

IN SENATE

Senate introducer's signature

The senators whose names are circled below wish to join me in the sponsorship of this proposal

a20 Adams	a44 Farley	s56 Kennedy	s18 Montgomery	s23 Savino
s15 Addabbo	s02 Flanagan	s34 Klein	s54 Nozzolio	s28 Serrano
s55 Alesi	s08 Fuschillo	s26 Krueger	s53 O'Mara	s51 Seward
s11 Avello	s59 Gullivan	s27 Kruger	s37 Oppenheimer	s09 Skelos
s40 Ball...	s12 Gianaris	s24 Lanza	s21 Parker	s14 Smith
s42 Bonacic	s22 Golden	s39 Larkin	s13 Peralta	s25 Squadron
s46 Breslin	s47 Griffio	s01 LeValle	s30 Perkins	s16 Stavisky
s38 Carlucci	s60 Grisanti	s52 Libous	s61 Ranzenhofer	s35 Stewart-
s50 DeFrancisco	s06 Hannon	s45 Little	s48 Ritchie	Cousins
s32 Diaz	s36 Hassell-	s05 Marcellino	s33 Rivera	s49 Valesky
s17 Dilan	Thompson	s07 Martins	s56 Robach	s57 Young
s29 Duane	s10 Huntley	s62 Maziarz	s41 Saland	s03 Zeldin
s31 Espallat	s04 Johnson	s43 McDonald	s19 Sampson	

PROGRAM BILL # 16

S. Senate

IN SENATE--Introduced by Sen

--read twice and ordered printed, and when printed to be committed to the Committee on

----- A.
Assembly

IN ASSEMBLY--Introduced by M. of A.

with M. of A. as co-sponsors

--read once and referred to the Committee on

NEYSUNIV
(Relates to stipends and funds for the state university of New York)

SUNY stipends and funds

AN ACT

to provide for the adjustment of stipends of certain incumbents in the state university of New York and designating moneys therefor; to continue a doctoral program recruitment and retention enhancement fund; to continue an employee assistance program; to continue a professional development committee; to continue a comprehensive college graduate program recruitment and retention fund; to continue a fee mitigation fund; to continue a downstate location fund; to continue a joint

IN ASSEMBLY

Assembly introducer's signature

The Members of the Assembly whose names are circled below wish to join me in the multi-sponsorship of this proposal:

a049 Abbate	a107 Crouch	a095 Jaffee	a038 Miller, M.	a012 Saladino
a092 Abinanti	a014 Curran	a057 Jeffries	a052 Millman	a113 Sayward
a105 Amedore	a063 Cusick	a135 Johns	a103 Molinaro	a029 Scarborough
a084 Arroyo	a045 Cymbrowitz	a112 Jordan	a015 Montesano	a016 Schimmel
a035 Aubry	a034 DenDekker	a099 Katz	a132 Morelle	a140 Schiminger
a124 Barclay	a081 Dinowitz	a074 Kavanagh	a039 Moya	a145 Schroeder
a040 Barron	a114 Duprey	a065 Kellner	a003 Murray	a064 Silver
a082 Benedetto	a004 Englebright	a100 Kirwan	a037 Nolan	a036 Simotas
a073 Bing	a071 Farrell	a129 Kolb	a128 Oaks	a146 Smardt
a122 Blankenbush	a123 Finch	a025 Lancman	a069 O'Donnell	a093 Spano
a055 Boyland	a007 Fitzpatrick	a091 Latimer	a051 Ortiz	a079 Stevenson
a008 Boyle	a137 Friend	a013 Levine	a136 Palmesano	a011 Sweeney
a026 Braunstein	a143 Gabryszak	a050 Lentol	a088 Paulin	a110 Tedisco
a044 Brennan	a090 Galef	a125 Lifton	a141 Peoples-	a115 Tenney
a131 Bronson	a133 Gannt	a072 Linares	Stokes	a002 Thiele
a046 Brook-Krasny	a077 Gibson	a127 Lopez, P.	a058 Perry	a061 Titone
a147 Burling	a149 Giglio	a053 Lopez, V.	a087 Pretlow	a031 Titus
a117 Butler	a066 Glick	a001 Losquadro	a021 Ra	a062 Tobacco
a101 Cahill	a150 Goodell	a126 Lupardo	a097 Rabbitt	a041 Weinstein
a096 Calhoun	a075 Gottfried	a111 Magre	a089 Rais	a020 Weisenberg
a043 Camara	a005 Graf	a120 Magnarelli	a006 Ramos	a024 Weprin
a106 Canestrari	a098 Gunther	a059 Maisel	a134 Reilich	a070 Wright
a089 Castelli	a130 Hanna	a060 Mallicotakis	a109 Reilly	a094 Zebrowski
a086 Castro	a139 Hawley	a030 Markey	a078 Rivera, J.	a023
a138 Ceretto	a148 Hayes	a019 McDonough	a080 Rivera, N.	a027
a033 Clark	a083 Heastie	a104 McEneny	a076 Rivera, P.	a054
a047 Colton	a028 Hevesi	a017 McKevin	a119 Roberts	a116
a010 Conte	a048 Hiking	a108 McLaughlin	a056 Robinson	
a032 Cook	a018 Hooper	a022 Meng	a068 Rodriguez	
a142 Corwin	a144 Hoyt	a121 Miller, D.	a067 Rosenthal	
a085 Crespo	a042 Jacobs	a102 Miller, J.	a118 Russell	

