

Amend Senate 6458, Assembly 9558, A BUDGET BILL, AN ACT to amend the education law, in relation to the powers of the boards of trustees of the state university of New York to establish and contract with not-for-profit corporations...

Page 31, Line 37, After "5-b." insert "(a)"

Page 31, Line 50, After "article" insert ",or by the chancellor of a city school district in a city having a population of one million or more,"

Page 31, Between lines 53 and 54, Insert "(b) Pursuant to paragraph (a) of this subdivision, upon resubmission to the board of regents:

(i) up to a total of fifty new charters formed by the chancellor of a city school district having a population of one million or more on or after the effective date of this paragraph that do not involve conversion of an existing public school and any subsequent amendments or renewals of such charters; and

(ii) any new charters formed by the chancellor of a city school district having a population of one million or more on or after the effective date of this paragraph as a conversion of an existing public school to a charter school notwithstanding the presence or absence of a vote of the parents in favor of such conversion and any subsequent amendments or renewals of such charters,

it shall be the duty of the board of regents to approve and issue the proposed charter within thirty days of the resubmission of such proposed charter or such proposed charter shall be deemed approved and issued at the expiration of such period. A charter school whose charter has been surrendered or terminated or revoked or has not been renewed or extended shall not be counted toward the numerical limit established in subparagraph (i) of this paragraph."

Page 34, Line 2, After "law," strike out "a" and insert "any new or any conversion"

Page 34, Line 7, After "conversion" insert "or any other requirements pertaining to a conversion"

Page 56, Between lines 40 and 41, Insert "§ 65. Paragraphs b and d of subdivision 4 of section 4410 of the education law, paragraph d as amended by chapter 520 of the laws of 1993, are amended to read as follows:

b. (1) [Each] In the two thousand five--two thousand six school year and prior school years, each board shall, within time limits established by the commissioner, be responsible for providing the parent of a preschool child suspected of

having a handicapping condition with a list of approved evaluators in the geographic area. [The] In the two thousand five--two thousand six school year and prior school years, the parent may select the evaluator from such list. Each board shall provide for dissemination of the list and other information to parents at appropriate sites including but not limited to pre-kindergarten, day care, head start programs and early childhood direction centers, pursuant to regulations of the commissioner.

(2) In the two thousand six--two thousand seven school year and thereafter, the board shall either conduct the evaluation or contract with another approved evaluator selected by the board to conduct the evaluation, except that the board shall contract with the approved evaluator selected by the parent pursuant to subparagraph one of this paragraph on or before June thirtieth, two thousand six.

d. The approved evaluator shall, following completion of the evaluation, transmit the documentation of the evaluation to all members of the committee and to a person designated by the municipality in which the preschool child resides. [Each municipality shall notify the approved evaluators in the geographic area of the person so designated.] The summary report of the evaluation shall be transmitted in English and when necessary, also in the dominant language or other mode of communication of the parent; the documentation of the evaluation shall be transmitted in English and, upon the request of the parent, also in the dominant language or other mode of communication of the parent, unless not clearly feasible to do so pursuant to regulations promulgated by the commissioner. Costs of translating the summary report and documentation of the evaluation shall be separately reimbursed. If, based on the evaluation, the committee finds that a child has a [handicapping condition] disability, the committee shall use the documentation of the evaluation to develop an individualized education program for the preschool child. [Nothing herein shall prohibit an approved evaluator from at any time providing the parent with a copy of the documentation of the evaluation provided to the committee.]

§ 65-a. Paragraph c of subdivision 9-a of section 4410 of the education law, as added by section 124 of chapter 82 of the laws of 1995, is amended to read as follows:

(c) The commissioner shall establish a billing and reimbursement system for services provided by evaluators approved pursuant to the provisions of this subdivision [consistent with billing and reimbursement for evaluation services provided by

evaluators approved pursuant to the provisions of subdivision nine of this section]."

