

8245

2015-2016 Regular Sessions

I N A S S E M B L Y

June 14, 2015

Introduced by M. of A. SANTABARBARA -- (at request of the Governor) --
read once and referred to the Committee on Ways and Means

AN ACT to amend the executive law, in relation to the terms and conditions of employment for members of the collective negotiating unit consisting of troopers in the division of state police and salary schedules for members of such unit; to amend the state finance law, in relation to the employee benefit fund for members of such unit; making an appropriation therefor; and repealing certain provisions of the executive law relating thereto

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

1 Section 1. Subparagraphs 1, 2, 3 and 4 of paragraph a of subdivision 2
2 of section 215 of the executive law are REPEALED and four new subpara-
3 graphs 1, 2, 3 and 4 are added to read as follows:
4 (1) EFFECTIVE APRIL FIRST, TWO THOUSAND FOURTEEN, MEMBERS OF THE
5 COLLECTIVE NEGOTIATING UNIT CONSISTING OF TROOPERS IN THE DIVISION OF
6 STATE POLICE SHALL RECEIVE A BASIC ANNUAL SALARY PURSUANT TO THE FOLLOW-
7 ING SCHEDULE:

	ORANGE, PUTNAM AND DUTCHESS COUNTIES	CITY OF NEW YORK, ROCKLAND AND WESTCHESTER COUNTIES	NASSAU AND SUFFOLK COUNTIES	ALL OTHER LOCATIONS
12 TRAINEE 1	N/A	N/A	N/A	\$51,381
13 TRAINEE 2	\$68,447	\$69,533	\$69,817	\$68,243
14 STEP 1	\$72,887	\$73,974	\$74,260	\$72,686
15 STEP 2	\$77,326	\$78,413	\$78,699	\$77,124
16 STEP 3	\$79,984	\$81,071	\$81,356	\$79,781
17 STEP 4	\$83,136	\$84,221	\$84,507	\$82,931
18 STEP 5	\$86,637	\$87,723	\$88,008	\$86,434

19 (2) EFFECTIVE APRIL FIRST, TWO THOUSAND FIFTEEN, MEMBERS OF THE
20 COLLECTIVE NEGOTIATING UNIT CONSISTING OF TROOPERS IN THE DIVISION OF

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

LBD12030-03-5

1 STATE POLICE SHALL RECEIVE A BASIC ANNUAL SALARY PURSUANT TO THE FOLLOW-
2 ING SCHEDULE:

	ORANGE, PUTNAM AND DUTCHESS COUNTIES	CITY OF NEW YORK, ROCKLAND AND WESTCHESTER COUNTIES	NASSAU AND SUFFOLK COUNTIES	ALL OTHER LOCATIONS
7 TRAINEE 1	N/A	N/A	N/A	\$52,409
8 TRAINEE 2	\$69,816	\$70,924	\$71,213	\$69,608
9 STEP 1	\$74,345	\$75,453	\$75,745	\$74,140
10 STEP 2	\$78,873	\$79,981	\$80,273	\$78,666
11 STEP 3	\$81,584	\$82,692	\$82,983	\$81,377
12 STEP 4	\$84,799	\$85,905	\$86,197	\$84,590
13 STEP 5	\$88,370	\$89,477	\$89,768	\$88,163

14 (3) EFFECTIVE APRIL FIRST, TWO THOUSAND SIXTEEN, MEMBERS OF THE
15 COLLECTIVE NEGOTIATING UNIT CONSISTING OF TROOPERS IN THE DIVISION OF
16 STATE POLICE SHALL RECEIVE A BASIC ANNUAL SALARY PURSUANT TO THE FOLLOW-
17 ING SCHEDULE:

	ORANGE, PUTNAM AND DUTCHESS COUNTIES	CITY OF NEW YORK, ROCKLAND AND WESTCHESTER COUNTIES	NASSAU AND SUFFOLK COUNTIES	ALL OTHER LOCATIONS
22 TRAINEE 1	N/A	N/A	N/A	\$53,195
23 TRAINEE 2	\$70,863	\$71,988	\$72,281	\$70,652
24 STEP 1	\$75,460	\$76,585	\$76,881	\$75,252
25 STEP 2	\$80,056	\$81,181	\$81,477	\$79,846
26 STEP 3	\$82,808	\$83,932	\$84,228	\$82,598
27 STEP 4	\$86,071	\$87,194	\$87,490	\$85,859
28 STEP 5	\$89,696	\$90,819	\$91,115	\$89,485