1) Single House Bill (introduced and printed separately in either or both houses). Uni-Bill (introduced simultaneously in both houses and printed as one bill. Senate and Assembly introducer sign the same copy of the bill).

2) Circle names of co-sponsors and return to introduction clerk with 2 signed copies of bill and 4 copies of memorandum in support (single house); or 4 signed copies of bill and 8 copies of memorandum in support (uni-bill).

labor management advisory board and
to create an accidental death bene-
fit

The People of the State of New
York, represented in Senate and
Assembly, do enact as follows:

1 Section 1. Adjustment to stipends of certain incumbents in the state
2 university of New York. a. The stipends as of academic year 2007-2008
3 for incumbents of positions in the state university of New York in the
4 collective negotiating unit designated as the state university graduate
5 student negotiating unit in the state university of New York established
6 pursuant to article 14 of the civil service law, on September 30, 2007,
7 shall be increased by three percent, rounded up to the next dollar,
8 commencing the beginning of the payroll period the first day of which is
9 nearest to October 1, 2007. "Incumbent," as referenced in this subdivi-
10 sion and subdivision b of this section, shall be defined as members of
11 the state university graduate student negotiating unit established
12 pursuant to article 14 of the civil service law who were employed by the
13 state university of New York on or after July 2, 2007, and are also
14 employed by the state university of New York at the time of payment or
15 are matriculated at the same campus in which they were employed at the
16 time of payment.

17 b. The stipends as of academic year 2008-2009 for incumbents of posi-
18 tions in the state university of New York in the collective negotiating
19 unit designated as the state university graduate student negotiating
20 unit in the state university of New York established pursuant to article
21 14 of the civil service law, on September 30, 2008, shall be increased
22 by three percent, rounded up to the next dollar, commencing the begin-
23 ning of the payroll period the first day of which is nearest to October
24 1, 2008.

25 c. (i) This subdivision shall apply to employees in the collective
26 negotiating unit designated as the state university graduate student
27 negotiating unit in the state university of New York established pursu-
28 ant to article 14 of the civil service law.

1 (ii) The minimum stipend for academic year 2007-2008 shall increase by
2 three percent to eight thousand three hundred thirty-six dollars annual-
3 ly for employees on full assistantships at university center campuses
4 effective concurrent with the effective date of the increase in subdivi-
5 sion a of this section commencing the beginning of the payroll period
6 the first day of which is nearest to October 1, 2007.

7 (iii) The minimum stipend for academic year 2008-2009 shall increase
8 by three percent to be eight thousand five hundred eighty-six dollars
9 annually for employees on full assistantships at university center
10 campuses effective concurrent with the effective date of the increase in
11 subdivision b of this section commencing the beginning of the payroll
12 period the first day of which is nearest to October 1, 2008.

