

7648--A

I N S E N A T E

May 12, 2016

Introduced by Sen. LAVALLE -- 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 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-

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

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1 CITY MAY BE REDUCED IN A MANNER PROPORTIONATE TO ONE ANOTHER, AND THE  
2 AFOREMENTIONED PROVISIONS SHALL NOT APPLY.

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

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

29 S 3. Paragraph (a) of subdivision 7 of section 6206 of the education  
30 law, as amended by section 2 of part D of chapter 54 of the laws of  
31 2016, is amended by adding a new subparagraph (iv) to read as follows:

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

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

55 (IV) THE STATE SHALL APPROPRIATE ANNUALLY AND MAKE AVAILABLE STATE  
56 SUPPORT FOR OPERATING EXPENSES, INCLUDING FRINGE BENEFITS, FOR THE CITY

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

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

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

25 (b) the amendments to paragraph (a) of subdivision 7 of section 6206  
26 of the education law made by section three of this act shall be subject  
27 to the expiration and reversion of such paragraph pursuant to chapter  
28 260 of the laws of 2011, as amended, when upon such date section four of  
29 this act shall take effect.