

10682

I N   A S S E M B L Y

June 12, 2016

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Introduced by COMMITTEE ON RULES -- (at request of M. of A. Ceretto) --  
 (at request of the Governor) -- read once and referred to the Committee on Governmental Employees

AN ACT to amend the executive law, in relation to terms and conditions of employment for members of the collective negotiating unit consisting of investigators, senior investigators, and investigative specialists in the division of state police; to amend the state finance law, in relation to terms and conditions of employment for members of the collective negotiating unit consisting of investigators, senior investigators, and investigative specialists in the division of state police; to amend the executive law, in relation to salary schedules for such members of such unit; in relation to implementing an agreement covering such members of such unit and in relation to the employee benefit fund for members of such unit; making an appropriation therefor; and to repeal certain provisions of such laws relating thereto

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

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15	Section 1. Paragraph a of subdivision 2 of section 216 of the executive law is REPEALED and a new paragraph a is added to read as follows: A. SALARY SCHEDULES FOR INVESTIGATORS, SENIOR INVESTIGATORS, AND INVESTIGATIVE SPECIALISTS IN THE DIVISION OF STATE POLICE. (1) EFFECTIVE APRIL FIRST, TWO THOUSAND FOURTEEN, MEMBERS ASSIGNED TO THE BUREAU OF CRIMINAL INVESTIGATION AND INVESTIGATIVE SPECIALISTS APPOINTED TO THE BUREAU BY THE SUPERINTENDENT, SHALL RECEIVE A BASIC ANNUAL SALARY PURSUANT TO THE FOLLOWING SCHEDULE:	SENIOR INVESTIGATOR	INVESTIGATOR
	NASSAU AND SUFFOLK	\$108,280	\$97,796
	NEW YORK CITY, ROCKLAND, WESTCHESTER	\$107,996	\$97,511
	ORANGE, PUTNAM, DUTCHESS	\$106,909	\$96,425
	ALL OTHER LOCATIONS	\$106,707	\$96,222

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

LBD12071-01-6

(2) EFFECTIVE APRIL FIRST, TWO THOUSAND FIFTEEN, MEMBERS ASSIGNED TO THE BUREAU OF CRIMINAL INVESTIGATION AND INVESTIGATIVE SPECIALISTS APPOINTED TO THE BUREAU BY THE SUPERINTENDENT, SHALL RECEIVE A BASIC ANNUAL SALARY PURSUANT TO THE FOLLOWING SCHEDULE:

	SENIOR INVESTIGATOR	INVESTIGATOR
NASSAU AND SUFFOLK	\$110,446	\$99,752
NEW YORK CITY, ROCKLAND, WESTCHESTER	\$110,156	\$99,461
ORANGE, PUTNAM, DUTCHESS	\$109,047	\$98,354
ALL OTHER LOCATIONS	\$108,841	\$98,146

(3) EFFECTIVE APRIL FIRST, TWO THOUSAND SIXTEEN, MEMBERS ASSIGNED TO THE BUREAU OF CRIMINAL INVESTIGATION AND INVESTIGATIVE SPECIALISTS APPOINTED TO THE BUREAU BY THE SUPERINTENDENT, SHALL RECEIVE A BASIC ANNUAL SALARY PURSUANT TO THE FOLLOWING SCHEDULE:

	SENIOR INVESTIGATOR	INVESTIGATOR
NASSAU AND SUFFOLK	\$112,103	\$101,248
NEW YORK CITY, ROCKLAND, WESTCHESTER	\$111,808	\$100,953
ORANGE, PUTNAM, DUTCHESS	\$110,683	\$99,829
ALL OTHER LOCATIONS	\$110,474	\$99,618

(4) EFFECTIVE APRIL FIRST, TWO THOUSAND SEVENTEEN, MEMBERS ASSIGNED TO THE BUREAU OF CRIMINAL INVESTIGATION AND INVESTIGATIVE SPECIALISTS APPOINTED TO THE BUREAU BY THE SUPERINTENDENT, SHALL RECEIVE A BASIC ANNUAL SALARY PURSUANT TO THE FOLLOWING SCHEDULE:

