

S T A T E   O F   N E W   Y O R K

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5368--A

2015-2016 Regular Sessions

I N   A S S E M B L Y

February 20, 2015

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Introduced by M. of A. GLICK, FAHY -- Multi-Sponsored by -- M. of A. RAIA -- read once and referred to the Committee on Higher Education -- recommitted to the Committee on Higher Education in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the state finance law, in relation to establishing the public higher education quality initiative endowment fund; and to repeal section 92-ee of such law relating thereto

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

1     Section 1. Section 92-ee of the state finance law is REPEALED and a  
2     new section 92-ee is added to read as follows:  
3     S 92-EE. PUBLIC HIGHER EDUCATION QUALITY INITIATIVE ENDOWMENT FUND. 1.  
4     THERE IS HEREBY ESTABLISHED IN THE CUSTODY OF THE COMPTROLLER A FUND TO  
5     BE KNOWN AS THE "PUBLIC HIGHER EDUCATION QUALITY INITIATIVE ENDOWMENT",  
6     HEREINAFTER, "THE ENDOWMENT." NOTWITHSTANDING ANY OTHER PROVISIONS OF  
7     LAW, ALL OF THE ASSETS AND INCOME OF THE ENDOWMENT SHALL BE HELD AND  
8     INVESTED BY THE COMPTROLLER AS THE SOLE TRUSTEE OF SUCH ENDOWMENT,  
9     EXCEPT SUCH INCOME AS MAY BE ALLOCATED OR DISTRIBUTED BY THE COMPTROLLER  
10    PURSUANT TO APPROPRIATION.  
11    2. THE ENDOWMENT SHALL CONSIST OF AMOUNTS APPROPRIATED OR TRANSFERRED  
12    INTO SUCH ENDOWMENT, AND ANY OTHER AMOUNTS AS MAY BE DEPOSITED IN THE  
13    ENDOWMENT FROM ANY OTHER PUBLIC OR PRIVATE SOURCES. AMOUNTS APPROPRIATED  
14    TO, TRANSFERRED TO, OR DEPOSITED INTO THE ENDOWMENT SHALL BE DEDICATED  
15    TO THE SOLE PURPOSE OF HIRING FULL-TIME FACULTY AND PROFESSIONAL STAFF  
16    AT THE STATE UNIVERSITY OF NEW YORK, THE CITY UNIVERSITY OF NEW YORK AND  
17    THEIR COMMUNITY COLLEGES AND SHALL NOT BE USED TO HIRE ADDITIONAL  
18    RESEARCH FACULTY OR STAFF TO BE EMPLOYED AT THE STATE UNIVERSITY OF NEW  
19    YORK RESEARCH FOUNDATION, CITY UNIVERSITY OF NEW YORK RESEARCH FOUNDA-  
20    TION OR ANY CAMPUS FOUNDATION OR AFFILIATED ENTITY OF THE STATE UNIVER-  
21    SITY OF NEW YORK OR CITY UNIVERSITY OF NEW YORK. PROVIDED FURTHER,

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

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1 MONEYS IN THE ENDOWMENT MAY NOT BE INTERCHANGED OR COMMINGLED WITH ANY  
2 OTHER ACCOUNT OR FUND.

3 3. THE FULL AMOUNT OF THE PRINCIPAL OF THE ENDOWMENT SHALL BE  
4 PRESERVED AND ANNUAL PAYMENTS SHALL BE MADE FROM THE INVESTMENT EARNINGS  
5 OF THE ENDOWMENT FOR THE SOLE PURPOSE OF HIRING FULL-TIME FACULTY AND  
6 PROFESSIONAL STAFF AT THE STATE UNIVERSITY OF NEW YORK, THE CITY UNIVER-  
7 SITY OF NEW YORK AND THEIR COMMUNITY COLLEGES PURSUANT TO SUBDIVISION  
8 TWO OF THIS SECTION.

9 4. THE AMOUNT OF ANNUAL PAYMENTS FROM INVESTMENT EARNINGS DISBURSED TO  
10 THE STATE UNIVERSITY OF NEW YORK AND THE CITY UNIVERSITY OF NEW YORK  
11 SHALL BE PROPORTIONAL TO THE NUMBER OF STUDENTS ENROLLED SYSTEM-WIDE AT  
12 EACH PUBLIC HIGHER EDUCATION SYSTEM. THE ANNUAL AMOUNT OF MONEY  
13 DISBURSED TO THE STATE UNIVERSITY OF NEW YORK AND THE CITY UNIVERSITY OF  
14 NEW YORK SHALL BE ALLOCATED TO THE CAMPUSES WITHIN SUCH RESPECTIVE  
15 UNIVERSITY SYSTEM.

16 5. ALLOCATION OF ENDOWMENT MONEY TO THE CAMPUSES AT THE STATE UNIVER-  
17 SITY OF NEW YORK AND CITY UNIVERSITY OF NEW YORK MUST, AT A MINIMUM,  
18 PROVIDE THAT EVERY CAMPUS IN SUCH PUBLIC HIGHER EDUCATION SYSTEMS  
19 RECEIVES AN ANNUAL ALLOCATION OF FUNDS.

20 6. THE STATE UNIVERSITY OF NEW YORK AND THE CITY UNIVERSITY OF NEW  
21 YORK SHALL GIVE FIRST PREFERENCE TO QUALIFIED PART-TIME OR CONTINGENT  
22 FACULTY OR QUALIFIED PART-TIME OR CONTINGENT PROFESSIONAL STAFF WHEN  
23 HIRING ADDITIONAL FULL-TIME FACULTY OR PROFESSIONAL STAFF.

24 S 2. This act shall take effect April 1, 2017.