

7648--A

I N S E N A T E

May 12, 2016

Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to state appropriations to the state university of New York and the city university of New York

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

1 Section 1. Clause (iv) of subparagraph 4 of paragraph h of subdivision
2 2 of section 355 of the education law, as amended by section 1 of part D
3 of chapter 54 of the laws of 2016, is renumbered clause (v) and a new
4 clause (iv) is added to read as follows:
5 (IV) THE STATE SHALL APPROPRIATE ANNUALLY AND MAKE AVAILABLE GENERAL
6 FUND OPERATING SUPPORT INCLUDING FRINGE BENEFITS, FOR THE STATE UNIVER-
7 SITY IN AN AMOUNT NOT LESS THAN THE AMOUNT APPROPRIATED AND MADE AVAIL-
8 ABLE TO THE STATE UNIVERSITY IN STATE FISCAL YEAR TWO THOUSAND
9 ELEVEN--TWO THOUSAND TWELVE. BEGINNING IN STATE FISCAL YEAR TWO THOUSAND
10 SEVENTEEN--TWO THOUSAND EIGHTEEN AND THEREAFTER, THE STATE SHALL APPRO-
11 PRIATE AND MAKE AVAILABLE GENERAL FUND OPERATING SUPPORT FOR THE STATE
12 UNIVERSITY AND THE STATE UNIVERSITY HEALTH SCIENCE CENTERS IN AN AMOUNT
13 NOT LESS THAN THE AMOUNTS SEPARATELY APPROPRIATED AND MADE AVAILABLE IN
14 THE PRIOR STATE FISCAL YEAR; PROVIDED, FURTHER, THE STATE SHALL APPRO-
15 PRIATE AND MAKE AVAILABLE GENERAL FUND OPERATING SUPPORT TO COVER ALL
16 MANDATORY COSTS OF THE STATE UNIVERSITY AND THE STATE UNIVERSITY HEALTH
17 SCIENCE CENTERS, WHICH SHALL INCLUDE, BUT NOT BE LIMITED TO, COLLECTIVE
18 BARGAINING COSTS INCLUDING SALARY INCREMENTS, FRINGE BENEFITS, AND OTHER
19 NON-PERSONAL SERVICE COSTS SUCH AS UTILITY COSTS, BUILDING RENTALS AND
20 OTHER INFLATIONARY EXPENSES INCURRED BY THE STATE UNIVERSITY AND THE
21 STATE UNIVERSITY HEALTH SCIENCE CENTERS. IF THE GOVERNOR, HOWEVER,
22 DECLARES A FISCAL EMERGENCY, AND COMMUNICATES SUCH EMERGENCY TO THE
23 TEMPORARY PRESIDENT OF THE SENATE AND SPEAKER OF THE ASSEMBLY, STATE
24 SUPPORT FOR OPERATING EXPENSES AT THE STATE UNIVERSITY AND CITY UNIVER-

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

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1 CITY MAY BE REDUCED IN A MANNER PROPORTIONATE TO ONE ANOTHER, AND THE
2 AFOREMENTIONED PROVISIONS SHALL NOT APPLY.

3 S 2. The opening paragraph of subparagraph 4 of paragraph h of subdi-
4 vision 2 of section 355 of the education law, as amended by chapter 437
5 of the laws of 2015, is designated clause (i) and a new clause (ii) is
6 added to read as follows:

7 (II) THE STATE SHALL APPROPRIATE ANNUALLY AND MAKE AVAILABLE GENERAL
8 FUND OPERATING SUPPORT INCLUDING FRINGE BENEFITS, FOR THE STATE UNIVER-
9 SITY IN AN AMOUNT NOT LESS THAN THE AMOUNT APPROPRIATED AND MADE AVAIL-
10 ABLE TO THE STATE UNIVERSITY IN STATE FISCAL YEAR TWO THOUSAND
11 ELEVEN--TWO THOUSAND TWELVE. BEGINNING IN STATE FISCAL YEAR TWO THOUSAND
12 SEVENTEEN--TWO THOUSAND EIGHTEEN AND THEREAFTER, THE STATE SHALL APPRO-
13 PRIATE AND MAKE AVAILABLE GENERAL FUND OPERATING SUPPORT FOR THE STATE
14 UNIVERSITY AND THE STATE UNIVERSITY HEALTH SCIENCE CENTERS IN AN AMOUNT
15 NOT LESS THAN THE AMOUNTS SEPARATELY APPROPRIATED AND MADE AVAILABLE IN
16 THE PRIOR STATE FISCAL YEAR; PROVIDED, FURTHER, THE STATE SHALL APPRO-
17 PRIATE AND MAKE AVAILABLE GENERAL FUND OPERATING SUPPORT TO COVER ALL
18 MANDATORY COSTS OF THE STATE UNIVERSITY AND THE STATE UNIVERSITY HEALTH
19 SCIENCE CENTERS, WHICH SHALL INCLUDE, BUT NOT BE LIMITED TO, COLLECTIVE
20 BARGAINING COSTS INCLUDING SALARY INCREMENTS, FRINGE BENEFITS, AND OTHER
21 NON-PERSONAL SERVICE COSTS SUCH AS UTILITY COSTS, BUILDING RENTALS AND
22 OTHER INFLATIONARY EXPENSES INCURRED BY THE STATE UNIVERSITY AND THE
23 STATE UNIVERSITY HEALTH SCIENCE CENTERS. IF THE GOVERNOR, HOWEVER,
24 DECLARES A FISCAL EMERGENCY, AND COMMUNICATES SUCH EMERGENCY TO THE
25 TEMPORARY PRESIDENT OF THE SENATE AND SPEAKER OF THE ASSEMBLY, THE STATE
26 SUPPORT FOR OPERATING EXPENSES AT THE STATE UNIVERSITY AND CITY UNIVER-
27 SITY MAY BE REDUCED IN A MANNER PROPORTIONATE TO ONE ANOTHER, AND THE
28 AFOREMENTIONED PROVISIONS SHALL NOT APPLY.

29 S 3. Paragraph (a) of subdivision 7 of section 6206 of the education
30 law, as amended by section 2 of part D of chapter 54 of the laws of
31 2016, is amended by adding a new subparagraph (iv) to read as follows:

32 (IV) THE STATE SHALL APPROPRIATE ANNUALLY AND MAKE AVAILABLE STATE
33 SUPPORT FOR OPERATING EXPENSES, INCLUDING FRINGE BENEFITS, FOR THE CITY
34 UNIVERSITY IN AN AMOUNT NOT LESS THAT THE AMOUNT APPROPRIATED AND MADE
35 AVAILABLE TO THE CITY UNIVERSITY IN STATE FISCAL YEAR TWO THOUSAND
36 ELEVEN--TWO THOUSAND TWELVE. BEGINNING IN STATE FISCAL YEAR TWO THOUSAND
37 SEVENTEEN--TWO THOUSAND EIGHTEEN AND THEREAFTER, THE STATE SHALL APPRO-
38 PRIATE AND MAKE AVAILABLE STATE SUPPORT FOR OPERATING EXPENSE FOR THE
39 CITY UNIVERSITY IN AN AMOUNT NOT LESS THAN THE AMOUNTS SEPARATELY APPRO-
40 PRIATED AND MADE AVAILABLE IN THE PRIOR STATE FISCAL YEAR; PROVIDED,
41 FURTHER, THE STATE SHALL APPROPRIATE AND MAKE AVAILABLE GENERAL FUND
42 OPERATING SUPPORT TO COVER ALL MANDATORY COSTS OF THE CITY UNIVERSITY,
43 WHICH SHALL INCLUDE, BUT NOT BE LIMITED TO, COLLECTIVE BARGAINING COSTS,
44 INCLUDING SALARY INCREMENTS, FRINGE BENEFITS, AND OTHER NON-PERSONAL
45 SERVICE COSTS SUCH AS UTILITY COSTS, BUILDING RENTALS AND OTHER INFLA-
46 TIONARY EXPENSES INCURRED BY THE CITY UNIVERSITY. IF THE GOVERNOR,
47 HOWEVER, DECLARES A FISCAL EMERGENCY, AND COMMUNICATES SUCH EMERGENCY TO
48 THE TEMPORARY PRESIDENT OF THE SENATE AND THE SPEAKER OF THE ASSEMBLY,
49 STATE SUPPORT FOR OPERATING EXPENSES OF THE STATE UNIVERSITY AND CITY
50 UNIVERSITY MAY BE REDUCED IN A MANNER PROPORTIONATE TO ONE ANOTHER, AND
51 THE AFOREMENTIONED PROVISIONS SHALL NOT APPLY.

