

281--A

2015-2016 Regular Sessions

I N S E N A T E

(PREFILED)

January 7, 2015

Introduced by Sens. LAVALLE, RITCHIE -- 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 chapter 260 of the  
3 laws of 2011, is renumbered clause (v) and a new clause (iv) is added to  
4 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 SIXTEEN--TWO THOUSAND SEVENTEEN 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,

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

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1 DECLARES A FISCAL EMERGENCY, AND COMMUNICATES SUCH EMERGENCY TO THE  
2 TEMPORARY PRESIDENT OF THE SENATE AND SPEAKER OF THE ASSEMBLY, STATE  
3 SUPPORT FOR OPERATING EXPENSES AT THE STATE UNIVERSITY AND CITY UNIVER-  
4 SITY MAY BE REDUCED IN A MANNER PROPORTIONATE TO ONE ANOTHER, AND THE  
5 AFOREMENTIONED PROVISIONS SHALL NOT APPLY.

6 S 2. Clause (iv) of subparagraph 4 of paragraph h of subdivision 2 of  
7 section 355 of the education law, as amended by chapter 309 of the laws  
8 of 1996, is renumbered clause (v) and a new clause (iv) is added to read  
9 as follows:

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

32 S 3. Paragraph (a) of subdivision 7 of section 6206 of the education  
33 law, as amended by chapter 260 of the laws of 2011, is amended by adding  
34 a new subparagraph (iv) to read as follows:

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

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

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

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

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

30 (b) the amendments to paragraph (a) of subdivision 7 of section 6206  
31 of the education law made by section three of this act shall be subject  
32 to the expiration and reversion of such paragraph pursuant to chapter  
33 260 of the laws of 2011, as amended when upon such date section four of  
34 this act shall take effect.