

10021

I N A S S E M B L Y

May 5, 2016

Introduced by M. of A. GLICK -- read once and referred to the Committee
on Higher Education

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 ASSEM-
BLY, 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-
25 SITY MAY BE REDUCED IN A MANNER PROPORTIONATE TO ONE ANOTHER, AND THE
26 AFOREMENTIONED PROVISIONS SHALL NOT APPLY.

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

LBD15241-01-6

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

5 (II) 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, THE STATE
24 SUPPORT FOR OPERATING EXPENSES AT THE STATE UNIVERSITY AND CITY UNIVER-
25 SITY MAY BE REDUCED IN A MANNER PROPORTIONATE TO ONE ANOTHER, AND THE
26 AFOREMENTIONED PROVISIONS SHALL NOT APPLY.

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

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

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

53 (IV) THE STATE SHALL APPROPRIATE ANNUALLY AND MAKE AVAILABLE STATE
54 SUPPORT FOR OPERATING EXPENSES, INCLUDING FRINGE BENEFITS, FOR THE CITY
55 UNIVERSITY IN AN AMOUNT NOT LESS THAN THE AMOUNT APPROPRIATED AND MADE
56 AVAILABLE TO THE CITY UNIVERSITY IN STATE FISCAL YEAR TWO THOUSAND

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

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

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

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