

the city of New York and for such city.+>>

<<+(b) The chancellor may sell, at prices as may be agreed upon, such manufactured articles or other products of any school of the district, day and evening, as may not be utilized by the city board, and all moneys realized by the sale thereof shall be paid into the city treasury and shall at once be appropriated by the city to a special fund to be administered by the city board for such purposes as such board, in its discretion, may determine. All other moneys realized by the sale of personal property shall be paid into the city treasury and shall at once be appropriated by the city to the special school fund of the city board for use in the borough in which the property sold was situated.+>>

<<+(c) Such method of disposal shall be deemed not to apply to the disposition of school books pursuant to subdivision forty-three of this section.+>>

<<+43. To dispose of, to the best advantage of the city of New York, either by sale or on the basis of money allowance for waste paper, all books delivered to the several public schools of such city that have been discarded either by reason of being obsolete, no longer required by the course of study, worn by long usage, or mutilated by accident. If disposal is made by sale, it shall be to the highest bidder, and the money realized shall be paid into the city treasury and shall at once be appropriated by the city to the special school fund of the city board entitled "supplies". If disposal is made on the basis of money allowance for waste paper, it shall be to the highest bidder. Such discarded books may be disposed of without public advertisement or entry into a formal contract. Should the discarded books be in such condition that no sale or exchange can be made, or should there be reason to believe that such discarded books have become infected through disease among the pupils, or should the superintendent of schools certify that such discarded books contain erroneous, inaccurate, obsolete, or antiquated subject matter, illustrations, maps, charts, or other material, the committee on supplies of the board of education, if such books cannot be sold, given away, or otherwise salvaged as waste paper without danger to the public health, may authorize their destruction by fire, in which event the superintendent of school supplies shall obtain and file in his or her office a certificate that such books have been so destroyed, signed by the principal of the school in which the books are located.+>>

<<+44. To provide the proper book or books in which he or she shall cause the class teachers under the direction and supervision of the principal to enter the names, ages, and residences of the pupils attending the school, the name of the parent or guardian of each pupil, and the days on which the pupils shall have attended respectively, and the aggregate attendance of each pupil during the year, and also the day upon which the school shall have been visited by the superintendent of schools or by an associate superintendent of schools or by an assistant superintendent, or by members of the city board, or by members of the community school board, or by any of them, which entry shall be verified by such oath or affirmation of the principal as may be prescribed by the chancellor. Such books shall be preserved as the property of the chancellor and shall at all times be open to inspection by members of the city board, by members of the community school boards and by the superintendent of schools, or by any associate superintendent of schools, or by the assistant superintendents.+>>

<<+45. Make rules and regulations for the conduct, operation, and maintenance of extra classroom activities and for the safeguarding, accounting, and audit of all moneys received and derived therefrom. In the case of any extra classroom activity as it shall deem proper, and notwithstanding the provisions of section twenty-five hundred thirty of this title, it may direct that the moneys received or derived from the conduct, operation, or maintenance of such an extra classroom activity be

deposited with the auditor, who in such event shall be the treasurer of such an extra classroom activity, the moneys of which are required to be so deposited. In the procurement of articles and services for the conduct, operation, and maintenance of a cafeteria or restaurant service, the chancellor shall be subject to applicable provisions of law, except that said chancellor need not have duly advertised for estimates in order to contract for such articles or services in an amount exceeding one thousand dollars. The chancellor shall also have power to assign any officers or employees to perform such duties as he or she may prescribe in connection with an extra classroom activity and to designate such officers and employees when so assigned from whom a bond shall be required for faithful performance of their duties and to fix the sum in which each such bond shall be given.+>>

<<+46. To maintain, through such representatives as he or she may designate, an effective visitation and inspection of all schools and classes maintained in institutions controlled by the department of correction of the city of New York.+>>

<<+47. To assign, in his or her discretion, one or more employees of the city board to serve as trial examiner with power to conduct investigations and hearings on behalf of the chancellor. Each trial examiner shall report the result of any such investigation or hearing to the chancellor.+>>

§ 13. Paragraph (c) of subdivision 2 of section 2590-i of the education law, as added by chapter 720 of the laws of 1996, is amended to read as follows:

<< NY EDUC § 2590-i >>

(c) Principals shall be selected consistent with regulations of the chancellor establishing a process that promotes parental and staff involvement in the recruitment, screening, interviewing and recommendation of candidates. Candidates must meet the requirements of regulations of the chancellor <<-and the city board->> establishing educational, managerial, and administrative qualifications, including evaluation of each candidate's record of performance in comparable positions. In the case of schools under the jurisdiction of the community districts, a candidate approved by a community superintendent may nonetheless, before assuming the position, be rejected by the chancellor for cause.