13 (iv) Nothing herein shall prevent the state university of New York, in
14 its discretion, from increasing amounts paid to incumbents of positions
15 of the state university graduate student negotiating unit in the state
16 university of New York established pursuant to article 14 of the civil
17 service law in addition to the minimum stipend provided, however, that
18 the amounts required for such other increases and the cost of fringe
19 benefits attributable to such other increases, as determined by the
20 comptroller, are made available to the state in accordance with proce-
21 dures established by the state university of New York.

22 d. Notwithstanding any of the foregoing provisions of this section,
23 any increase in compensation may be withheld in whole or in part from
24 any employee to whom the provisions of this section are applicable when,
25 in the opinion of the chancellor of the state university of New York,
26 the director of the budget, and the director of the governor's office of
27 employee relations, such increase is not warranted or is not appropri-
28 ate.

1 § 2. Doctoral program recruitment and retention enhancement fund.

2 There is hereby continued, within the state university of New York, a
3 doctoral program recruitment and retention enhancement fund from the
4 amounts appropriated herein. Such fund shall be used to enhance employee
5 compensation for the purpose of recruitment and retention of new and
6 existing doctoral students in selected programs. The specific doctoral
7 programs eligible for enhanced compensation pursuant to this section
8 shall be at the discretion of the state university of New York. However,
9 each doctoral degree granting university campus of the state university
10 of New York shall receive an allocation from such fund in an amount
11 proportionate to the total number of employees at such campus. To be
12 eligible for a payment for recruitment and retention initiatives, an
13 employee must have been employed on or after July 2, 2007 and must be
14 employed at the time of payment. This program shall expire July 1, 2009.

15 § 3. Comprehensive college graduate program recruitment and retention
16 fund. There is hereby continued, within the state university of New
17 York, a comprehensive college graduate program recruitment and retention
18 fund from the amounts appropriated herein. Such fund shall be used to
19 enhance employee compensation for the purpose of recruitment and
20 retention of new and existing graduate students in selected degree
21 programs. The specific graduate degree programs eligible for enhanced
22 compensation pursuant to this section shall be at the discretion of the
23 state university of New York. Each campus shall receive an allocation
24 from such appropriation proportionate to the total number of employees
25 at such campus. To be eligible for a payment for recruitment and
26 retention initiatives, an employee must have been employed on or after
27 July 2, 2007 and must be employed at the time of payment. This program
28 shall expire July 1, 2009.

1 § 4. Fee mitigation fund. There is hereby continued, within the state
2 university of New York, a fee mitigation fund from the amounts appropri-
3 ated herein. Such fund shall be used for the purpose of funding the cost
4 of various fees, including but not limited to technology fees. The
5 specific fee mitigation initiatives funded pursuant to this section
6 shall be at the discretion of the state university of New York. Each
7 campus shall receive an allocation from such appropriation proportionate
8 to the total number of employees at such campus. To be eligible for such
9 payment, an employee must be employed at the time of payment. This
10 program shall expire July 1, 2009.

11 § 5. Downstate location fund. There is hereby continued, with the
12 state university of New York, a downstate location fund from the amounts
13 appropriated herein. Such fund shall be used for the purpose of funding
14 location adjustments in the downstate area for employees whose work site
15 is New York city, Suffolk, Nassau, Rockland, Westchester, Dutchess,
16 Putnam, or Orange counties. The specific location adjustments funded
17 pursuant to this section shall be at the discretion of the state univer-
18 sity of New York. Each campus shall receive an allocation from such
19 appropriation proportionate to the total number of employees at such
20 campus. To be eligible for such payment, an employee must be employed at
21 the time of payment. This program shall expire July 1, 2009.

22 § 6. Joint labor management advisory board. Pursuant to the terms of
23 an agreement negotiated between the state and the employee organization
24 representing employees in the collective negotiating unit designated as
25 the state university graduate student negotiating unit in the state
26 university of New York established pursuant to article 14 of the civil
27 service law, there shall be continued a joint labor management advisory
28 board to study and make recommendations concerning issues of family

1 benefits and implement agreements that may be entered into between the
2 state and such employee organization concerning such issues within the
3 appropriations made available therefor.

