

7807

I N S E N A T E

June 11, 2014

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

AN ACT to amend the state finance law, in relation to establishing the public higher education quality initiative endowment fund; and to repeal section 92-ee of such law relating thereto

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

- 1 Section 1. Section 92-ee of the state finance law is REPEALED and a
2 new section 92-ee is added to read as follows:
3 S 92-EE. PUBLIC HIGHER EDUCATION QUALITY INITIATIVE ENDOWMENT FUND. 1.
4 THERE IS HEREBY ESTABLISHED IN THE CUSTODY OF THE COMPTROLLER A FUND TO
5 BE KNOWN AS THE "PUBLIC HIGHER EDUCATION QUALITY INITIATIVE ENDOWMENT",
6 HEREINAFTER, "THE ENDOWMENT." NOTWITHSTANDING ANY OTHER PROVISIONS OF
7 LAW, ALL OF THE ASSETS AND INCOME OF THE ENDOWMENT SHALL BE HELD AND
8 INVESTED BY THE COMPTROLLER AS THE SOLE TRUSTEE OF SUCH ENDOWMENT,
9 EXCEPT SUCH INCOME AS MAY BE ALLOCATED OR DISTRIBUTED BY THE COMPTROLLER
10 PURSUANT TO APPROPRIATION.
11 2. THE ENDOWMENT SHALL CONSIST OF AMOUNTS APPROPRIATED OR TRANSFERRED
12 INTO SUCH ENDOWMENT, AND ANY OTHER AMOUNTS AS MAY BE DEPOSITED IN THE
13 ENDOWMENT FROM ANY OTHER PUBLIC OR PRIVATE SOURCES. AMOUNTS APPROPRIATED
14 TO, TRANSFERRED TO, OR DEPOSITED INTO THE ENDOWMENT SHALL BE DEDICATED
15 TO THE SOLE PURPOSE OF HIRING FULL-TIME FACULTY AND PROFESSIONAL STAFF
16 AT THE STATE UNIVERSITY OF NEW YORK, THE CITY UNIVERSITY OF NEW YORK AND
17 THEIR COMMUNITY COLLEGES AND SHALL NOT BE USED TO HIRE ADDITIONAL
18 RESEARCH FACULTY OR STAFF TO BE EMPLOYED AT THE STATE UNIVERSITY OF NEW
19 YORK RESEARCH FOUNDATION, CITY UNIVERSITY OF NEW YORK RESEARCH FOUNDA-
20 TION OR ANY CAMPUS FOUNDATION OR AFFILIATED ENTITY OF THE STATE UNIVER-
21 SITY OF NEW YORK OR CITY UNIVERSITY OF NEW YORK. PROVIDED FURTHER,
22 MONEYS IN THE ENDOWMENT MAY NOT BE INTERCHANGED OR COMMINGLED WITH ANY
23 OTHER ACCOUNT OR FUND.
24 3. THE FULL AMOUNT OF THE PRINCIPAL OF THE ENDOWMENT SHALL BE
25 PRESERVED AND ANNUAL PAYMENTS SHALL BE MADE FROM THE INVESTMENT EARNINGS
26 OF THE ENDOWMENT FOR THE SOLE PURPOSE OF HIRING FULL-TIME FACULTY AND
27 PROFESSIONAL STAFF AT THE STATE UNIVERSITY OF NEW YORK, THE CITY UNIVER-

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

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1 CITY OF NEW YORK AND THEIR COMMUNITY COLLEGES PURSUANT TO SUBDIVISION
2 TWO OF THIS SECTION.

3 4. THE AMOUNT OF ANNUAL PAYMENTS FROM INVESTMENT EARNINGS DISBURSED TO
4 THE STATE UNIVERSITY OF NEW YORK AND THE CITY UNIVERSITY OF NEW YORK
5 SHALL BE PROPORTIONAL TO THE NUMBER OF STUDENTS ENROLLED SYSTEM-WIDE AT
6 EACH PUBLIC HIGHER EDUCATION SYSTEM. THE ANNUAL AMOUNT OF MONEY
7 DISBURSED TO THE STATE UNIVERSITY OF NEW YORK AND THE CITY UNIVERSITY OF
8 NEW YORK SHALL BE ALLOCATED TO THE CAMPUSES WITHIN SUCH RESPECTIVE
9 UNIVERSITY SYSTEM.

10 5. ALLOCATION OF ENDOWMENT MONEY TO THE CAMPUSES AT THE STATE UNIVER-
11 SITY OF NEW YORK AND CITY UNIVERSITY OF NEW YORK MUST, AT A MINIMUM,
12 PROVIDE THAT EVERY CAMPUS IN SUCH PUBLIC HIGHER EDUCATION SYSTEMS
13 RECEIVES AN ANNUAL ALLOCATION OF FUNDS.

14 6. THE STATE UNIVERSITY OF NEW YORK AND THE CITY UNIVERSITY OF NEW
15 YORK SHALL GIVE FIRST PREFERENCE TO QUALIFIED PART-TIME OR CONTINGENT
16 FACULTY OR QUALIFIED PART-TIME OR CONTINGENT PROFESSIONAL STAFF WHEN
17 HIRING ADDITIONAL FULL-TIME FACULTY OR PROFESSIONAL STAFF.

18 S 2. This act shall take effect April 1, 2015.