29 (4) EFFECTIVE APRIL FIRST, TWO THOUSAND SEVENTEEN, MEMBERS OF THE
30 COLLECTIVE NEGOTIATING UNIT CONSISTING OF TROOPERS IN THE DIVISION OF
31 STATE POLICE SHALL RECEIVE A BASIC ANNUAL SALARY PURSUANT TO THE FOLLOW-
32 ING SCHEDULE:

	ORANGE, PUTNAM AND DUTCHESS COUNTIES	CITY OF NEW YORK, ROCKLAND AND WESTCHESTER COUNTIES	NASSAU AND SUFFOLK COUNTIES	ALL OTHER LOCATIONS
37 TRAINEE 1	N/A	N/A	N/A	\$53,993
38 TRAINEE 2	\$71,926	\$73,068	\$73,365	\$71,712
39 STEP 1	\$76,592	\$77,734	\$78,034	\$76,381
40 STEP 2	\$81,257	\$82,399	\$82,699	\$81,044
41 STEP 3	\$84,050	\$85,191	\$85,491	\$83,837
42 STEP 4	\$87,362	\$88,502	\$88,802	\$87,147
43 STEP 5	\$91,041	\$92,181	\$92,482	\$90,827

44 S 2. Subdivision 2 of section 207-b of the state finance law is
45 amended by adding a new paragraph a-1 to read as follows:

46 A-1. WHERE, AND TO THE EXTENT THAT, THE AGREEMENT BETWEEN THE STATE
47 AND AN EMPLOYEE ORGANIZATION ENTERED INTO PURSUANT TO ARTICLE FOURTEEN
48 OF THE CIVIL SERVICE LAW SO PROVIDES ON BEHALF OF EMPLOYEES IN THE
49 COLLECTIVE NEGOTIATING UNIT CONSISTING OF TROOPERS IN THE DIVISION OF
50 STATE POLICE, ESTABLISHED PURSUANT TO ARTICLE FOURTEEN OF THE CIVIL
51 SERVICE LAW, AND UPON AUDIT AND WARRANT OF THE STATE COMPTROLLER, THE
52 DIRECTOR SHALL PROVIDE FOR THE PAYMENT OF MONIES TO SUCH EMPLOYEE ORGAN-
53 IZATION FOR THE ESTABLISHMENT AND MAINTENANCE OF AN EMPLOYEE BENEFIT
54 FUND ESTABLISHED BY THE EMPLOYEE ORGANIZATION FOR THE EMPLOYEES IN THE
55 NEGOTIATING UNIT COVERED BY THE CONTROLLING PROVISIONS OF SUCH AGREEMENT
56 PROVIDING FOR SUCH EMPLOYEE BENEFIT FUND. SUCH AMOUNTS ARE TO BE DETER-