- Page 56, Line 41, After "§" Strike out "65" and insert "65-b"
- Page 56, Line 48, After "employees" insert "or where the parent selected another approved evaluator pursuant to subparagraph one of paragraph b of subdivision four of this section on or before June thirtieth, two thousand six,"
- Page 56, Line 54, After "entities" insert "or unless the parent selected another approved evaluator pursuant to subparagraph one of paragraph b of subdivision four of this section on or before June thirtieth, two thousand six"
- Page 57, Line 27, After "unless" insert ": (A)"
- Page 57, Line 30, After "entities" insert "; or (B) the parent selected another approved evaluator pursuant to subparagraph one of paragraph b of subdivision four of this section on or before June thirtieth, two thousand six"
- Page 71, Between lines 2 and 3, Insert "(e) Nothing in this act shall preclude the JSC board from requiring a contractor awarded a contract for the construction of an education facility to enter into a project labor agreement during and for the construction of such facility; provided that such requirement is part of the JSC board's request for proposals for the construction of such new educational facility. If after consideration, the JSC board determines acting within its discretion and proprietary capacity that given the purpose of any project and the impact of delay, the possibility of cost savings advantages, and the local history of labor unrest, if any, its interest in obtaining the best work at the lowest possible price and preventing favoritism, fraud and corruption are best met by requiring a project labor agreement as an incident of any contract let by the JSC board relating to any project, it may require a project labor agreement."
- Page 77, Line 48, After "sixty-five," insert "sixty-five-a, sixty-five-b,"
- Page 87, Line 41, After "15" strike out "21" and insert "25"
- Page 87, Line 45, After "0" strike out "1.3 1.5 1.7" and insert "1.5 1.7 2.0"
- Page 88, Line 1, After "12" strike out "18" and insert "21"
- Page 88, Line 6, After "0" strike out "1.3 1.5 1.7" and insert "1.5 1.7 2.0"
- Page 90, Line 4, After "equipment." insert, "Such regulations may

require the posting of a bond or other security."

- Page 90, Between lines 23 and 24, Insert, "§6. Paragraph (p) of subdivision 5 of section 225 of the public health law, as amended by chapter 719 of the laws of 1975, is amended to read as follows: (p) establish regulations in respect to ionizing radiation and non-ionizing electromagnetic radiation, except in relation to special nuclear materials in quantities sufficient to form a critical mass and excluding the handling and disposal of radioactive wastes and the release of radioactivity to the environment regulated by the state department of environmental conservation. Such regulations may require the posting of a bond or other security;"
- Page 90, Line 24, After "§" strike out "6" and insert "7"
- Page 90, Between lines 39 and 40, Insert "§8. Funding. Payments for liabilities for expenses for personal service, maintenance and operations and expenses associated in discharging the responsibilities of the department of health with respect to the powers, duties, functions and responsibilities transferred herein, shall be made by appropriation to the miscellaneous special revenue other radiological health protection program account (339/95) in the department of health. Notwithstanding any inconsistent provision of the workers compensation law or any other provision of law, rule or regulation, and subject to the approval of the director of the budget, there shall be an annual transfer of revenue from the workers compensation board to the radiological health protection program account sufficient to meet the needs of the transferred powers, duties, functions and responsibilities."
- Page 90, Line 40, Strike out "§ 7. Transfer of appropriations. Subject to the approval of the director of the budget, all appropriations heretofore made to the department of labor for the purposes and functions transferred by this act to the extent remaining unexpended or unencumbered, whether allocated or unallocated and whether obligated or un-obligated, are hereby made available for use and expenditure by the department of health for the same purposes for which originally appropriated and shall be payable on vouchers certified or approved by the commissioner of the department of health as the case may be on audit and warrant of the comptroller. Payments for liabilities for expenses for personal service, maintenance and operation heretofore incurred by and for liabilities incurred and to be incurred in completing the affairs of the department of labor with respect to the powers, duties and functions transferred herein, shall also be made on vouchers or certificates approved by the commissioner of the department of health on audit

and warrant of the comptroller."

Page 90, Line 55,

After "§" strike out "8" and insert "9"

Page 91, Line 7,

After "§" strike out "9" and insert "10"

Page 91, Line 12,

After "§" strike out "10" and insert "11"