§ 14. Paragraph b of subdivision 3 of section 2590-m of the education law, as added by chapter 330 of the laws of 1969, is amended to read as follows:

<< NY EDUC § 2590-m >>

b. If an auditor shall have been appointed by the <<-city board->> <<+chancellor+>> or any community board, such orders shall be signed by such auditor; provided, however, that the <<-city board->> <<+chancellor+>> and any such board may in addition require the signature of such other officer or officers as <<-it->> <<+the chancellor may direct or as such board+>> may by resolution direct.

§ 15. Subdivision 6 of section 2590-m of the education law, as added by chapter 330 of the laws of 1969, is amended to read as follows:

<< NY EDUC § 2590-m >>

6. The <<+chancellor,+>> city board and each board referred to in this section shall make, in addition to such classification of its funds as it desires for its own use and information, such further classification of the funds credited to it and of the disbursement thereof as the comptroller of the city of New York shall require; provided that the classification of funds by community boards shall be in accordance with the altered schedules developed pursuant to subdivision eight of section twenty-five hundred ninety-i of this article. The <<+chancellor,+>> city board and community boards shall furnish such data in relation to such funds and their disbursements as the comptroller of the city of New York shall require.

§ 16. Subdivision 1 of section 2590-n of the education law, as amended by chapter 741 of the laws of 1988, is amended to read as follows:

<< NY EDUC § 2590-n >>

1. It shall be unlawful for any community board member, community superintendent<<+,+>> or any such other officer or employee in schools and programs under the jurisdiction of the community board as the <<-city board->> <<+chancellor+>> by regulation shall specify, to be directly or indirectly interested in the furnishing of any supplies or materials, or in the doing of any work or labor, or in the sale or leasing of any real estate, or in any proposal, agreement<<+,+>> or contract for any of these purposes, in any case in which the price or consideration is to be paid, in whole or in part, directly or indirectly, out of any school moneys, or who shall have received from any source whatever any commission or compensation in connection with any of the matters aforesaid.

§ 17. Subdivision 3 of section 2590-o of the education law, as added by chapter 738 of the laws of 1988, is amended to read as follows:

<< NY EDUC § 2590-o >>

3. No later than January first, nineteen hundred ninety-three, the chancellor shall prepare and submit a preliminary proposed revision to the educational facilities master plan to the city board and to each community school board. This proposed revision shall reflect the progress achieved during the first three years of the master plan and shall incorporate such changes to the master plan as the chancellor deems necessary. Each such community school board shall conduct a public hearing and shall prepare and submit recommendations to the chancellor on or before March first, nineteen hundred ninety-three with respect to matters in the plan that involvethat school district. The chancellor shall consider the recommendations received from the community school boards, and, on or before April first, nineteen hundred ninety-three, shall submit a final proposed revision to the master plan to the city board for its approval. On or before May first of such year, the city board shall approve the revision to the educational facilities master plan submitted by the chancellor <<-or such plan as is determined by the city board->>.

§ 18. Paragraph b of subdivision 3, paragraph a of subdivision 5, and paragraphs c, d and f of subdivision 6 of section 2590-p of the education law, as added by chapter 738 of the laws of 1988, are amended to read as follows:

<< NY EDUC § 2590-p >>

b. Commencing on November first, nineteen hundred ninety-three, and every five years thereafter, the chancellor shall submit a proposed five-year educational facilities capital plan to take effect on the succeeding July first to each community school board, which shall conduct a public hearing and shall prepare and submit recommendations to the chancellor on or before January first of the ensuing year with respect to matters in the plan that involve that school district. The chancellor shall consider the recommendations received from the community school boards, and, on or before February first of such year, shall submit a final proposed five-year educational facilities capital plan to the city board for its approval. On or before March first of such year, the city board shall approve the five-year educational facilities capital plan submitted by the chancellor <<-or such plan as is determined by the city board->>.

a. The chancellor may in his <<+or her+>> discretion submit amendments to an approved five-year educational facilities capital plan to the city board<<+, mayor, and city council+>> for <<-its->> <<+their+>> approval.