1 MINED CONSISTENT WITH SAID AGREEMENT, INCLUDING ANY AND ALL MONIES
2 AGREED TO BE TRANSFERRED IN SAID AGREEMENT, AND ON THE BASIS OF THE
3 NUMBER OF FULL-TIME ANNUAL SALARIED EMPLOYEES, OTHER THAN FULL-TIME
4 SEASONAL EMPLOYEES, ON THE PAYROLL ON MARCH FIRST, TWO THOUSAND ELEVEN
5 FOR PAYMENTS TO BE MADE ON APRIL FIRST, TWO THOUSAND ELEVEN, THE NUMBER
6 OF FULL-TIME ANNUAL SALARIED EMPLOYEES, OTHER THAN FULL-TIME SEASONAL
7 EMPLOYEES, ON THE PAYROLL ON MARCH FIRST, TWO THOUSAND TWELVE FOR
8 PAYMENTS TO BE MADE ON APRIL FIRST, TWO THOUSAND TWELVE, THE NUMBER OF
9 FULL-TIME ANNUAL SALARIED EMPLOYEES, OTHER THAN FULL-TIME SEASONAL
10 EMPLOYEES, ON THE PAYROLL ON MARCH FIRST, TWO THOUSAND THIRTEEN FOR
11 PAYMENTS TO BE MADE ON APRIL FIRST, TWO THOUSAND THIRTEEN, THE NUMBER OF
12 FULL-TIME ANNUAL SALARIED EMPLOYEES, OTHER THAN FULL-TIME SEASONAL
13 EMPLOYEES, ON THE PAYROLL ON MARCH FIRST, TWO THOUSAND FOURTEEN FOR
14 PAYMENTS TO BE MADE ON APRIL FIRST, TWO THOUSAND FOURTEEN, THE NUMBER OF
15 FULL-TIME ANNUAL SALARIED EMPLOYEES, OTHER THAN FULL-TIME SEASONAL
16 EMPLOYEES, ON THE PAYROLL ON MARCH FIRST, TWO THOUSAND FIFTEEN FOR
17 PAYMENTS TO BE MADE ON APRIL FIRST, TWO THOUSAND FIFTEEN, THE NUMBER OF
18 FULL-TIME ANNUAL SALARIED EMPLOYEES, OTHER THAN FULL-TIME SEASONAL
19 EMPLOYEES, ON THE PAYROLL ON MARCH FIRST, TWO THOUSAND SIXTEEN FOR
20 PAYMENTS TO BE MADE ON APRIL FIRST, TWO THOUSAND SIXTEEN AND THE NUMBER
21 OF FULL-TIME ANNUAL SALARIED EMPLOYEES, OTHER THAN FULL-TIME SEASONAL
22 EMPLOYEES, ON THE PAYROLL ON MARCH FIRST, TWO THOUSAND SEVENTEEN FOR
23 PAYMENTS TO BE MADE ON APRIL FIRST, TWO THOUSAND SEVENTEEN. THE AMOUNTS,
24 WHICH WILL BE DETERMINED PURSUANT TO THIS SECTION, FOR EMPLOYEES WHO ARE
25 PAID FROM SPECIAL OR ADMINISTRATIVE FUNDS, OTHER THAN THE GENERAL FUND
26 OR THE CAPITAL PROJECTS FUND OF THE STATE, WILL BE PAID FROM THE APPRO-
27 PRIATIONS AS PROVIDED BY LAW, IN WHICH CASE THE STATE COMPTROLLER WILL
28 ESTABLISH PROCEDURES TO ENSURE REPAYMENT FROM SAID SPECIAL OR ADMINIS-
29 TRATIVE FUNDS. THE DIRECTOR SHALL ENTER INTO AN AGREEMENT WITH THE
30 EMPLOYEE ORGANIZATION THAT SETS FORTH THE SPECIFIC TERMS AND CONDITIONS
31 FOR THE TRANSMITTAL OF MONIES PURSUANT TO THIS SECTION. PAYMENTS MADE
32 PURSUANT TO THIS PARAGRAPH AND PARAGRAPH A OF THIS SUBDIVISION SHALL BE
33 MADE TO THE SAME FUND AS SET FORTH IN THE AGREEMENT BETWEEN THE DIRECTOR
34 AND THE EMPLOYEE ORGANIZATION THAT REPRESENTS THE EMPLOYEES COVERED BY
35 THE PROVISIONS OF THIS PARAGRAPH AND PARAGRAPH A OF THIS SUBDIVISION.

36 S 3. Section 201 of the state finance law is amended by adding a new
37 subdivision 17 to read as follows:

38 17. NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, WHERE,
39 AND TO THE EXTENT THAT AN AGREEMENT ENTERED INTO PURSUANT TO ARTICLE
40 FOURTEEN OF THE CIVIL SERVICE LAW BETWEEN THE STATE AND THE EMPLOYEE
41 ORGANIZATION REPRESENTING THE COLLECTIVE NEGOTIATING UNIT CONSISTING OF
42 TROOPERS IN THE DIVISION OF STATE POLICE AND THE COLLECTIVE NEGOTIATING
43 UNIT CONSISTING OF COMMISSIONED AND NON-COMMISSIONED OFFICERS IN THE
44 DIVISION OF STATE POLICE SO PROVIDES, THE COMPTROLLER, AFTER RECEIPT OF
45 WRITTEN DIRECTIONS FROM THE DIRECTOR OF EMPLOYEE RELATIONS, IS AUTHOR-
46 IZED TO DEDUCT, FOR THE PURPOSES OF MAKING RESTITUTION FOR DAMAGE OR
47 LOSS OF EQUIPMENT, FROM THE SALARY OF ANY EMPLOYEE COVERED BY SUCH AN
48 AGREEMENT SUCH AMOUNT AS DETERMINED BY THE EMPLOYER TO COVER THE RESTI-
49 TUTION FOR SUCH DAMAGED OR LOST EQUIPMENT.

