

# STATE OF NEW YORK

S. 1596

A. 934

2017-2018 Regular Sessions

## SENATE - ASSEMBLY

January 10, 2017

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

IN ASSEMBLY -- 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 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 eleven--  
9 two thousand twelve. Beginning in state fiscal year two thousand  
10 eighteen--two thousand nineteen 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

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

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1 state university health science centers. If the governor, however,  
2 declares a fiscal emergency, and communicates such emergency to the  
3 temporary president of the senate and speaker of the assembly, state  
4 support for operating expenses at the state university and city univer-  
5 sity may be reduced in a manner proportionate to one another, and the  
6 aforementioned provisions shall not apply.

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

11 (ii) The state shall appropriate annually and make available general  
12 fund operating support including fringe benefits, for the state univer-  
13 sity in an amount not less than the amount appropriated and made avail-  
14 able to the state university in state fiscal year two thousand eleven--  
15 two thousand twelve. Beginning in state fiscal year two thousand  
16 eighteen--two thousand nineteen and thereafter, the state shall appro-  
17 priate and make available general fund operating support for the state  
18 university and the state university health science centers in an amount  
19 not less than the amounts separately appropriated and made available in  
20 the prior state fiscal year; provided, further, the state shall appro-  
21 priate and make available general fund operating support to cover all  
22 mandatory costs of the state university and the state university health  
23 science centers, which shall include, but not be limited to, collective  
24 bargaining costs including salary increments, fringe benefits, and other  
25 non-personal service costs such as utility costs, building rentals and  
26 other inflationary expenses incurred by the state university and the  
27 state university health science centers. If the governor, however,  
28 declares a fiscal emergency, and communicates such emergency to the  
29 temporary president of the senate and speaker of the assembly, the state  
30 support for operating expenses at the state university and city univer-  
31 sity may be reduced in a manner proportionate to one another, and the  
32 aforementioned provisions shall not apply.

33 § 3. Paragraph (a) of subdivision 7 of section 6206 of the education  
34 law, as amended by section 2 of part D of chapter 54 of the laws of  
35 2016, is amended by adding a new subparagraph (iv) to read as follows:

36 (iv) The state shall appropriate annually and make available state  
37 support for operating expenses, including fringe benefits, for the city  
38 university in an amount not less than the amount appropriated and made  
39 available to the city university in state fiscal year two thousand  
40 eleven--two thousand twelve. Beginning in state fiscal year two thousand  
41 eighteen--two thousand nineteen and thereafter, the state shall appro-  
42 priate and make available state support for operating expense for the  
43 city university in an amount not less than the amounts separately appro-  
44 priated and made available in the prior state fiscal year; provided,  
45 further, the state shall appropriate and make available general fund  
46 operating support to cover all mandatory costs of the city university,  
47 which shall include, but not be limited to, collective bargaining costs,  
48 including salary increments, fringe benefits, and other non-personal  
49 service costs such as utility costs, building rentals and other infla-  
50 tionary expenses incurred by the city university. If the governor,  
51 however, declares a fiscal emergency, and communicates such emergency to  
52 the temporary president of the senate and the speaker of the assembly,  
53 state support for operating expenses of the state university and city  
54 university may be reduced in a manner proportionate to one another, and  
55 the aforementioned provisions shall not apply.

1 § 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 eighteen--two thousand nineteen 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 § 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.