

519--C

Cal. No. 576

2011-2012 Regular Sessions

I N S E N A T E

(PREFILED)

January 5, 2011

Introduced by Sen. MAZIARZ -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading -- again amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the public authorities law, in relation to prohibiting bonuses for employees of public authorities

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

1 Section 1. The public authorities law is amended by adding a new
2 section 2854 to read as follows:
3 S 2854. PROHIBITION ON PAYMENT OF BONUSES. 1. NOTWITHSTANDING ANY
4 PROVISION OF LAW, IN NO EVENT SHALL AN INDIVIDUAL BY OR ON BEHALF OF
5 STATE AUTHORITIES RECEIVE ADDITIONAL COMPENSATION AS A REWARD FOR
6 SERVICES ALREADY RENDERED AND FULLY COMPENSATED, SUCH AS A BONUS OR
7 RETROACTIVE PAY INCREASE; PROVIDED, HOWEVER, THAT NOTHING IN THIS
8 SECTION SHALL BE DEEMED TO PREVENT A STATE AUTHORITY FROM PAYING AN
9 INCENTIVE TO AN INDIVIDUAL BY OR ON BEHALF OF A STATE AUTHORITY IN
10 ACCORDANCE WITH A WRITTEN INCENTIVE PROGRAM ADOPTED BY THE BOARD OF THE
11 STATE AUTHORITY. NO INCENTIVE SHALL BE PAID UNLESS A WRITTEN AGREEMENT
12 SETTING FORTH A SPECIFIC PERFORMANCE GOAL OR GOALS THAT MUST BE ACHIEVED
13 TO EARN THE INCENTIVE OR INCENTIVES IS EXECUTED BY THE EMPLOYEE BEFORE
14 PERFORMANCE TO ACHIEVE THE GOAL OR GOALS IS BEGUN; AND THE INCENTIVE
15 SHALL NOT BE PAID UNLESS WRITTEN DOCUMENTATION OF THE ACHIEVEMENT OF
16 SUCH PERFORMANCE GOAL OR GOALS HAS BEEN PLACED IN THE EMPLOYEE'S PERSON-
17 NEL FILE.

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

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1 2. IN NO EVENT SHALL MEMBERS OF THE BOARD OF A STATE AUTHORITY RECEIVE
2 BONUS OR INCENTIVE PAYMENTS. NOTHING IN THIS SECTION SHALL BE DEEMED TO
3 PREVENT RETROACTIVE COMPENSATION INCREASES UNDER A COLLECTIVE BARGAINING
4 AGREEMENT.

5 S 2. This act shall take effect immediately.