c. The chancellor shall prepare preliminary scopes (i) for each project contained within the program elements defined in paragraphs a and b of subdivision two of this section and, where appropriate, paragraph g of subdivision two of this section, (ii) for each major modernization project contained in paragraph c of such subdivision two, and (iii) for each new construction project contained in paragraph d of such subdivision two, and shall transmit such preliminary scopes to the affected community school boards. The community school board may hold hearings on such scope<<-,->><<+;+>> provided, however, that the community school board must submit any comments to the chancellor no later than thirty days following the date of submission. The chancellor shall consider the comments in preparing the scope that he <<+or she+>> will submit to the director of management and budget of the city pursuant to paragraph d of this subdivision.

d. For projects to be funded pursuant to subdivision four of this section, the chancellor shall transmit the detailed scope of each such project to the director of management and budget of the city for approval.

(i) Except as provided in paragraph b of this subdivision, no expenses shall be incurred by the city board or the authority for any such project prior to approval of the detailed scope of any such project.

(ii) No detailed scope of project shall be approved unless the total estimated costs of such project, together with the aggregate estimated costs of all projects for which a detailed scope has theretofore been approved, are within city capital budget appropriations available therefor. A detailed scope of project that is not disapproved by the director of management and budget within thirty days of its submission shall be deemed approved. To the extent the director disapproves all or part of a scope, he <<+or she+>> shall set forth in writing the reasons therefor.

(iii) Upon approval of the detailed scope of project, the chancellor shall refer such project to the New York city school construction authority for implementation in accordance with an agreement between the authority and the city board and shall transmit the approved project scope to the comptroller<<+,+>> whereupon the total estimated costs of such project as set forth in such approved project scope shall be available for expenditure.

(iv) Approval of the director of management and budget shall be required for any material change in the approved detailed scope of project or for any increase in the

total cost of such project in excess of any reserve provided in the approved detailed scope of project. Such approval shall be given or deemed given in the manner provided herein.

(v) The provisions of this paragraph shall not apply to emergency projects undertaken pursuant to paragraph h of subdivision two of this section, the estimated costs of which, together with the costs of other projects undertaken pursuant to said paragraph h, does not exceed the amount set forth in the educational facilities capital plan for activities pursuant to paragraph h of subdivision two of this section.

f. The chancellor <<-and->><<+, in his or her capacity as+>> the president of the New York city school construction authority<<+,+>> shall notify the mayor of the amount of appropriated funds projected to be spent for (i) development of detailed scopes, (ii) development of preliminary plans, (iii) site acquisition and (iv) emergencies, and the mayor shall thereupon authorize the issuance of bonds therefor in accordance with the local finance law and shall notify the city comptroller of his <<+or her+>> authorization to expend such amounts for such purposes. Such notice shall be given or amended at least ten days prior to any expenditure included therein; provided that the chancellor<<- , the president of the authority->> and the mayor shall develop procedures to expedite authorization of emergency expenditures. Neither the city board nor the authority shall expend funds for such purposes in excess of the amounts specified in such notice until the chancellor shall have amended such notice to reflect such excess. Upon approval of the detailed scope of a project, the mayor shall authorize the issuance of bonds therefor in accordance with the local finance law and shall notify the city comptroller of his <<+or her+>> authorization to expend appropriated funds for the entire estimated cost of such project.

§ 19. Subdivision 4 of section 2590-p of the education law, as amended by chapter 562 of the laws of 1990, is amended to read as follows:

<< NY EDUC § 2590-p >>

4. Following approval by the city board of a five-year educational facilities capital plan, the chancellor shall <<-transmit->> <<+submit+>> such plan to the mayor and the council of the city of New York <<+for their approval+>>. After consultation with the chancellor and the city board, the mayor shall include in the city's executive capital budget for the fiscal year in which the five-year plan is to commence an appropriation for educational facilities in an amount he <<+or she+>> recommends as sufficient to provide for the funding of a five-year capital program for the city board and shall specify amounts for each fiscal year within such five year period. Such five- year appropriation, which shall specify the annual amounts for each fiscal year to be made available, shall be subject to adoption, veto<<+,+>> and, except as hereinafter provided, amendment in accordance with the procedures set forth in the charter of the city of New York. Upon adoption of a five-year appropriation pursuant to such process, the capital program of the city board shall, if the amount so appropriated differs from the cost estimated in the plan approved by the city board, be amended to reflect the funding so provided. No reduction shall thereafter be made by the city in the amount of such appropriation until completion of the plan<<+,+>> unless (i) <<+the chancellor with the approval of+>> the city board shall so recommend or (ii) a general, across-the-board reduction is made in the city's capital appropriations in order to accommodate an unforeseen reduction in the availability of city capital funds. In the event <<+the chancellor with the approval of+>> the city board so recommends or such a reduction is made,

