

4132

2009-2010 Regular Sessions

I N S E N A T E

April 14, 2009

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

AN ACT to amend the education law, in relation to autonomy for the state university centers at Albany, Binghamton, Buffalo and Stony Brook

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

1 Section 1. The education law is amended by adding a new section 239-a
2 to read as follows:
3 S 239-A. AUTONOMY FOR UNIVERSITY CENTERS. NOTWITHSTANDING ANY OTHER
4 PROVISION OF LAW, BEGINNING WITH THE TWO THOUSAND NINE--TWO THOUSAND TEN
5 STATE FISCAL YEAR:
6 1. THE FOUR UNIVERSITY CENTERS AT ALBANY, BINGHAMTON, BUFFALO, AND
7 STONY BROOK OF THE STATE UNIVERSITY SHALL BE CONSIDERED SEPARATE AND
8 DISTINCT ENTITIES FOR PURPOSES OF:
9 A. STATE BUDGET ALLOCATION;
10 B. RESEARCH GRANTS AND AWARDS;
11 C. ALL NEW CONSTRUCTION, REHABILITATION, RENOVATION AND MAINTENANCE OF
12 CAMPUS FACILITIES AND GROUNDS; AND
13 D. ACQUISITION OF ALL EQUIPMENT, SERVICES AND SUPPLIES.
14 2. EACH UNIVERSITY CENTER SHALL SUBMIT A YEARLY BUDGET REQUEST TO THE
15 LEGISLATURE'S FISCAL COMMITTEES ON NOVEMBER FIRST, BASED UPON RULES
16 ESTABLISHED BY THE STATE UNIVERSITY BOARD OF TRUSTEES. SUCH BUDGET
17 REQUEST, FOR EACH UNIVERSITY CENTER, SHALL INCLUDE, BUT IS NOT LIMITED
18 TO, A DOLLAR AMOUNT OF STATE SUPPORT REQUESTED, TOTAL EXPENDITURES AND
19 ALL EXPENDITURES BY CATEGORY, TOTAL REVENUES AND ALL REVENUES BY SOURCE,
20 ALL RELEVANT DATA REGARDING ENROLLMENT, ENROLLMENT BY TUITION CATEGORY,
21 TOTAL PAYROLL, AND ALL PAYROLL BY JOB TITLE AND/OR CIVIL SERVICE Catego-
22 ry, TOTAL NUMBER OF POSITIONS BY JOB TITLE, TOTAL GRANT FUNDING AND
23 GRANT FUNDING BY SOURCE, ANY AND ALL AUXILIARY SERVICE REVENUES AND
24 EXPENDITURES, AND ALL GRANTS FROM FOUNDATIONS AND OTHER PRIVATE SOURCES.

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

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1 3. EACH UNIVERSITY CENTER'S BUDGET SHALL BE REVIEWED BY THE LEGISLA-
2 TURE, THE DIVISION OF THE BUDGET AND STATE UNIVERSITY CENTRAL ADMINIS-
3 TRATION. BASED ON THIS REVIEW, THE FINAL BUDGET SHALL HAVE A SINGLE
4 APPROPRIATION, SEPARATE AND APART FROM THE OVERALL STATE UNIVERSITY
5 BUDGET AND ITS ALLOCATION FORMULA, FOR EACH INDIVIDUAL STATE UNIVERSITY
6 CENTER. SUCH ALLOCATION SHALL BE THE TOTAL STATE OPERATING AID FOR EACH
7 UNIVERSITY CENTER, AND SHALL BE ADMINISTERED AND ALLOCATED BY THE CAMPUS
8 PRESIDENT CONSISTENT WITH ALL OTHER STATE LAWS, RULES AND REGULATIONS,
9 CONTRACT OBLIGATIONS, COLLECTIVE BARGAINING AGREEMENTS, AND FEDERAL
10 REQUIREMENTS.

11 4. EACH UNIVERSITY CENTER SHALL ESTABLISH ITS OWN RESEARCH FOUNDATION
12 WHICH SHALL ADMINISTER ALL FEDERAL AND STATE GRANTS, AWARDS, PRIVATE
13 DONATIONS AND ALL OTHER BUSINESS TRANSACTIONS THAT ARE NOW CARRIED OUT
14 BY THE STATE UNIVERSITY RESEARCH FOUNDATION. THE FOUNDATION SHALL HAVE
15 NINE MEMBERS, ONE OF WHOM SHALL BE THE CAMPUS PRESIDENT, WHO SHALL BE
16 THE CHAIR OF THE BOARD, FOUR MEMBERS SHALL BE APPOINTED BY THE GOVER-
17 NOR, TWO MEMBERS SHALL BE APPOINTED BY THE TEMPORARY PRESIDENT OF THE
18 SENATE AND TWO MEMBERS SHALL BE APPOINTED BY THE SPEAKER OF THE ASSEM-
19 BLY. EACH UNIVERSITY CENTER RESEARCH FOUNDATION SHALL HAVE SEPARATE
20 LEGAL COUNCIL AND STAFF AS DETERMINED BY THE BOARD. THE FOUNDATIONS
21 SHALL COMPLY WITH ALL FEDERAL AND STATE LAWS, RULES AND REGULATIONS AND
22 THEIR RELATIONSHIP WITH THE UNIVERSITY CENTER SHALL BE GOVERNED BY RULES
23 AND GUIDELINES ESTABLISHED BY THE STATE UNIVERSITY BOARD OF TRUSTEES.

24 5. ALL NEW CONSTRUCTION, REHABILITATION, RENOVATION AND MAINTENANCE OF
25 CAMPUS FACILITIES AND GROUNDS SHALL BE DETERMINED BY THE CAMPUS PRESI-
26 DENT, CONSISTENT WITH STATE UNIVERSITY GUIDELINES, STATE LAWS, RULES AND
27 REGULATIONS, PROVIDED, HOWEVER, THAT ANY NEW FACILITIES BE APPROVED BY
28 THE STATE UNIVERSITY BOARD OF TRUSTEES.

29 6. THE PURCHASE OF ALL EQUIPMENT, SERVICES AND SUPPLIES SHALL BE
30 DETERMINED BY THE CAMPUS PRESIDENT AND SHALL BE PAID FOR FROM GENERAL
31 STATE OPERATING AID AS DETERMINED PURSUANT TO THIS CHAPTER. ALL
32 CONTRACTS ENTERED INTO BY EACH UNIVERSITY CENTER SHALL BE GOVERNED BY
33 ALL APPLICABLE STATE AND FEDERAL LAWS, RULES AND REGULATIONS.

34 S 2. This act shall take effect immediately.