	SENIOR INVESTIGATOR	INVESTIGATOR
NASSAU AND SUFFOLK	\$113,785	\$102,767
NEW YORK CITY, ROCKLAND, WESTCHESTER	\$113,485	\$102,467
ORANGE, PUTNAM, DUTCHESS	\$112,343	\$101,326
ALL OTHER LOCATIONS	\$112,131	\$101,112

S 2. Paragraph b of subdivision 2 of section 207-b of the state finance law is REPEALED and a new paragraph b is added to read as follows:

B. PURSUANT TO THE TERMS OF AN AGREEMENT NEGOTIATED BETWEEN THE EXECUTIVE BRANCH OF THE STATE OF NEW YORK AND THE EMPLOYEE ORGANIZATION REPRESENTING THE COLLECTIVE NEGOTIATING UNIT CONSISTING OF INVESTIGATORS, SENIOR INVESTIGATORS, AND INVESTIGATIVE SPECIALISTS IN THE DIVISION OF STATE POLICE, AND UPON AUDIT AND WARRANT OF THE STATE COMPTROLLER, THE DIRECTOR SHALL PROVIDE FOR THE PAYMENT OF MONIES TO SUCH EMPLOYEE ORGANIZATION FOR THE ESTABLISHMENT AND MAINTENANCE OF AN EMPLOYEE BENEFIT FUND ESTABLISHED BY THE EMPLOYEE ORGANIZATION FOR THE EMPLOYEES IN THE COLLECTIVE NEGOTIATING UNIT COVERED BY THE CONTROLLING PROVISIONS OF SUCH AGREEMENT PROVIDING FOR SUCH EMPLOYEE BENEFIT FUND, SUCH AMOUNT TO BE DETERMINED CONSISTENT WITH SAID AGREEMENT, INCLUDING ANY AND ALL MONIES AGREED TO BE TRANSFERRED IN SAID AGREEMENT, AND ON THE BASIS OF THE NUMBER OF FULL-TIME ANNUAL SALARIED EMPLOYEES, OTHER THAN FULL-TIME SEASONAL EMPLOYEES, ON THE PAYROLL ON MARCH FIRST, TWO THOUSAND ELEVEN, FOR PAYMENTS TO BE MADE ON APRIL FIRST, TWO THOUSAND ELEVEN, AND ON THE PAYROLL ON MARCH FIRST, TWO THOUSAND TWELVE, FOR PAYMENTS TO BE MADE ON APRIL FIRST, TWO THOUSAND TWELVE AND ON THE PAYROLL ON MARCH FIRST, TWO THOUSAND THIRTEEN, FOR PAYMENTS TO BE MADE ON APRIL FIRST, TWO THOUSAND THIRTEEN AND ON THE PAYROLL ON MARCH FIRST, TWO THOUSAND FOURTEEN, FOR PAYMENTS TO BE MADE ON APRIL FIRST, TWO THOU-

1 SAND FOURTEEN AND ON THE PAYROLL ON MARCH FIRST, TWO THOUSAND FIFTEEN,  
2 FOR PAYMENTS TO BE MADE ON APRIL FIRST, TWO THOUSAND FIFTEEN AND ON THE  
3 PAYROLL ON MARCH FIRST, TWO THOUSAND SIXTEEN FOR PAYMENTS TO BE MADE ON  
4 APRIL FIRST, TWO THOUSAND SIXTEEN AND ON THE PAYROLL ON MARCH FIRST, TWO  
5 THOUSAND SEVENTEEN FOR PAYMENTS TO BE MADE ON APRIL FIRST, TWO THOUSAND  
6 SEVENTEEN. THE AMOUNT, WHICH WILL BE DETERMINED PURSUANT TO THIS  
7 SECTION, FOR EMPLOYEES WHO ARE PAID FROM SPECIAL OR ADMINISTRATIVE  
8 FUNDS, OTHER THAN THE GENERAL FUND OR THE CAPITAL PROJECTS FUND OF THE  
9 STATE, WILL BE PAID FROM THE APPROPRIATIONS AS PROVIDED BY LAW, IN WHICH  
10 CASE THE STATE COMPTROLLER SHALL ESTABLISH PROCEDURES TO ENSURE REPAY-  
11 MENT FROM SAID SPECIAL OR ADMINISTRATIVE FUNDS. THE DIRECTOR SHALL ENTER  
12 INTO AN AGREEMENT WITH AN EMPLOYEE ORGANIZATION, WHICH SETS FORTH THE  
13 SPECIFIC TERMS AND CONDITIONS FOR THE TRANSMITTAL OF MONIES PURSUANT TO  
14 THIS SECTION.