52 S 4. Paragraph (a) of subdivision 7 of section 6206 of the education
53 law, as amended by chapter 327 of the laws of 2002, is amended by adding
54 a new subparagraph (iv) to read as follows:

55 (IV) THE STATE SHALL APPROPRIATE ANNUALLY AND MAKE AVAILABLE STATE
56 SUPPORT FOR OPERATING EXPENSES, INCLUDING FRINGE BENEFITS, FOR THE CITY

1 UNIVERSITY IN AN AMOUNT NOT LESS THAN THE AMOUNT APPROPRIATED AND MADE
2 AVAILABLE TO THE CITY UNIVERSITY IN STATE FISCAL YEAR TWO THOUSAND
3 ELEVEN--TWO THOUSAND TWELVE. BEGINNING IN STATE FISCAL YEAR TWO THOUSAND
4 SEVENTEEN--TWO THOUSAND EIGHTEEN AND THEREAFTER, THE STATE SHALL APPRO-
5 PRIATE AND MAKE AVAILABLE STATE SUPPORT FOR OPERATING EXPENSES FOR THE
6 CITY UNIVERSITY IN AN AMOUNT NOT LESS THAN THE AMOUNTS SEPARATELY APPRO-
7 PRIATED AND MADE AVAILABLE IN THE PRIOR STATE FISCAL YEAR; PROVIDED,
8 FURTHER, THE STATE SHALL APPROPRIATE AND MAKE AVAILABLE GENERAL FUND
9 OPERATING SUPPORT TO COVER ALL MANDATORY COSTS OF THE CITY UNIVERSITY,
10 WHICH SHALL INCLUDE, BUT NOT BE LIMITED TO, COLLECTIVE BARGAINING COSTS,
11 INCLUDING SALARY INCREMENTS, FRINGE BENEFITS, AND OTHER NON-PERSONAL
12 SERVICE COSTS SUCH AS UTILITY COSTS, BUILDING RENTALS AND OTHER INFLA-
13 TIONARY EXPENSES INCURRED BY THE CITY UNIVERSITY. IF THE GOVERNOR,
14 HOWEVER, DECLARES A FISCAL EMERGENCY, AND COMMUNICATES SUCH EMERGENCY TO
15 THE TEMPORARY PRESIDENT OF THE SENATE AND SPEAKER OF THE ASSEMBLY, STATE
16 SUPPORT FOR OPERATING EXPENSES OF THE STATE UNIVERSITY AND CITY UNIVER-
17 SITY MAY BE REDUCED IN A MANNER PROPORTIONATE TO ONE ANOTHER, AND THE
18 AFOREMENTIONED PROVISIONS SHALL NOT APPLY.

19 S 5. This act shall take effect immediately provided that:

20 (a) the amendments to subparagraph 4 of paragraph h of subdivision 2
21 of section 355 of the education law made by section one of this act
22 shall be subject to the expiration and reversion of such subparagraph
23 pursuant to chapter 260 of the laws of 2011, as amended, when upon such
24 date section two of this act shall take effect; and

25 (b) the amendments to paragraph (a) of subdivision 7 of section 6206
26 of the education law made by section three of this act shall be subject
27 to the expiration and reversion of such paragraph pursuant to chapter
28 260 of the laws of 2011, as amended, when upon such date section four of
29 this act shall take effect.