the appropriation may be reduced in accordance with such recommendation or proportionately to the reduction in the city's general capital appropriations. In the event <<+the chancellor with the approval of+>> the city board requests additional appropriations from such city during the five-year period of the then effective plan, the <<-city board->> <<+chancellor+>> shall specify the needs to be met by such additional appropriations. The city may appropriate <<+an+>> additional amount for the five-year educational facilities capital plan<<-,->><<+;+>> provided that in no event shall such an additional appropriation be conditioned upon a reduction or alteration of the five-year plan then in effect. The authority may not spend more in any fiscal year of the capital program than the amount specified in the five-year city appropriation therefor, as amended from time to time; provided that any amounts not expended during a fiscal year may be expended in any succeeding fiscal year<<-,->><<+;+>> and provided further that the mayor may authorize funds to be expended at a rate faster than the amounts so specified, within the balance of the five-year appropriation available therefor.

§ 20. Section 2590-q of the education law, as added by chapter 330 of the laws of 1969, subdivision 7 as amended by chapter 546 of the laws of 1971, subdivision 16 as added by chapter 1003 of the laws of 1971, subdivision 17 as added by chapter 178 of the laws of 1989, subdivision 18 as added and such section as renumbered by chapter 720 of the laws of 1996, is amended to read as follows:

<< NY EDUC § 2590-q >>

§ 2590-q. Budgetary and fiscal processes. 1. The chancellor shall annually advise the community boards with respect to the form and content of the budget requests and accompanying fiscal estimates required to be submitted by the mayor of the city of New York for the next ensuing fiscal year, together with such additional information as he <<+or she+>> may require.

4. On such date as the mayor shall direct, the <<-city board->> <<+ chancellor+>> shall submit to the mayor:

(a) estimates, as adopted <<+by the city board+>>, of the total sum of money which it deems necessary for the operation of the city district (other than functions to be financed from funds provided for in the capital budget of the city) during the next fiscal year of the city, together with the estimates submitted by the community boards<<-,- as originally submitted and as modified pursuant to subdivision three of this section->>;

(b) estimates of the amount to be received as a result of the apportionment of moneys payable from the state in such fiscal year; and

(c) estimates of the amount to be received for school system expenditures by the city district in such fiscal year from sources other than appropriations of city funds or appropriations or other provisions of funds in the capital budget of the city or apportionment of moneys from the state payable in such fiscal year.

5. All estimates submitted by the <<-city board->> <<+chancellor+>> shall be prepared in the manner prescribed by the New York city charter for submission of departmental estimates for current expenses to the mayor and shall set forth the total amounts proposed for programs or activities of the community boards in units of appropriation separate from those set forth for programs or activities operated by the city board; provided, however, that nothing shall prevent the <<-city board from including->> <<+ inclusion+>> in such estimates <<+of+>> a unit or units of

appropriation to be allocated to <<-it in its discretion, to->> community boards pursuant to subdivision ten of this section to finance innovative programs or activities by such community boards.

6. In acting on the proposed units of appropriation for programs or activities of community boards, the <<-board of estimate and->> city council of the city of New York may, subject to the veto of the mayor, increase or decrease the total amount of each such unit of appropriation but, notwithstanding any provision of the New York city charter or any other law to the contrary, <<- they->> <<+it+>> shall not have power to add any other unit of appropriation for one or more community boards.

7. (b) Not later than thirty days after the amount of such funds becomes determined by adoption of the budget pursuant to subdivision six <<+of this section+>>, by allocation pursuant to subdivisions ten, eleven, fourteen<<+,+>> and fifteen of this section, or otherwise, the chancellor shall transmit to each community board a statement enumerating the federal, state, city<<+,+>> and private funds which have been allocated thereunder to such community board for its programs.

