

9592

I N   A S S E M B L Y

March 21, 2016

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Introduced by M. of A. LAVINE -- read once and referred to the Committee  
on Education

AN ACT to amend chapter 57 of the laws of 2012 enacting into law major components of legislation necessary to implement the education, labor and family assistance budget, in relation to legalizing, validating, ratifying and confirming certain actions or omissions relating to certain transportation contracts

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

1     Section 1. Subdivisions 1 and 2 of section 16-a of part A of chapter  
2     57 of the laws of 2012, enacting into law major components of legis-  
3     lation necessary to implement the education, labor and family assistance  
4     budget, are amended to read as follows:  
5     1. Notwithstanding any other provision of law to the contrary, where  
6     the education department denies or has denied transportation aid for a  
7     school district transportation contract or has recovered overpayments of  
8     such aid relating thereto, the actions or omissions of all officers,  
9     employees or agents of an eligible school district relating to or in  
10    connection with transportation contracts for the 2004-05 school year  
11    through the [2011-12] 2015-16 school year and for contracts and contract  
12    extensions entered into prior to the [2004-05] 2015-16 school year for  
13    which expenses were incurred in the 2004-05 school year or thereafter,  
14    and, where a district can demonstrate to the satisfaction of the commis-  
15    sioner OF EDUCATION that such actions or omissions involve only inad-  
16    vertent and minor clerical or technical errors, all acts incidental  
17    thereto are hereby legalized, validated, ratified and confirmed,  
18    notwithstanding any failure to comply with the filing provisions of the  
19    education law, the general municipal law or any other law, rule or regu-  
20    lation other than those filing provisions defined in paragraph a of  
21    subdivision 5 of section 3604 of the education law, in relation to any  
22    omission, error, defect, irregularity or illegality in such proceeding  
23    had and taken.  
24    2. The education department is hereby directed to consider the  
25    contracts legalized, ratified, validated and confirmed pursuant to

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

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1 subdivision 1 of this section for transportation aid as a valid and  
2 proper obligation of the school district for aid payable for expense  
3 incurred in the 2004-05 school year and thereafter; provided that such  
4 school district submits to the education department the applicable  
5 contract number or numbers, school year and upon request, a copy of the  
6 contract, on or before December 31, [2012] 2016 and the contract is  
7 approved by the commissioner of education, and provided further that any  
8 amount due and payable for school years prior to the [2012-13] 2015-16  
9 school year as a result of this act shall be paid pursuant to the  
10 provisions of paragraph c of subdivision 5 of section 3604 of the educa-  
11 tion law.

12 S 2. This act shall take effect immediately.