15 S 3. Subdivision 2 of section 216-c of the executive law is REPEALED  
16 and a new subdivision 2 is added to read as follows:

17 2. IN ADDITION TO THE COMPENSATION PROVIDED IN SUBDIVISION ONE OF THIS  
18 SECTION, MEMBERS OF THE COLLECTIVE NEGOTIATING UNIT CONSISTING OF INVE-  
19 TIGATORS, SENIOR INVESTIGATORS AND INVESTIGATIVE SPECIALISTS IN THE  
20 DIVISION OF STATE POLICE, ON THE PAYROLL ON NOVEMBER FIRST OF EACH YEAR,  
21 SHALL CONTINUE TO RECEIVE HOLIDAY COMPENSATION, EFFECTIVE APRIL FIRST,  
22 TWO THOUSAND TEN, IN THE AMOUNT OF FIFTEEN HUNDRED THIRTY-SIX DOLLARS.  
23 EFFECTIVE APRIL FIRST, TWO THOUSAND FOURTEEN, SUCH AMOUNT SHALL BE  
24 INCREASED TO FIFTEEN HUNDRED SIXTY-SEVEN DOLLARS. EFFECTIVE APRIL  
25 FIRST, TWO THOUSAND FIFTEEN, SUCH AMOUNT SHALL BE INCREASED TO FIFTEEN  
26 HUNDRED NINETY-EIGHT DOLLARS. EFFECTIVE APRIL FIRST, TWO THOUSAND  
27 SIXTEEN, SUCH AMOUNT SHALL BE INCREASED TO SIXTEEN HUNDRED TWENTY-TWO  
28 DOLLARS. EFFECTIVE APRIL FIRST, TWO THOUSAND SEVENTEEN, SUCH AMOUNT  
29 SHALL BE INCREASED TO SIXTEEN HUNDRED FORTY-SIX DOLLARS. SUCH PAYMENTS  
30 SHALL BE IN ADDITION TO, AND SHALL NOT BE PART OF, THE MEMBER'S ANNUAL  
31 BASIC SALARY, EXCEPT FOR THE PURPOSE OF RETIREMENT, AND SHALL BE MADE IN  
32 A SEPARATE CHECK DURING THE PAYROLL PERIOD WHICH INCLUDES DECEMBER FIRST  
33 EACH YEAR.

34 S 4. Health benefits committee. Pursuant to the terms of an agreement  
35 negotiated between the executive branch of the state of New York and the  
36 employee organization representing the collective negotiating unit  
37 consisting of investigators, senior investigators, and investigative  
38 specialists in the division of state police, during the period April 1,  
39 2011 through March 31, 2018, there shall continue to be a committee on  
40 health benefits funded in the following amounts: \$5,100 for the period  
41 April 1, 2014 to March 31, 2015; \$5,202 for the period April 1, 2015 to  
42 March 31, 2016; \$5,280 for the period April 1, 2016 to March 31, 2017;  
43 and \$5,359 for the period April 1, 2017 to March 31, 2018. One-half of  
44 this amount in each year shall be made available to the state and one-  
45 half shall be made available to the employee organization representing  
46 such unit.

47 S 5. Maintenance allowance. (a) Pursuant to the terms of an agreement  
48 negotiated between the executive branch of the state of New York and the  
49 employee organization representing the collective negotiating unit  
50 consisting of investigators, senior investigators, and investigative  
51 specialists in the division of state police, effective April 1, 2014,  
52 each member of such unit shall receive three thousand two hundred twen-  
53 ty-five dollars (\$3,225) as a maintenance allowance. Effective April 1,  
54 2015, such amount shall be increased to three thousand two hundred nine-  
55 ty dollars (\$3,290). Effective April 1, 2016, such amount shall be  
56 increased to three thousand three hundred thirty-nine dollars (\$3,339).