(c) At the same time, the chancellor shall transmit to the community boards a statement of the allocation of the balance of such funds to the several programs administered by him <<+or her+>> and the city board including the distinct amounts assigned to each category of schools and programs set forth in section twenty-five hundred ninety-i <<+of this article+>> and the amount allocated for the operation of the city board, his <<+or her+>> office<<+,+>> and the other administrative bureaus and divisions thereof.

9. Special estimates to meet extraordinary expenses of emergencies which may arise in the course of a fiscal year may be submitted to the chancellor by any community board and, pursuant to subdivision six of section twenty-five hundred seventy-six of this <<-chapter->> <<+title+>>, the chancellor may, in <<-its->> <<+his or her+>> discretion, submit such special estimates to the mayor of the city of New York. The chancellor may also submit special estimates to the mayor in connection with the schools and programs under his <<+or her+>> jurisdiction.

10. Notwithstanding any provisions of law to the contrary, any moneys appropriated to or authorized for expenditure by the city board including moneys so appropriated to finance innovative programs or activities by community boards (but other than moneys so appropriated for the exercise of powers or duties reserved to the city board) may be allocated by the chancellor to any community board. Allocations made pursuant to this subdivision shall be based on the needs of the recipient community boards, considered in conjunction with the needs of the schools and programs under the jurisdiction of the city board, in the case of moneys appropriated for innovative programs or activities, the relative merit of the programs or activities proposed by the respective community boards.

11. The chancellor shall perform all functions in connection with article seventy-three of this chapter; provided that the chancellor shall allocate to the community boards the state funds apportioned to the city district pursuant to <<+such+>> article seventy-three, less the amount of such funds necessary to enable the chancellor to carry out his <<+or her+>> responsibilities, on the basis of an objective formula established by <<+the chancellor and approved by+>> the city board annually, after consultation with the community boards and the mayor, which formula shall reflect the relative educational needs of the community districts to the maximum extent feasible.

12. The chancellor shall perform all functions in connection with sections twenty-five hundred seventy-six, twenty-five hundred seventy-seven, twenty-five hundred

seventy-nine, twenty-five hundred eighty-one, twenty-five hundred eighty-two, twenty-five hundred eighty-three<<+,+>> and twenty-five hundred eighty-four of this <<-chapter->> <<+title+>>.

13. The city board through the chancellor shall perform all functions in connection with the capital budget as provided in chapter nine of the charter of the city of New York, except as otherwise provided herein.

14. With respect to special, federal, state<<+,+>> and private funds, each community board may:

(a) contract for and receive funds to be transmitted to the city board and disbursed through the chancellor. No special funds may be used as a means of bringing about the elimination of existing personnel lines, titles<<+,+>> or employees. Community boards may use budget funds allocated and resources obtained within the scope of existing law and contractual obligations to design programs of educational excellence tailored to the needs and peculiar characteristics of the district;

(b) enter into contracts necessary or convenient to the discharge of the powers and duties with the city, state<<+,+>> and federal governments, private foundations, agencies and individuals, the city board<<+,+>> and other community boards<<+,+>> subject to the approval of the chancellor;

(c) in the case of federal or state funds not allocated to the city district on a formula basis, to apply to the funding agency, as a local educational agency, and to accept any funds granted or apportioned in this connection for its use and account<<-,->><<+;+>> provided, however, that as to federal funds available to areas affected by federal activities pursuant to public law eight hundred seventy-four, community boards shall not be considered local educational agencies and shall have no power to apply directly to the funding agency<<+,+>> but such funds shall be reallocated to community boards by the chancellor in accordance with a formula <<-determined->> <<+established by the chancellor and approved+>> by the city board as provided in subdivision ten of this section; and

(d) in the case of special funds allocated to the city district on a formula basis, to submit proposals to the chancellor for a review as to form only and prompt transmittal to the funding agency; provided, however, that in the case of such special funds community boards shall not be considered local educational agencies; and provided further that the total amount of such proposals submitted by any community board shall not exceed the amount of an apportionment made by the chancellor on the basis of a formula <<-determined->> <<+established by the chancellor and approved+>> by the city board, after considering the recommendation of the chancellor and after consultation with community boards and the mayor, which formula reflects the same educational and economic factors as the formula for apportionment of such special funds to the city district; and provided further that each community board shall consult fully with nonpublic school authorities on a continuing basis with respect to any of such special funds applicable to nonpublic school programs and students subject to the power and duty of the city board through the chancellor to ensure that applicable provisions of state and federal law and regulations with respect to programs for students in attendance at nonpublic schools throughout the city district shall be carried out.

