

STATE OF NEW YORK

4957

2019-2020 Regular Sessions

IN SENATE

April 2, 2019

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

AN ACT authorizing the Schenevus central school district to apply to the commissioner of education to receive an apportionment to be used for services and expenses of such school district and to support its educational programs and any liability in carrying out the functions and responsibilities of such district

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

- 1 Section 1. In order to avoid endangering the fiscal stability of the
2 Schenevus central school district, certain apportionments payable to the
3 Schenevus central school district shall be paid on an accelerated sched-
4 ule as follows:
- 5 a. (1) Notwithstanding any other provisions of law, for aid payable in
6 the school years 2018-2019 through 2047-2048 upon application to the
7 commissioner of education submitted not sooner than the second Monday in
8 June of the school year in which such aid is payable and not later than
9 the Friday following the third Monday in June of the school year in
10 which such aid is payable, or ten days after the effective date of this
11 act, whichever shall be later, the Schenevus central school district
12 shall be eligible to receive an apportionment pursuant to this act in an
13 amount equal to the product of five hundred thousand dollars (\$500,000)
14 and the quotient of the positive difference of thirty minus the number
15 of school years elapsed since the 2018-2019 school year divided by thir-
16 ty. (2) Funds apportioned pursuant to this subdivision shall be used for
17 services and expenses of the Schenevus central school district and shall
18 be applied to support of its educational programs and any liability
19 incurred by such city school district in carrying out its functions and
20 responsibilities under the education law.
- 21 b. The claim for an apportionment to be paid to the Schenevus central
22 school district pursuant to subdivision a of this section shall be

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

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1 submitted to the commissioner of education on a form prescribed for such
2 purpose, and shall be payable upon determination by such commissioner
3 that the form has been submitted as prescribed and that the school
4 district has complied with the reporting requirements of this act. For
5 each school year in which application is made pursuant to subdivision a
6 of this section, such approved amount shall be payable on or before June
7 thirtieth of such school year upon the audit and warrant of the state
8 comptroller on vouchers certified or approved by the commissioner of
9 education in the manner prescribed by law from moneys in the state
10 lottery fund appropriated for general support of public schools and from
11 the general fund to the extent that the amount paid to the Schenevus
12 central school district pursuant to this subdivision and subdivision a
13 of this section exceeds the amount of the lottery apportionment, if any,
14 due such school district pursuant to subparagraph (2) of paragraph a of
15 subdivision 1 of section 3609-a of the education law on or before
16 September first of such school year.

17 c. Notwithstanding the provisions of section 3609-a of the education
18 law, an amount equal to the amount paid to the Schenevus central school
19 district during the base year pursuant to subdivisions a and b of this
20 section shall first be deducted from payments due during the current
21 school year pursuant to subparagraphs (1), (2), (3), (4) and (5) of
22 paragraph a of subdivision 1 of section 3609-a of the education law in
23 the following order: the lottery apportionment payable pursuant to
24 subparagraph (2) of such paragraph followed by the fixed fall payments
25 payable pursuant to subparagraph (4) of such paragraph, and any remain-
26 der to be deducted from the individualized payments due to the district
27 pursuant to paragraph b of such subdivision shall be deducted on a chro-
28 nological basis starting with the earliest payment due the district.

29 d. Notwithstanding any other provisions of law, the sum of payments
30 made to the Schenevus central school district during the base year
31 pursuant to subdivisions a and b of this section plus payments made to
32 such school district during the current year pursuant to section 3609-a
33 of the education law shall be deemed to truly represent all aids paid to
34 such school district during the current school year pursuant to such
35 section 3609-a for the purposes of computing any adjustments to such
36 aids that may occur in a subsequent school year.

37 e. (1) On or before the first day of each month beginning in July 2019
38 and ending in June 2049, the chief fiscal officer and the superintendent
39 of schools of the Schenevus central school district shall prepare and
40 submit to the board of education a report of the fiscal condition of the
41 school district, including but not limited to the most current available
42 data on fund balances on funds maintained by the school district and the
43 district's use of the apportionments provided pursuant to subdivisions a
44 and b of this section.

45 (2) Such monthly report shall be in a format prescribed by the commis-
46 sioner of education. The board of education shall either reject and
47 return the report to the chief fiscal officer and the superintendent of
48 schools for appropriate revisions and resubmittal or shall approve the
49 report and submit copies to the commissioner of education and the state
50 comptroller of such approved report as submitted or resubmitted.

51 (3) In the 2018-2019 through 2047-2048 school years, the chief fiscal
52 officer of the Schenevus central school district shall monitor all budg-
53 ets and for each budget, shall prepare a quarterly report of summarized
54 budget data depicting overall trends of actual revenues and budget
55 expenditures for the entire budget as well as individual line items.
56 Such report shall compare revenue estimates and appropriations as set

1 forth in such budget with the actual revenues and expenditures made to
2 date. All quarterly reports shall be accompanied by a recommendation
3 from the superintendent of schools or chief fiscal officer to the board
4 of education setting forth any remedial actions necessary to resolve any
5 unfavorable budget variance including the overestimation of revenue and
6 underestimation of appropriations. The chief fiscal officer shall also
7 prepare, as part of such report, a quarterly trial balance of general
8 ledger accounts in accordance with generally accepted accounting princi-
9 ples as prescribed by the state comptroller. All reports shall be
10 completed within sixty days after the end of each quarter and shall be
11 submitted to the chief fiscal officer and the board of education of the
12 Schenevus central school district, the state division of budget, the
13 office of the state comptroller, the commissioner of education, the
14 chair of the assembly ways and means committee and the chair of the
15 senate finance committee.

16 § 2. This act shall take effect immediately.