50 S 4. Location compensation. (a) Notwithstanding any other provision of
51 law to the contrary, pursuant to the terms of the agreement negotiated
52 between the state and the employee organization representing the collec-
53 tive negotiating unit consisting of troopers in the division of state
54 police, members in this collective negotiating unit whose principal
55 place of employment, or, in the case of a field employee, whose official
56 station as determined in accordance with the regulations of the state

1 comptroller, is located in the county of Monroe and who were on the
2 payroll on March 31, 1985, and who have received this location compen-
3 sation continually since then, shall continue to receive location pay at
4 the rate of two hundred dollars (\$200) per year, provided the member
5 continues to be otherwise eligible. Such location pay shall continue to
6 be annualized and paid during the regular bi-weekly periods. Such
7 location pay shall be in addition to, and shall not be a part of, a
8 member's annual basic salary, and shall not affect or impair any incre-
9 ments or other rights or benefits to which the member may be entitled;
10 provided, however, that location pay shall be included as compensation
11 for purposes of computation of overtime pay and for retirement purposes.

12 (b) Notwithstanding any other provision of law to the contrary, pursu-
13 ant to the terms of the agreement negotiated between the state and the
14 employee organization representing the collective negotiating unit
15 consisting of troopers in the division of state police, members in this
16 collective negotiating unit whose principal place of employment, or, in
17 the case of a field employee, whose official station as determined in
18 accordance with the regulations of the state comptroller, is located in
19 the city of New York, or in the county of Rockland, Westchester, Nassau
20 or Suffolk shall continue to receive location pay at the rate of one
21 thousand five hundred thirty-six dollars (\$1,536) per year effective
22 April 1, 2010.

23 (c) Such location pay shall continue to be annualized and paid during
24 regular bi-weekly periods. Such location pay shall be in addition to,
25 and shall not be a part of, a member's annual basic salary, and shall
26 not affect or impair any increments or other rights or benefits to which
27 the member may be entitled; provided, however, that the location pay
28 shall be included as compensation for purposes of computation of over-
29 time pay and for retirement purposes.

30 S 5. Supplemental location compensation. (a) Notwithstanding any other
31 provision of law to the contrary, pursuant to the terms of the agreement
32 negotiated between the state and the employee organization representing
33 the collective negotiating unit consisting of troopers in the division
34 of state police, members in this collective negotiating unit whose prin-
35 cipal place of employment, or, in the case of a field employee, whose
36 official station as determined in accordance with the regulations of the
37 state comptroller, is located in the city of New York, or in the county
38 of Putnam, Orange, Dutchess, Rockland, Westchester, Nassau or Suffolk
39 shall continue to receive supplemental location pay as follows effective
40 April 1, 2010:

41 Orange, Putnam or Dutchess County	\$1,280
42 Rockland or Westchester County or city of New York	\$1,918
43 Nassau or Suffolk County	\$2,239

44 (b) Such supplemental location pay shall continue to be annualized and
45 paid during regular bi-weekly periods. Such supplemental location
46 compensation shall be in addition to, and shall not be a part of, a
47 member's annual basic salary, and shall not affect or impair any incre-
48 ments or other rights or benefits to which a member may be entitled;
49 provided, however, that such compensation shall be included as compen-
50 sation for purposes of computation of overtime pay and for retirement
51 purposes.

52 S 6. Expanded duty pay. (a) Notwithstanding any other provision of law
53 to the contrary, pursuant to the terms of the agreement negotiated
54 between the state and the employee organization representing the collec-
55 tive negotiating unit consisting of troopers in the division of state
56 police, during the period April 1, 2010 through March 31, 2014, the

1 annual payment for expanded duty pay for members of this unit shall
2 continue in the amount of seven thousand four hundred fifty-two dollars
3 (\$7,452). Effective April 1, 2014, the annual payment for expanded duty
4 pay shall be eight thousand seven hundred two dollars (\$8,702). There
5 shall be no retroactive payment of the increases to expanded duty pay
6 for the period April 1, 2011 to March 31, 2014 under any circumstances.
7 Pursuant to the agreement, the entire increase of one thousand two
8 hundred fifty dollars (\$1,250) covering the period April 1, 2011 to
9 March 31, 2014 is only payable on a prospective basis commencing April
10 1, 2014.