1 Effective April 1, 2017, such amount shall be increased to three thou-  
2 sand three hundred eighty-nine dollars (\$3,389).

3 (b) Such maintenance allowance shall be paid on an annualized basis in  
4 regular bi-weekly paychecks. Such additional compensation, as provided  
5 in this section, shall be in addition to, and shall not be part of, the  
6 member's basic annual salary, and shall not affect or impair any rights  
7 or benefits to which the member may be entitled; provided, however, that  
8 such additional compensation shall be included as compensation for  
9 purposes of computation of overtime pay and retirement.

10 S 6. Expertise pay. (a) Notwithstanding any other provision of law to  
11 the contrary, pursuant to the terms of an agreement negotiated between  
12 the executive branch of the state of New York and the employee organiza-  
13 tion representing the collective negotiating unit consisting of investi-  
14 gators, senior investigators, and investigative specialists in the divi-  
15 sion of state police, during the period April 1, 2010 through March 31,  
16 2014, members in such collective negotiating unit shall continue to  
17 receive expertise pay in the amount of twelve hundred dollars (\$1,200)  
18 annually. Effective April 1, 2014, the annual payment for expertise pay  
19 shall be two thousand four hundred fifty dollars (\$2,450). There shall  
20 be no retroactive payment of the increases to expertise pay for the  
21 period April 1, 2011 to March 31, 2014 under any circumstances. Pursuant  
22 to the agreement the entire increase of one thousand two hundred fifty  
23 dollars (\$1,250) covering the period April 1, 2011 to March 31, 2014 is  
24 only payable on a prospective basis commencing with the scheduled Decem-  
25 ber 2014 payment.

26 (b) Such expertise pay shall be payable to those unit members on the  
27 payroll on November 1 of each year during the pay period that includes  
28 December 1. Such additional compensation as provided in this section  
29 shall be in addition to, and shall not be part of, the member's basic  
30 annual salary, and shall not affect or impair any rights or benefits to  
31 which the member may be entitled; provided, however, that such addi-  
32 tional compensation shall be included as compensation for purposes of  
33 computation of overtime pay and as compensation for retirement.

34 S 7. Professional development and training funds. Pursuant to the  
35 terms of an agreement negotiated between the executive branch of the  
36 state of New York and the employee organization representing the collec-  
37 tive negotiating unit consisting of investigators, senior investigators,  
38 and investigative specialists in the division of state police, during  
39 the period April 1, 2011 through March 31, 2018, there shall continue to  
40 be a professional development and quality of working life committee  
41 funded in the following amounts: \$83,538 for the period April 1, 2014 to  
42 March 31, 2015; \$85,209 for the period April 1, 2015 to March 31, 2016;  
43 \$86,487 for the period April 1, 2016 to March 31, 2017; \$87,784 for the  
44 period April 1, 2017 to March 31, 2018 from which the tuition reimburse-  
45 ment program, the master's program, and the employee assistance program  
46 shall be supported.

47 S 8. Expanded duty pay. (a) Pursuant to the terms of an agreement  
48 negotiated between the executive branch of the state of New York and the  
49 employee organization representing the collective negotiating unit  
50 consisting of investigators, senior investigators, and investigative  
51 specialists in the division of state police, during the period April 1,  
52 2010 through March 31, 2014, the annual payment for expanded duty pay  
53 shall continue to be seven thousand four hundred fifty-two dollars  
54 (\$7,452). Such expanded duty pay is in recognition of such members  
55 expanded duties, including those related to counterterrorism and other  
56 post-September 11, 2001 initiatives, computer crimes, and law enforce-

ment activities involving gambling regulation. Effective April 1, 2014, the annual payment for expanded duty pay shall be eight thousand seven hundred two dollars (\$8,702). There shall be no retroactive payment of the increases to expanded duty pay for the period April 1, 2011 to March 31, 2014 under any circumstances. Pursuant to the agreement, the entire increase of one thousand two hundred fifty dollars (\$1,250) covering the period April 1, 2011 to March 31, 2014 is only payable on a prospective basis commencing April 1, 2014.