15. With respect to special, federal, state<<+,+>> and private funds, the chancellor shall provide community boards with information about the availability of such funds and furnish technical assistance with respect to the preparation of proposals, record keeping<<+,+>> and the administration of such programs.

16. On or before October first of each year, the <<-city board->> <<+ chancellor+>> shall submit to the commissioner, in the form to be prescribed by him <<+or her+>>, the annual budget for the city district for the current fiscal year.

17. (a) Each community superintendent shall prepare semiannual reports which shall be due by December fifteenth and April fifteenth of each year. Each report shall include but not be limited to an accounting of all funds received and expended by the subject community board from all sources<<+,+>> including appropriations for programs and activities of the school board and receipts from external sources.

(b) In addition, a final year-end report shall be due on August fifteenth and shall include an accounting of all funds received and expended by the subject community board from all sources<<+,+>> including appropriations for programs and activities of the school board.

(c) Copies of reports outlined in paragraphs (a) and (b) of this subdivision shall be given to the <<-city board->> <<+chancellor+>> and the subject community board and shall be available to the public.

18. Notwithstanding any provision of law to the contrary, the powers and duties conferred on a community school board by this section shall be exercised exclusively by the community superintendent employed by such board.

§ 21. Subdivision 2 of section 1727 of the public authorities law, as added by chapter 738 of the laws of 1988, is amended to read as follows:

<< NY PUB AUTH § 1727 >>

2. The authority shall be governed by and its powers shall be exercised by a board of trustees consisting of three members. The members shall be the chancellor, or acting chancellor if the position of chancellor is vacant, and two <<+other+>> members, <<-one to be appointed by the governor and one->> to be appointed by the mayor. The <<-appointee of the mayor->> <<+chancellor or acting chancellor+>> shall serve as the <<- chairman->> <<+chairperson+>> of the board of trustees. No member of the city board or of a community school board shall be one of the appointed members of the board, nor shall an officer or employee of the city or state be one of the appointed members of the board. The appointed members shall serve at the pleasure of the <<-appointing authority->> <<+mayor+>>.

<< NY PUB AUTH § 1727 >>

§ 22. Subdivision 9 of section 1727 of the public authorities law is REPEALED.

§ 23. The public authorities law is amended by adding a new section 1748 to read as follows:

<< NY PUB AUTH § 1748 >>

<<+§ 1748. Investigations. The department of investigation of the city of New York shall be authorized to conduct investigations relating to the authority pursuant to chapter thirty-four of the New York city charter.+>>

§ 24. Task force on community school district governance reform. 1. A task force on community school district governance reform shall be appointed by the temporary president of the senate and the speaker of the assembly, each of whom shall appoint ten members. Each appointing authority shall designate one of their appointees to serve as co-chair of the task force. In making their appointments to the task force, the appointing authorities shall ensure that the appointees are representative and reflective of the communities of the city of New York and that such appointees are residents of the city of New York.

2. The task force shall develop a proposal and make recommendations regarding the community school boards and their powers and duties. In developing such proposal and recommendations, such task force shall ensure that there is a process to maximize meaningful participation by the public, parents and the communities which would be affected by changes to the community school board system, including, but not limited to:

(a) holding its meetings in public and on the record;

(b) holding at least one public hearing in each of the boroughs of the city of New York and however many additional hearings as may be necessary to ensure sufficient public input by the community school districts;

(c) having meetings and forums as necessary to hear concerns and address the needs raised by any interested parties, including parents in the community affected; and

(d) publicizing all such meetings, hearings, or forums to the greatest extent possible and ensuring such events are held at times to optimize participation by all members of the community including parents.

3. The task force shall submit a preliminary report to the governor and legislature by December 15, 2002 and shall submit a final report containing its proposal and recommendations to the governor and the legislature no later than February 15, 2003.

4. The task force may request and shall receive from any school district, the board of elections of the city of New York, the New York city board of education, any department, division, board, bureau, commission, or agency of the state or any political subdivision thereof such assistance and data as it deems necessary or desirable to carry out its powers and duties under this section. Members of the task force shall not be disqualified from holding any public office or employment, nor shall they forfeit any office or employment by reason of their appointment under this section, notwithstanding the provisions of any general, special, or local law, ordinance, or city charter.