11 (b) Pursuant to the terms of the agreement negotiated between the
12 state and the employee organization representing the collective negoti-
13 ating unit consisting of troopers in the division of state police,
14 expanded duty pay shall continue to be annualized and paid during regu-
15 lar bi-weekly periods. Such additional compensation shall be in addi-
16 tion to, and shall not be part of, the member's annual basic salary, and
17 shall not affect or impair any rights or benefits to which the member
18 may be entitled; provided, however, that such additional compensation
19 shall be included as compensation for purposes of computation of over-
20 time pay and as compensation for retirement.

21 S 7. Hazardous duty pay. (a) Notwithstanding any other provision of
22 law to the contrary, pursuant to the terms of the agreement negotiated
23 between the state and the employee organization representing the collec-
24 tive negotiating unit consisting of troopers in the division of state
25 police, during the period April 1, 2010 through March 31, 2014, the
26 annual payment for hazardous duty pay for members of this unit shall
27 continue in the amount of one thousand two hundred dollars (\$1,200).
28 Effective April 1, 2014, the annual payment for hazardous duty pay shall
29 be two thousand four hundred fifty dollars (\$2,450). There shall be no
30 retroactive payment of the increases to hazardous duty pay for the peri-
31 od April 1, 2011 to March 31, 2014 under any circumstances. Pursuant to
32 the agreement, the entire increase of one thousand two hundred fifty
33 dollars (\$1,250) covering the period April 1, 2011 to March 31, 2014 is
34 only payable on a prospective basis commencing with the scheduled Decem-
35 ber 2014 payment.

36 (b) Notwithstanding any other provision of law to the contrary, pursu-
37 ant to the terms of the agreement negotiated between the state and the
38 employee organization representing the collective negotiating unit
39 consisting of troopers in the division of state police, hazardous duty
40 pay shall be payable to members of this unit in December of each respec-
41 tive state fiscal year to which the payment is attributed, or as soon as
42 practicable thereafter. Such payment shall continue to be made as a lump
43 sum payment to members of this unit on the payroll on November first of
44 each year during the pay period that includes December first of each
45 year. Such payment shall be in addition to, and shall not be part of,
46 the member's annual basic salary, and shall not affect or impair any
47 rights or benefits to which the member may be entitled; provided, howev-
48 er, that such payment shall be included as compensation for purposes of
49 computation of overtime pay and as compensation for retirement.

50 S 8. Health benefits committees. Pursuant to the terms of an agreement
51 negotiated between the state and the employee organization representing
52 the collective negotiating unit consisting of troopers in the division
53 of state police, during the period April 1, 2011 through March 31, 2018,
54 there shall continue to be a committee on health benefits funded in the
55 following amounts: \$12,750 for the period April 1, 2014 through March
56 31, 2015; \$13,005 for the period April 1, 2015 through March 31, 2016;

\$13,200 for the period April 1, 2016 through March 31, 2017; and \$13,398 for the period April 1, 2017 through March 31, 2018. One-half of this amount in each year shall be made available to the state and one-half of this amount shall be made available to the employee organization representing such unit.

S 9. Professional development and training funds. Pursuant to the terms of an agreement negotiated between the state and the employee organization representing the collective negotiating unit consisting of troopers in the division of state police, during the period April 1, 2011 through March 31, 2018, there shall continue to be a professional development and quality of working life committee from which the tuition reimbursement program, the master's program and the employee assistance program shall be supported. Such committee shall be funded in the following amounts: \$94,248 for the period April 1, 2014 through March 31, 2015; \$96,133 for the period April 1, 2015 through March 31, 2016; \$97,575 for the period April 1, 2016 through March 31, 2017; and \$99,039 for the period April 1, 2017 through March 31, 2018.

S 10. Recognized degree pay. Notwithstanding any provision of law to the contrary, pursuant to the terms of the agreement negotiated between the state and the employee organization representing the collective negotiating unit consisting of troopers in the division of state police, or the terms of the interest arbitration award made pursuant to subdivision 4 of section 209 of the civil service law binding the executive branch of the state of New York and the employee organization representing such unit, effective March 31, 2003, the lump sum payments for degrees, as contained in section 4 of chapter 244 of the laws of 2002, shall continue.