(b) Such expanded duty pay shall be annualized and paid during regular bi-weekly periods. Such additional compensation as provided in this section shall be in addition to, and shall not be part of, the member's basic annual salary, and shall not affect or impair any rights or benefits to which the member may be entitled; provided, however, that such additional compensation shall be included as compensation for purposes of computation of overtime pay and as compensation for retirement.

S 9. Supervisory responsibility pay. (a) Pursuant to the terms of an agreement negotiated between the executive branch of the state of New York and the employee organization representing the collective negotiating unit consisting of investigators, senior investigators, and investigative specialists in the division of state police, effective March 31, 2005, certain members shall continue to receive additional compensation, as prescribed in the interest arbitration award dated February 4, 2005 as modified by such agreement, when designated by the division of state police to work as a "unit coordinator", "acting senior investigator", or "acting administrative senior investigator".

(b) Such additional compensation as provided in this section shall be in addition to, and shall not be part of, the member's basic annual salary, and shall not affect or impair any rights or benefits to which the member may be entitled; provided, however, that such additional compensation shall be included as compensation for the purposes of computation of overtime pay and retirement.

S 10. Location compensation. (a) Notwithstanding any other provision of law to the contrary, members in the collective negotiating unit consisting of investigators, senior investigators, and investigative specialists in the division of state police whose principal place of employment or, in the case of a field employee, whose official station, as determined in accordance with the regulations of the state comptroller, is located in the county of Monroe, who were on the payroll on March 31, 1985, and who have received this location compensation continually since then, shall continue to receive location pay at the rate of \$200 per year; provided that each such member continues to be otherwise eligible.

(b) Pursuant to the terms of an agreement negotiated between the executive branch of the state of New York and the employee organization representing the collective negotiating unit consisting of investigators, senior investigators, and investigative specialists in the division of state police, members of such unit whose principal place of employment or, in the case of a field employee, whose official station, as determined in accordance with the regulations of the state comptroller, is located in the city of New York or in the counties of Rockland, Westchester, Nassau, or Suffolk shall continue to receive location pay effective April 1, 2010 in the amount of \$1,536.

(c) Such location pay as provided in this section shall be annualized and paid during the regular bi-weekly periods. Such compensation shall be in addition to and shall not be part of the member's basic annual salary and shall not affect or impair any rights or benefits to which

1 the member may be entitled; provided, however, that location pay shall  
2 be included as compensation for the purposes of computation of overtime  
3 pay and retirement.

4 S 11. Supplemental location pay. (a) Pursuant to the terms of an  
5 agreement negotiated between the executive branch of the state of New  
6 York and the employee organization representing the collective negotiat-  
7 ing unit consisting of investigators, senior investigators, and investi-  
8 gative specialists in the division of state police, members of such unit  
9 whose principal place of employment, or, in the case of a field employ-  
10 ee, whose official station, as determined in accordance with the regu-  
11 lations of the state comptroller, is located in the city of New York or  
12 in the county of Putnam, Orange, Dutchess, Rockland, Westchester,  
13 Nassau, or Suffolk shall continue to receive supplemental location pay,  
14 in addition to the location pay provided in section ten of this act,  
15 effective April 1, 2010 as follows:

16 Orange, Putnam or Dutchess County	\$1,280
17 Rockland or Westchester County	
18 or city of New York	\$1,918
19 Nassau or Suffolk County	\$2,239

20 (b) Such supplemental location pay shall be annualized and paid during  
21 the regular bi-weekly periods. Such compensation shall be in addition to  
22 and shall not be part of the member's basic annual salary and shall not  
23 affect or impair any rights or benefits to which the member may be enti-  
24 tled; provided, however, that supplemental location pay shall be  
25 included as compensation for the purposes of computation of overtime pay  
26 and retirement.

