal nineteen and forty-one hundredths
29 percent (0.1941), for the two thousand twelve--two thousand thirteen
30 school year the phase-in foundation increase factor shall equal [one and
31 seven-tenths] FORTY-ONE AND SIX-TENTHS percent [(0.017)] (0.416), and
32 for the two thousand thirteen--two thousand fourteen school year and
33 thereafter the commissioner shall annually determine the phase-in foun-
34 dation increase factor subject to allocation pursuant to the provisions
35 of subdivision eighteen of this section and any provisions of a chapter
36 of the laws of New York as described therein.

37 S 3. This act shall take effect immediately.

38 S 3. Severability clause. If any clause, sentence, paragraph, subdivi-
39 sion, section or part of this act shall be adjudged by any court of
40 competent jurisdiction to be invalid, such judgment shall not affect,
41 impair, or invalidate the remainder thereof, but shall be confined in
42 its operation to the clause, sentence, paragraph, subdivision, section
43 or part thereof directly involved in the controversy in which such judg-
44 ment shall have been rendered. It is hereby declared to be the intent of
45 the legislature that this act would have been enacted even if such
46 invalid provisions had not been included herein.

47 S 4. This act shall take effect immediately provided, however, that
48 the applicable effective date of Parts A through W of this act shall be
49 as specifically set forth in the last section of such Parts.