4 § 7. Employee assistance program. Pursuant to the terms of an agree-
5 ment negotiated between the state and the employee organization repres-
6 enting the collective negotiating unit designated as the state universi-
7 ty graduate student negotiating unit in the state university of New York
8 established pursuant to article 14 of the civil service law, there shall
9 be continued an employee assistance program to be administered in
10 accordance with such agreement within the appropriations made available
11 therefor. This program shall expire July 1, 2009.

12 § 8. Professional development committee. Pursuant to the terms of an
13 agreement negotiated between the state and the employee organization
14 representing the collective negotiating unit designated as the state
15 university graduate student negotiating unit in the state university of
16 New York established pursuant to article 14 of the civil service law,
17 there shall be continued a professional development committee to review,
18 make recommendations and implement programs for professional develop-
19 ment. Such program shall be administered in accordance with such agree-
20 ment within the appropriations made available therefor. This program
21 shall expire July 1, 2009.

22 § 9. Notwithstanding any provision of law to the contrary, the appro-
23 priations contained in this act shall be available to the state for the
24 payment of grievance and arbitration settlements and awards provided for
25 in the collective negotiating agreement between the state and employee
26 organization representing the collective negotiating unit designated as
27 the state university graduate student negotiating unit in the state

1 university of New York established pursuant to article 14 of the civil
2 service law.

3 § 10. Accidental death benefit. Pursuant to the terms of an agreement
4 negotiated between the state and the employee organization representing
5 the collective negotiating unit designated as the state university grad-
6 uate student negotiating unit in the state university of New York estab-
7 lished pursuant to article 14 of the civil service law, there shall be
8 created a death benefit in the amount of fifty thousand dollars, in the
9 event an employee dies on or after July 2, 2007 as the result of an
10 accidental on-the-job injury and a death benefit is paid pursuant to the
11 workers' compensation law, payable by the state to the employee's
12 surviving spouse and children to whom the workers' compensation acci-
13 dental death benefit is paid, or to the employee's estate, and in the
14 same proportion as the workers' compensation accidental death benefit is
15 paid. Such program shall be administered in accordance with such agree-
16 ment within the appropriations made available therefor.

17 § 11. The stipend increases and benefit modifications provided for by
18 this act for state employees in the collective negotiating unit desig-
19 nated as the state university graduate student negotiating unit in the
20 state university of New York established pursuant to article 14 of the
21 civil service law shall not be implemented until the director of employ-
22 ee relations has delivered to the director of the budget and the comp-
23 troller a letter certifying that there is in effect with respect to such
24 negotiating unit a collective negotiating agreement which provides for
25 such increases and modifications and which is ratified and fully
26 executed in writing with the state pursuant to article 14 of the civil
27 service law.

1 § 12. Date of entitlement to stipend increase. Notwithstanding the
2 provisions of this act or of any other provision of law to the contrary,
3 the stipend increase of any member of the collective negotiating unit
4 designated as the state university graduate student negotiating unit in
5 the state university of New York established pursuant to article 14 of
6 the civil service law, as provided by this act, shall be added to the
7 stipend of such member at the beginning of the payroll period the first
8 day of which is nearest to the effective date of such increase as
9 provided in this act, or at the beginning of the earlier of two payroll
10 periods the first days of which are nearest but equally near to the
11 effective date of such increase as provided in this act; provided,
12 however, that for the purposes of determining the stipend of such
13 employee upon reclassification, reallocation, appointment, promotion,
14 transfer, demotion, reinstatement or other change of status, such
15 stipend increase shall be deemed to be effective on the date thereof as
16 prescribed by this act, and the payment thereof pursuant to this section
17 on a date prior thereto, instead of on such effective date, shall not
18 operate to confer any additional compensation rights or benefits on such
19 employee. Payment of such stipend increase may be deferred pursuant to
20 section thirteen of this act.