27 S 12. Unused sick leave at retirement. Pursuant to the terms of an  
28 agreement negotiated between the executive branch of the state of New  
29 York and the employee organization representing the collective negotiat-  
30 ing unit consisting of investigators, senior investigators, and investi-  
31 gative specialists in the division of state police, members of such unit  
32 shall continue to receive a lump sum cash payment for accumulated and  
33 unused sick leave credits standing to the employee's credit at the time  
34 of separation from service by retirement. The amount of such payment  
35 shall be determined in the following manner:

36 (a) Effective April 1, 1998, the number of days of such accumulated  
37 and unused sick leave, not to exceed 300 days, less 165 days, shall be  
38 multiplied by the member's daily rate of pay in effect at the time of  
39 separation from service by retirement.

40 (b) The lump sum payment shall be one-fifth of such amount provided  
41 for in subdivision (a) of this section.

42 (c) Such additional compensation shall be in addition to and shall not  
43 be part of the member's basic annual salary, and shall not affect or  
44 impair any rights or benefits to which the member may be entitled;  
45 provided, however, that such additional compensation shall be included  
46 as compensation for retirement purposes.

47 S 13. Physical fitness program. (a) Pursuant to the terms of an agree-  
48 ment negotiated between the executive branch of the state of New York  
49 and the employee organization representing the collective negotiating  
50 unit consisting of investigators, senior investigators, and investi-  
51 gative specialists in the division of state police, effective April 1,  
52 1999, a joint labor management committee shall be continued for the  
53 purpose of evaluating the assessment, study, and testing for the fitness  
54 of members of the employee organization. The division of state police

1 shall administer such program through the provision of an annual appro-  
2 priation. Members in the employee organization shall receive an annual  
3 fitness bonus if they satisfy the fitness requirements developed by the  
4 division of state police during a fiscal year. The amount of such  
5 fitness bonus shall be determined by the committee within the amount  
6 appropriated therefor. Such awards shall be paid on or about December  
7 first of each fiscal year.

8 (b) Any amounts received pursuant to this section shall be in addition  
9 to, and shall not be a part of, the member's basic annual salary, and  
10 shall not affect or impair, any increments or other rights or benefits  
11 to which the member may be entitled; provided, however, that any amounts  
12 received shall be included as compensation for retirement purposes.

13 (c) The division of state police and the employee organization repres-  
14 enting such unit may agree to expend the funds appropriated on an annual  
15 basis for the physical fitness program for a mutually agreeable alter-  
16 nate purpose. Pursuant to the terms of the agreement, the parties agree  
17 that the amount appropriated for this fund for fiscal year 2015-2016  
18 shall be transferred to the employee benefit fund established pursuant  
19 to paragraph b of subdivision 2 of section 207-b of the state finance  
20 law and the amounts appropriated for this fund for fiscal years  
21 2016-2017 and 2017-2018 shall remain with the division of state police.  
22 Effective April 1, 2018, the annual appropriation for this fund shall be  
23 transferred to the employee benefit fund established pursuant to para-  
24 graph b of subdivision 2 of section 207-b of the state finance law each  
25 year unless the parties agree to expend such funds for a mutually agree-  
26 able alternate purpose.

27 S 14. Recognized degree pay. (a) Pursuant to the terms of an agreement  
28 negotiated between the executive branch of the state of New York and the  
29 employee organization representing the collective negotiating unit  
30 consisting of investigators, senior investigators, and investigative  
31 specialists in the division of state police, members of such unit who  
32 possess or obtain a recognized degree from an accredited and recognized  
33 college or university on or after April 1, 2001, shall continue to  
34 receive a lump sum payment of \$250 for an associate degree, \$500 for a  
35 bachelor's degree, and \$750 for a graduate degree. Payment for such  
36 degree shall occur annually in June of each year, and shall be for one  
37 degree only. When such degree is obtained in a fiscal year, such  
38 payment shall be made as soon as practicable after conferral of the  
39 degree.

40 (b) Such additional compensation as provided in this section shall be  
41 in addition to, and shall not be part of, the member's basic annual  
42 salary, and shall not affect or impair any rights or benefits to which  
43 the member may be entitled; provided, however, that such additional  
44 compensation shall be included as compensation for retirement purposes.