§ 25. Section 19 of chapter 738 of the laws of 1988, amending the administrative code of the city of New York, the civil service law and other laws relating to the New York city school construction authority, as amended by chapter 410 of the laws of 1999, is amended to read as follows:

§ 19. This act shall take effect immediately, provided, however, that the provisions of subdivision 6 of section 209 of the civil service law, as added by section four of this act, shall expire and be deemed repealed on and after June 30, 1995, and further provided that the provisions of section 1735 of the public authorities law, as added by section fourteen of this act, shall expire and be deemed repealed on <<-July 1, 2002->> <<+June 30, 2004+>>.

<< NY EDUC § 2590-d >>

§ 26. Paragraph c of subdivision 2 of section 2590-d of the education law is REPEALED.

<< NY EDUC § 2590-e >>

§ 27. Subdivision 1 of section 2590-e of the education law is REPEALED.

<< NY EDUC § 2590-h >>

§ 28. Subdivision 28 of section 2590-h of the education law is REPEALED.

§ 29. Subdivision 30 of section 2590-h of the education law is REPEALED and a new subdivision 30 is added to read as follows:

<< NY EDUC § 2590-h >>

<<+30. Select and appoint a community superintendent, in compliance with the qualifications required by subdivision twenty-nine of this section and subject to the provisions of subdivision two of section twenty-five hundred ninety-j of this article, at a salary to be fixed within the budgetary allocation therefor.+>>

<< NY EDUC § 2590-h >>

§ 30. Subdivision 30-a of section 2590-h of the education law is REPEALED.

§ 31. Subdivision 4 of section 1728 of the public authorities law, as amended by chapter 232 of the laws of 2000, is amended to read as follows:

<< NY PUB AUTH § 1728 >>

4. To appoint officers and employees, fix their compensation and require background investigations, including but not limited to the criminal history of all applicants for employment to determine the suitability of such applicants for employment. Such investigation shall include but not be limited to the taking of fingerprints of such officers and employees <<-by such authority's office of the inspector general->> as a prerequisite for employment; provided, however, that every set of fingerprints taken pursuant to this subdivision shall be promptly submitted to the division of criminal justice services where it shall be appropriately processed and forwarded to the federal bureau of investigation, at a rate required by such agencies for state and national criminal history record checks;

§ 32. Notwithstanding any powers transferred from the city board to the chancellor pursuant to this act, any regulation or by-law in force on the effective date of this act, issued pursuant to earlier statutory authority, shall continue in force until duly amended, superceded, or repealed by the chancellor. In addition, the chancellor shall have the power to continue any business, proceeding or other matter

commenced by the city board involving powers transferred pursuant to this act.

§ 33. Severability. If any clause, sentence, paragraph, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

§ 34. This act shall take effect July 1, 2002; provided, that sections one through twenty, twenty-four, and twenty-six through thirty of this act shall expire and be deemed repealed June 30, 2009; provided, further, that notwithstanding any provision of article 5 of the general construction law, on June 30, 2009 the provisions of subdivisions 3, 5, and 8, paragraph b of subdivision 13, subdivision 14, paragraphs b, d, and e of subdivision 15, and subdivisions 17 and 21 of section 2554 of the education law as repealed by section three of this act, subdivision 1 of section 2590-b of the education law as repealed by section six of this act, paragraph (a) of subdivision 2 of section 2590-b of the education law as repealed by section seven of this act, section 2590-c of the education law as repealed by section eight of this act, paragraph c of subdivision 2 of section 2590-d of the education law as repealed by section twenty-six of this act, subdivision 1 of section 2590-e of the education law as repealed by section twenty-seven of this act, subdivision 28 of section 2590h of the education law as repealed by section twenty-eight of this act, subdivision 30 of section 2590-h of the education law as repealed by section twenty-nine of this act, subdivision 30-a of section 2590-h of the education law as repealed by section thirty of this act shall be revived and be read as such provisions existed in law on the date immediately preceding the effective date of this act; provided, however, that sections seven and eight of this act shall take effect on June 30, 2003; provided further that the amendments to subdivision 25 of section 2554 of the education law made by section two of this act shall be subject to the expiration and reversion of such subdivision pursuant to section 12 of chapter 147 of the laws of 2001, as amended, when upon such date the provisions of section four of this act shall take effect.

NY LEGIS 91 (2002)

END OF DOCUMENT