

7344

I N   S E N A T E

April 20, 2016

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

AN ACT to validate certain acts of the Islip Union Free school district with regard to certain capital improvement projects

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

1     Section 1. Legislative intent. The legislature hereby finds that the  
2     Islip Union Free school district approved thirteen capital improvement  
3     projects which are designated as project numbers 0003-12, 0011-007,  
4     0011-008, 0003-013, 0007-009, 0007-010, 0007-012, 0011-009, 0002-008,  
5     0003-014, 0007-011, 0008-010, and 0011-010. In addition, the projects  
6     were eligible for certain state aid. The legislature further finds that  
7     due to ministerial error, the required filing of the final cost reports  
8     for such projects were not made by such district in a timely manner  
9     making the district ineligible for certain aid. The legislature further  
10    finds that without such aid, the capital improvement projects will  
11    impose an additional, unanticipated hardship on district taxpayers.  
12    S 2. All the acts done and proceedings heretofore had and taken or  
13    caused to be had or taken by the Islip Union Free school district and by  
14    all its officers or agents relating to or in connection with a certain  
15    final cost report to be filed with the state education department for  
16    project numbers 0003-12, 0011-007, 0011-008, 0003-013, 0007-009,  
17    0007-010, 0007-012, 0011-009, 0002-008, 0003-014, 0007-011, 0008-010,  
18    and 0011-010, and all acts incidental thereto are hereby legalized,  
19    validated, ratified and confirmed, notwithstanding any failure to comply  
20    with the approval and filing provisions of the education law or any  
21    other law or any other statutory authority, rule or regulation, in  
22    relation to any omissions, error, defect, irregularity or illegality in  
23    such proceedings had and taken, and provided further that any amount due  
24    and payable to the Islip Union Free school district for school years  
25    prior to the 2015-2016 school year as a result of this act shall be paid  
26    pursuant to the provisions of paragraph c of subdivision 5 of section  
27    3604 of the education law.

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

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1     S 3. The education department is hereby directed to consider the  
2 approved costs of the aforementioned projects as valid and proper obli-  
3 gations of the Islip Union Free school district provided that such  
4 school district:  
5     (a) submitted the late or missing final project cost reports to the  
6 commissioner of education on or before December 31, 2012;  
7     (b) such cost report is approved by the commissioner of education;  
8     (c) all state funds expended by the school district, as documented in  
9 such cost reports, were properly expended for such capital projects in  
10 accordance with the terms and conditions for such projects as approved  
11 by the commissioner of education; and  
12     (d) the failure to submit such reports in a timely manner was an inad-  
13 vertent administrative or ministerial oversight by the school district,  
14 and there is no evidence of any fraudulent or other improper intent by  
15 such district.  
16     S 4. This act shall take effect immediately.