45 S 15. Short swings. Notwithstanding any provision of law to the  
46 contrary, pursuant to the terms of an agreement negotiated between the  
47 executive branch of the state of New York and the employee organization  
48 representing the collective negotiating unit consisting of investi-  
49 gators, senior investigators, and investigative specialists in the divi-  
50 sion of state police, effective September 1, 2016, members of this unit  
51 who are required to work short swings shall receive compensation of  
52 thirty dollars (\$30) for each short swing they are required to work and  
53 actually work. There shall be no short swing compensation where the  
54 short swing is worked at the request of, or for the convenience of the  
55 member, as determined by the division of state police. The definition of  
56 short swing shall be when there are eight hours or less between the

1 scheduled end time of a Member's tour of duty and the start time of the  
2 next scheduled tour of duty. Such compensation shall not be payable if  
3 such member's hours of work continue from the end time of the Member's  
4 tour of duty to the commencement of the start time of the next scheduled  
5 tour of duty without interruption.

6 S 16. Notwithstanding any provision of law to the contrary, pursuant  
7 to the terms of an agreement negotiated between the executive branch of  
8 the state of New York and the employee organization representing the  
9 collective negotiating unit consisting of investigators, senior investi-  
10 gators, and investigative specialists in the division of state police,  
11 members of such unit shall receive recall overtime only in accordance  
12 with the terms of the collective bargaining agreement.

13 S 17. Payment and publication of grievance arbitration settlements and  
14 awards. Notwithstanding any provision of law to the contrary, the  
15 appropriations contained in this act shall be available to the state for  
16 the payment and publication of grievance arbitration settlements and  
17 awards pursuant to article 15 of the collective negotiating agreement  
18 between the state and the employee organization representing the collec-  
19 tive negotiating unit consisting of investigators, senior investigators,  
20 and investigative specialists in the division of state police, such  
21 provisions being in effect pursuant to paragraph (e) of subdivision 1 of  
22 section 209-a of the civil service law.

23 S 18. The compensation and benefit modifications provided for by this  
24 act for state employees in the collective negotiating unit consisting of  
25 investigators, senior investigators, and investigative specialists in  
26 the division of state police pursuant to article 14 of the civil service  
27 law shall not be implemented until the director of employee relations  
28 shall have delivered to the director of the budget and the comptroller a  
29 letter certifying that there is in effect with respect to such negotiat-  
30 ing unit a collective bargaining agreement which provides for such  
31 compensation and benefit modifications and which is fully executed in  
32 writing with the state pursuant to article 14 of the civil service law,  
33 and ratified pursuant to the ratification procedure of the employee  
34 organization certified pursuant to article 14 of the civil service law  
35 to represent such collective negotiating unit.

36 S 19. Date of entitlement to salary increase. Notwithstanding the  
37 provisions of this act or of any other provision of law to the contrary,  
38 the increase of salary or compensation of any member of the collective  
39 negotiating unit consisting of investigators, senior investigators, and  
40 investigative specialists in the division of state police provided by  
41 this act shall be added to the salary of such member at the beginning of  
42 that payroll period the first day of which is nearest to the effective  
43 date of such increase as provided in this act, or at the beginning of  
44 the earlier of two payroll periods the first days of which are nearest  
45 but equally near to the effective date of such increase as provided in  
46 this act; provided, however, that, for the purposes of determining the  
47 salary of such officer or employee upon reclassification, reallocation,  
48 appointment, promotion, transfer, demotion, reinstatement, or other  
49 change of status, such salary increase shall be deemed to be effective  
50 on the date thereof as prescribed by this act, with payment thereof  
51 pursuant to this section on a date prior thereto, instead of on such  
52 effective date, and shall not operate to confer any additional salary  
53 rights or benefits on such officer or employee. Payment of such salary  
54 increase may be deferred pursuant to section twenty of this act.

55 S 20. Deferred payment of salary increase. Notwithstanding the  
56 provisions of any other section of this act or of any provision of law



1 to the contrary, pending payment pursuant to this act of the basic annu-  
2 al salaries of incumbents of positions subject to this act, such incum-  
3 bents shall receive, as partial compensation for services rendered, the  
4 rate of compensation otherwise payable in their respective positions. An  
5 incumbent holding a position subject to this act at any time during the  
6 period from April 1, 2011 until the time when basic annual salaries are  
7 first paid pursuant to this act for such services in excess of the  
8 compensation actually received therefor, shall be entitled to a lump sum  
9 payment for the difference between the salary to which such incumbent is  
10 entitled for such service and the compensation actually received there-  
11 for. Such lump sum payment shall be made as soon as practicable. The  
12 amounts paid under this act shall count as compensation earned during  
13 the year or years for which it is calculated and not as compensation  
14 earned wholly in the year in which the lump sum is paid.

