S T A T E O F N E W Y O R K

468

2011-2012 Regular Sessions

I N S E N A T E

(PREFILED)

January 5, 2011

Introduced by Sen. NOZZOLIO -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to amend the executive law, in relation to the appointment of the superintendent of state police

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

Section 1. Section 210 of the executive law, as amended by chapter 169 of the laws of 1994, is amended to read as follows:

S 210. Division of state police. The division of state police in the executive department shall be known as the "New York State Police." The head of the New York state police shall be the superintendent of state police who shall be appointed by the governor by and with the advice and consent of the senate, and hold office [during his or her pleasure] FOR FIXED THREE-YEAR TERMS, SUBJECT TO REAPPOINTMENT FOR ADDITIONAL TERMS OR TO TERMINATION OF SERVICE BY THE GOVERNOR AND SUBJECT TO THE ADVICE AND CONSENT OF THE SENATE. The superintendent shall be a member of the state police, shall receive as salary such sum as may be appropriated by law, and shall accrue such leave credits and be eligible for the same retirement benefits, service credits and other benefits as any other member of the state police. If, prior to appointment, the superintendent served as a member of the state police, he or she, upon appointment, shall be entitled to continue to accrue and receive such credits and benefits as he or she would have been entitled to accrue and receive prior to appointment.

If, prior to his or her appointment, the superintendent shall have served as a member of the State Police for a period of ten years or more, he or she shall, provided he or she is not eligible for retirement, upon EXPIRATION OR termination of service as superintendent, be reappointed, without examination, as a member of the state police in the grade held by him or her prior to appointment as superintendent,

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

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notwithstanding the absence of any vacancy in such grade. For the purpose of determining the annual salary to be paid upon such reappointment, the period of service as superintendent shall be counted as service in the grade to which reappointed.

S 2. This act shall take effect immediately.