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

5332

2013-2014 Regular Sessions

I N S E N A T E

May 16, 2013

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

AN ACT to legalize, validate, ratify and confirm the actions of the Panama central school district notwithstanding the failure to timely file final building cost reports with the education department

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

Section 1. Notwithstanding any other provision of law to the contrary, all acts done and proceedings heretofore had and taken, or caused to be had or taken, by the Panama central school district and by any of its officers or agents relating to or in connection with final building cost reports required to be filed with the education department for approved building projects completed prior to December 31, 2012, and all acts incidental thereto are hereby legalized, validated, ratified and confirmed, notwithstanding any failure to comply with the time requirements for the approval and filing provisions of the education law or any other provision of law, rule or regulation, relating to any omissions, error, defect, irregularity or illegality in such proceedings had and taken, and provided further that any amount due and payable to such school district for school years prior to the 2012-2013 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, provided that such school district:

(a) submitted the late or missing final building cost report to the commissioner of education on or before December 31, 2012;

(b) such cost report is approved by the commissioner of education;

(c) all state funds expended by the school district, as documented in such cost report, were properly expended for such building project in accordance with the terms and conditions for such project as approved by the commissioner of education; and

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

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(d) the failure to submit such report in a timely manner was an inadvertent administrative or ministerial oversight by the school district, and there is no evidence of any fraudulent or other improper intent by such district.

S 2. This act shall take effect immediately.