21 § 13. Deferred payment of stipend increase. Notwithstanding the
22 provisions of this act, or of any other provision of law to the contra-
23 ry, pending payment of stipends pursuant to this act for incumbents of
24 positions subject to this act, such incumbents shall receive, as partial
25 compensation for services rendered, the stipends otherwise payable in
26 their respective positions. An incumbent holding a position subject to
27 this act at any time during the period from July 2, 2007, until the time
28 when stipend increases are first paid pursuant to this act for such

1 services in excess of the compensation actually received therefor, shall
2 be entitled to a lump sum payment for the difference between the stipend
3 to which such incumbent is entitled for such service and the stipend
4 actually received therefor. Such lump sum payment shall be made as soon
5 as practicable.

6 § 14. Use of appropriations. Notwithstanding any provision of the
7 state finance law or any other provision of law to the contrary, the
8 state comptroller is authorized to pay any amounts required by the fore-
9 going provisions of this act. To the extent that existing appropriations
10 available to any state department or agency in any fund are insufficient
11 to accomplish the purposes set forth in this section, the director of
12 the budget is authorized to allocate to the various departments and
13 agencies, from any appropriations available in any fund, the amounts
14 necessary to make such payments. Any appropriations or other funds
15 available to any state department or agency for personal service or for
16 other related employee benefits during the fiscal year commencing April
17 1, 2011 shall be available for the payment of any liabilities or obli-
18 gations incurred pursuant to the foregoing provisions of this act,
19 whether occurring prior to or during the state fiscal year commencing
20 April 1, 2011.

21 § 15. Appropriations. Notwithstanding any provision of the state
22 finance law or any other provision of law to the contrary, the several
23 amounts as hereinafter set forth in this section are hereby appropriated
24 from the funds so designated for use by any state department or agency
25 for the fiscal year beginning April 1, 2011 to supplement appropriations
26 from each respective fund available for personal service, other than
27 personal service and fringe benefits, and to carry out the provisions of
28 this act. Moreover, the amounts appropriated as non-personal service may

1 be suballocated to any state department or agency as needed. The monies
 2 hereby appropriated are available for payment of any liabilities or
 3 obligations incurred prior to or during the state fiscal year commencing
 4 April 1, 2011 in addition to liabilities or obligations associated with
 5 the state fiscal year commencing April 1, 2009. For this purpose, these
 6 appropriations shall remain in full force and effect for the payment of
 7 liabilities incurred on or before April 1, 2011. No money shall be
 8 available for expenditure from this appropriation until a certification
 9 of approval has been issued by the director such certificate or any
 10 amendment thereto has been filed with the state comptroller, the chair-
 11 person of the senate finance committee, and the chairperson of the
 12 assembly ways and means committee.

13 ALL STATE DEPARTMENTS AND AGENCIES

14 General Fund - State Purposes Account

15 PERSONAL SERVICE

16 Personal Service 10,312,000

17 MAINTENANCE UNDISTRIBUTED

18 Fringe Benefits 892,000

19 Doctoral Program Recruitment and Retention

20 Enhancement Fund 1,312,000

21 Comprehensive College Graduate Program

22 Recruitment and Retention Fund 383,000

1	Fee Mitigation Fund	1,133,000
2	Downstate Location Fund	688,000
3	Family Benefits Program	164,000
4	Statewide Professional Development Committee ...	328,000
5	Employee Assistance Program	22,000
6	Special Revenue Funds - Other	
7	State University Income Fund - 345	
8	Personal Service	1,224,000
9	Non-Personal Service	606,000
10	Miscellaneous Special Revenue Fund - 339	
11	Personal Service	87,000
12	Non-Personal Service	44,000
13	Combined Expendable Trust Fund - 020	
14	Personal Service	1,000
15	Special Revenue Funds - Federal	
16	Federal Education Fund - 267	
17	Personal Service	5,000
18	Non-Personal Service	3,000

1 § 16. This act shall take effect immediately and shall be deemed to
2 have been in full force and effect on and after July 2, 2007.