

3733--B

2013-2014 Regular Sessions

I N A S S E M B L Y

January 28, 2013

Introduced by M. of A. NOLAN -- (at request of the State Comptroller) -- read once and referred to the Committee on Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Education in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to requiring notice of reserve funds and reserves funded by resolution

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

1 Section 1. Subdivision 5 of section 1608 of the education law, as
2 amended by section 5 of part A of chapter 436 of the laws of 1997, is
3 amended to read as follows:
4 5. The trustee or board of trustees shall append to the statement of
5 estimated expenditures a detailed statement of the total compensation to
6 be paid to the superintendent of schools, and any assistant or associate
7 superintendents of schools in the ensuing school year, including a
8 delineation of the salary, annualized cost of benefits and any in-kind
9 or other form of remuneration, AND A SCHEDULE OF RESERVE FUNDS, SETTING
10 FORTH THE NAME OF EACH RESERVE FUND, A DESCRIPTION OF ITS PURPOSE, THE
11 BALANCE AS OF THE CLOSE OF THIRD QUARTER OF THE CURRENT SCHOOL DISTRICT
12 FISCAL YEAR AND A BRIEF STATEMENT EXPLAINING ANY PLANS FOR THE USE OF
13 EACH SUCH RESERVE FUND FOR THE ENSUING FISCAL YEAR. The trustees shall
14 also append a list of all other school administrators and supervisors,
15 if any, whose annual salary will be eighty-five thousand dollars or more
16 in the ensuing school year, with the title of their positions and annual
17 salary identified; provided however, that the commissioner may adjust
18 such salary level to reflect increases in administrative salaries after
19 June thirtieth, nineteen hundred ninety-eight. The trustees shall submit
20 a copy of such list and statement, in a form prescribed by the commis-

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

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1 sioner, of compensation to the commissioner within five days after their
2 preparation. The commissioner shall compile such data, together with the
3 data submitted pursuant to subdivision three of section seventeen
4 hundred sixteen of this chapter, into a single statewide compilation,
5 which shall be made available to the governor, the legislature, and
6 other interested parties upon request.

7 S 2. Subdivision 5 of section 1716 of the education law, as amended by
8 section 7 of part A of chapter 436 of the laws of 1997, is amended to
9 read as follows:

10 5. The board of education shall append to the statement of estimated
11 expenditures a detailed statement of the total compensation to be paid
12 to the superintendent of schools, and any assistant or associate super-
13 intendants of schools in the ensuing school year, including a deline-
14 ation of the salary, annualized cost of benefits and any in-kind or
15 other form of remuneration, AND A SCHEDULE OF RESERVE FUNDS, SETTING
16 FORTH THE NAME OF EACH RESERVE FUND, A DESCRIPTION OF ITS PURPOSE, THE
17 BALANCE AS OF THE CLOSE OF THIRD QUARTER OF THE CURRENT SCHOOL DISTRICT
18 FISCAL YEAR AND A BRIEF STATEMENT EXPLAINING ANY PLANS FOR THE USE OF
19 EACH SUCH RESERVE FUND FOR THE ENSUING FISCAL YEAR. The board shall
20 also append a list of all other school administrators and supervisors,
21 if any, whose annual salary will be eighty-five thousand dollars or more
22 in the ensuing school year, with the title of their positions and annual
23 salary identified; provided however, that the commissioner may adjust
24 such salary level to reflect increases in administrative salaries after
25 June thirtieth, nineteen hundred ninety-eight. The board of education
26 shall submit a copy of such list and statement, in a form prescribed by
27 the commissioner, of compensation to the commissioner within five days
28 after their preparation. The commissioner shall compile such data,
29 together with the data submitted pursuant to subdivision four of section
30 sixteen hundred eight of this chapter, into a single statewide compila-
31 tion, which shall be made available to the governor, the legislature,
32 and other interested parties upon request.

33 S 3. The education law is amended by adding a new section 3653 to read
34 as follows:

35 S 3653. RESERVES FUNDED BY RESOLUTION. IN ADDITION TO ANY OTHER
36 REQUIREMENTS, NO MONIES SHALL BE PAID OR TRANSFERRED INTO ANY RESERVE
37 FUND, ESTABLISHED PURSUANT TO THIS CHAPTER OR ANY OTHER CHAPTER OF LAW,
38 FOR THE PURPOSE OF INCREASING THE FUNDING OF SUCH RESERVE FUND, UNLESS
39 EXPRESSLY AUTHORIZED BY A RESOLUTION OF THE BOARD OF EDUCATION OR TRUS-
40 TEES OF A SCHOOL DISTRICT.

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