S 11. Short swings. (a) Notwithstanding any provision of law to the contrary, pursuant to the terms of the agreement negotiated between the state and the employee organization representing the collective negotiating unit consisting of troopers in the division of state police, or the terms of the interest arbitration award made pursuant to subdivision 4 of section 209 of the civil service law binding the executive branch of the state of New York and the employee organization representing such unit, effective March 31, 2003, members of this unit who are required to work short swings shall continue to receive compensation of thirty dollars (\$30) for each short swing they are required to work and actually work. There shall be no short swing compensation where the short swing is worked at the request of, or for the convenience of the member, as determined by the division of state police. The definition of short swing shall be a tour of duty commencing between the hours of five a.m. and nine a.m. (B line) followed by a tour of duty commencing between nine p.m. and one a.m. (A line) on consecutive days, or, a tour of duty commencing between the hours of one p.m. and five p.m. (C line) followed by a tour of duty commencing between the hours of five a.m. and nine a.m. (B line) on consecutive days. Such additional compensation shall not be payable if such member's hours of work continue from the conclusion of the former shift to the commencement of the latter shift without interruption.

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

1 The director of the budget may adopt such regulations as may be deemed
2 necessary to carry out the provisions of this section.

3 S 12. Member in charge of satellite station compensation. Members of
4 the collective negotiating unit consisting of troopers in the division
5 of state police who are designated "members in charge" of a satellite
6 station shall continue to receive four hundred thirty-five dollars
7 (\$435) per year. Such payment for the "member in charge" designation
8 shall commence upon such designation and shall be prorated based upon
9 the duration of the designation.

10 S 13. Unused sick leave at retirement. Effective March 31, 2003, the
11 lump sum payment for unused sick leave at retirement as provided in
12 section 9 of chapter 9 of the laws of 2001 shall continue.

13 S 14. Overtime meal allowance. Notwithstanding any other provision of
14 law to the contrary, pursuant to the terms of the agreement negotiated
15 between the state and the employee organization representing the collec-
16 tive negotiating unit consisting of troopers in the division of state
17 police, or the terms of the interest arbitration award made pursuant to
18 subdivision 4 of section 209 of the civil service law binding the execu-
19 tive branch of the state of New York and the employee organization
20 representing such unit, the overtime meal allowance for unit members
21 shall continue at the rates in effect as of March 31, 2007.

22 S 15. The salary increases and benefit modifications provided for by
23 this act for state employees in the collective negotiating unit consist-
24 ing of troopers in the division of state police established pursuant to
25 article 14 of the civil service law shall not be implemented until the
26 director of employee relations shall have delivered to the director of
27 the budget and the comptroller a letter certifying that there is in
28 effect with respect to such negotiating unit a collective negotiating
29 agreement which provides for such increases and modifications and which
30 is fully executed in writing with the state pursuant to article 14 of
31 the civil service law, and ratified pursuant to the ratification proce-
32 dure of the employee organization certified pursuant to article 14 of
33 the civil service law to represent each such collective negotiating
34 unit.

35 S 16. Payment and publication of grievance arbitration settlements and
36 awards. Notwithstanding any provision of law to the contrary, the
37 appropriations contained in this act shall be available to the state for
38 the payment and publication of grievance arbitration settlements and
39 awards pursuant to article 15 of the collective negotiating agreement
40 between the state and the employee organization representing the collec-
41 tive negotiating unit consisting of troopers in the division of state
42 police.

43 S 17. Date of entitlement to salary increase. Notwithstanding the
44 provisions of this act or of any other provision of law to the contrary,
45 the increase of salary or compensation of any member of the collective
46 negotiating unit consisting of troopers in the division of state police
47 provided by this act shall be added to the salary of such member at the
48 beginning of that payroll period the first day of which is nearest to
49 the effective date of such increase as provided in this act, or at the
50 beginning of the earlier of two payroll periods the first days of which
51 are nearest but equally near to the effective date of such increase as
52 provided in this act; provided, however, that, for the purposes of
53 determining the salary of such officer or employee upon reclassifica-
54 tion, reallocation, appointment, promotion, transfer, demotion, rein-
55 statement, or other change of status, such salary increase shall be
56 deemed to be effective on the date thereof as prescribed by this act,

1 with payment thereof pursuant to this section on a date prior thereto,
2 instead of on such effective date, and shall not operate to confer any
3 additional salary rights or benefits on such officer or employee.
4 Payment of such salary increase may be deferred pursuant to section
5 eighteen of this act.

