S T A T E O F N E W Y O R K

1736--B

2009-2010 Regular Sessions

I N S E N A T E

February 5, 2009

Introduced by Sens. STAVISKY, ADAMS -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading -- recommitted to the Committee on Higher Education in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to trustees of the state university and city university

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

Section 1. Subdivision 1 of section 353 of the education law, as amended by chapter 127 of the laws of 2006, is amended to read as follows:

1. The state university shall be governed, and all of its corporate powers exercised, by a board of trustees. Such board shall consist of seventeen members, fifteen of whom shall be appointed by the governor with the advice and consent of the senate, one of whom shall be the president of the student assembly of the state university, ex-officio and voting; PROVIDED THAT NO SUCH MEMBER, EXCEPT THE PRESIDENT OF THE STUDENT ASSEMBLY OF THE STATE UNIVERSITY OR ANY CLASSIFIED CIVIL SERVICE EMPLOYEE, SHALL BE THE EMPLOYEE OF, OR UNDER THE SUPERVISION OF, THE GOVERNOR, and one of whom shall be the president of the university faculty senate, ex-officio and non-voting. Such ex-officio members shall be subject to every provision of any general, special, or local law, ordinance, charter, code, rule, or regulation applying to the voting members of such board with respect to the discharge of their duties, including, but not limited to, those provisions setting forth codes of ethics, disclosure requirements, and prohibiting business and professional activities. One member of the board shall be designated by the

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

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governor as chairperson and one as vice-chairperson. Of the members first appointed, two shall be appointed for a term which shall expire on June thirtieth, nineteen hundred fifty-two; one for a term which shall expire on June thirtieth, nineteen hundred fifty-three; two for a term which shall expire on June thirtieth, nineteen hundred fifty-four; one for a term which shall expire on June thirtieth, nineteen hundred fifty-five; two for a term which shall expire on June thirtieth, nineteen hundred fifty-six; one for a term which shall expire on June thirtieth, nineteen hundred fifty-seven; two for a term which shall expire on June thirtieth, nineteen hundred fifty-eight; one for a term which shall expire on June thirtieth, nineteen hundred fifty-nine; two for a term which shall expire on June thirtieth, nineteen hundred sixty; and one for a term which shall expire on June thirtieth, nineteen hundred sixty-one. Vacancies shall be filled for the unexpired term in the same manner as original appointments. The term of office of each trustee appointed on or after April first, nineteen hundred eighty-six shall be seven years, except those of the student member and the faculty member. Trustees shall receive no compensation for their services but shall be reimbursed for their expenses actually and necessarily incurred by them in the performance of their duties under this article.

S 2. Paragraph (a) of subdivision 2 of section 6204 of the education law, as added by chapter 305 of the laws of 1979, is amended to read as follows:

(a) The board of trustees shall consist of seventeen trustees. Ten of the trustees shall be appointed by the governor with the advice and consent of the senate; PROVIDED THAT NO SUCH TRUSTEE, EXCEPT ANY CLASSIFIED CIVIL SERVICE EMPLOYEE, SHALL BE AN EMPLOYEE OF, OR UNDER THE SUPERVISION OF, THE GOVERNOR. Five of the trustees shall be appointed by the mayor of the city of New York with the advice and consent of the senate; PROVIDED THAT NO SUCH TRUSTEE, EXCEPT ANY CLASSIFIED CIVIL SERVICE EMPLOYEE OF THE CITY OF NEW YORK, SHALL BE AN EMPLOYEE OF, OR UNDER THE SUPERVISION OF, THE MAYOR OF THE CITY OF NEW YORK. One ex-officio trustee shall be the chairperson of the university student senate. One ex-officio non-voting trustee shall be the chairperson of the university faculty senate.

S 3. This act shall take effect immediately and shall apply to board members of the state university of New York and trustees of the city university of New York appointed on or after such effective date.