15 S 21. Use of appropriations. Notwithstanding any provision of the  
16 state finance law or any other provision of law to the contrary, the  
17 state comptroller is authorized to pay any amounts required by the fore-  
18 going provisions of this act. To the extent that existing appropriations  
19 available to any state department or agency in any fund are insufficient  
20 to accomplish the purposes set forth in this section, the director of  
21 the budget is authorized to allocate to the various departments and  
22 agencies, from any appropriations available in any fund, the amounts  
23 necessary to make such payments. Any appropriations or other funds  
24 available to any state department or agency for personal service or for  
25 other related employee benefits during the fiscal year commencing April  
26 1, 2011 shall be available for the payment of any liabilities or obli-  
27 gations incurred pursuant to the foregoing provisions of this act,  
28 whether prior to or during the state fiscal year commencing April 1,  
29 2016.

30 S 22. Appropriations. Notwithstanding any provision of the state  
31 finance law or any other provision of law to the contrary, the several  
32 amounts as hereinafter set forth in this section are hereby appropriated  
33 from the funds so designated solely for apportionment/transfer by the  
34 director of the budget for use by any state department or agency in any  
35 fund for the fiscal year beginning April 1, 2016 to supplement appropri-  
36 ations for personal service, other than personal service and fringe  
37 benefits, and to carry out the provisions of this act. The monies hereby  
38 appropriated are available for payment of any liabilities or obligations  
39 incurred prior to or during the state fiscal year commencing April 1,  
40 2011 in addition to liabilities or obligations associated with the state  
41 fiscal year commencing April 1, 2016. For this purpose, these appropri-  
42 ations shall remain in full force and effect for the payment of liabil-  
43 ities incurred on or before March 31, 2017.

44 MISCELLANEOUS -- ALL STATE DEPARTMENTS AND AGENCIES

45 STATE OPERATIONS 2016-17

46 Special Pay Bills  
47 General Fund / State Operations  
48 State Purposes Account - 10050

49 PERSONAL SERVICE

50 Personal Service ..... 22,257,000

## NONPERSONAL SERVICE

Fringe benefits .....	5,343,000
Health Benefits Committee .....	16,000
Professional Development Fund .....	256,000
Employee Benefit Fund .....	340,000
Physical Fitness Pay .....	454,000
Contract Administration .....	50,000

S 23. This act shall take effect immediately; provided that the director of employee relations certifies that there is in effect with respect to the negotiating unit consisting of investigators, senior investigators, and investigative specialists in the division of state police a collective bargaining agreement which provides for the compensation and benefit modifications in this act, and shall be deemed to have been in full force and effect on and after April 1, 2011.

## REPEAL NOTE.--

Paragraph a of subdivision 2 of section 216 of the executive law, repealed by section one of this act, provided salary schedules for state employees in particular titles in the collective negotiating unit consisting of investigators and senior investigators in the division of state police and is replaced by revised salary schedules in a new paragraph a of such subdivision 2 implementing an agreement pursuant to Article 14 of the civil service law.

Paragraph b of subdivision 2 of section 207-b of the state finance law, repealed by section two of this act, provided for payments to an employee benefit fund for state employees in the particular titles in the collective negotiating unit consisting of investigators and senior investigators in the division of state police and is replaced by revised schedule of payments to be made to such fund in a new paragraph b of such subdivision 2 implementing an agreement pursuant to Article 14 of the civil service law.

Subdivision 2 of section 216-c of the executive law, repealed by section three of this act, provided for holiday compensation payments based on four days pay to eligible members of the collective negotiating unit consisting of investigators, senior investigators and investigative specialists in the division of state police and is replaced by a revised payment amount in a new subdivision 2 of such section implementing an agreement pursuant to Article 14 of the civil service law.