6 S 18. Deferred payment of salary increase. Notwithstanding the
7 provisions of any other section of this act or of any other provision of
8 law to the contrary, pending payment pursuant to this act of the basic
9 annual salaries of incumbents of positions subject to this act, such
10 incumbents shall receive, as partial compensation for services rendered,
11 the rate of compensation otherwise payable in their respective posi-
12 tions. An incumbent holding a position subject to this act at any time
13 during the period from April 1, 2011 until the time when basic annual
14 salaries are first paid pursuant to this act for such services in excess
15 of the compensation actually received therefor, shall be entitled to a
16 lump sum payment for the difference between the salary to which such
17 incumbent is entitled for such service and the compensation actually
18 received therefor. Such lump sum payment shall be made as soon as prac-
19 ticable. Any amount payable in such lump sum paid represents compen-
20 sation earned in each of the year or years for which it is calculated
21 pursuant to this act and not as compensation earned wholly in the year
22 during which the lump sum is paid. Pursuant to the terms of the agree-
23 ment negotiated between the state and the employee organization repres-
24 enting the collective negotiating unit consisting of troopers in the
25 division of state police, there shall be no retroactive payment of the
26 increases to the compensation provided in section six or seven of this
27 act for the period April 1, 2011 to March 31, 2014 under any circum-
28 stances.

29 S 19. Use of appropriations. Notwithstanding any provision of the
30 state finance law or any other provision of law to the contrary, the
31 state comptroller is authorized to pay any amounts required by the fore-
32 going provisions of this act. To the extent that existing appropriations
33 available to any state department or agency in any fund are insufficient
34 to accomplish the purposes set forth in this section, the director of
35 the budget is authorized to allocate to the various departments and
36 agencies, from any appropriations available in any fund, the amounts
37 necessary to make such payments. Any appropriations or other funds
38 available to any state department or agency for personal service or for
39 other related employee benefits during the fiscal year commencing April
40 1, 2014 or April 1, 2015 shall be available for the payment of any
41 liabilities or obligations incurred pursuant to the foregoing provisions
42 of this act, whether occurring prior to or during the state fiscal year
43 commencing April 1, 2014 or April 1, 2015.

44 S 20. Appropriations. Notwithstanding any provision of the state
45 finance law or any other provision of law to the contrary, the several
46 amounts as hereinafter set forth in this section are hereby appropriated
47 from the funds so designated for use by any state department or agency
48 for the fiscal year beginning April 1, 2014 or April 1, 2015 to supple-
49 ment appropriations from each respective fund available for personal
50 service, other than personal service and fringe benefits, and to carry
51 out the provisions of this act. The monies hereby appropriated are
52 available for payment of any liabilities or obligations incurred prior
53 to or during the state fiscal year commencing April 1, 2014 or April 1,
54 2015. For this purpose, these appropriations shall remain in full force
55 and effect for the payment of liabilities incurred on or before April 1,
56 2015 or April 1, 2016. No money shall be available for expenditure from

1 this appropriation until a certification of approval has been issued by
2 the director of the budget and a copy of such certificate or any amend-
3 ment thereto has been filed with the state comptroller, the chairperson
4 of the senate finance committee, and the chairperson of the assembly
5 ways and means committee.

6 ALL STATE DEPARTMENTS AND AGENCIES

7 Special Pay Bills
8 General Fund - State Purposes Account

9 PERSONAL SERVICE

10 Personal Service - Regular 31,143,000

11 NON-PERSONAL SERVICE

12 Fringe benefits 2,382,000
13 Health Benefits Committee 26,000
14 Professional Development Fund 191,000
15 Employee Benefit Fund 2,100,000
16 Contract Administration 25,000

17 S 21. This act shall take effect immediately and shall be deemed to
18 have been in full force and effect on and after April 1, 2011.

REPEAL NOTE.- Subparagraphs 1, 2, 3 and 4 of paragraph a of subdivi-
sion 2 of section 215 of the executive law, repealed by section one of
this act, provided salary schedules for state employees in the partic-
ular titles in the collective negotiating unit consisting of troopers in
the division of state police and is replaced by revised salary schedules
in new subparagraphs 1, 2, 3, and 4 of paragraph a of subdivision 2
implementing an agreement between the state and the employee organiza-
tion representing such unit.