

8246

2015-2016 Regular Sessions

I N A S S E M B L Y

June 14, 2015

Introduced by M. of A. ABBATE -- (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 commissioned and non-commissioned officers 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; and making an appropriation therefor; and repealing 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 Section 1. Subparagraphs 5, 6, 7 and 8 of paragraph a of subdivision 2
2 of section 215 of the executive law are REPEALED and four new subpara-
3 graphs 5, 6, 7 and 8 are added to read as follows:
4 (5) EFFECTIVE APRIL FIRST, TWO THOUSAND FOURTEEN, MEMBERS OF THE
5 COLLECTIVE NEGOTIATING UNIT CONSISTING OF COMMISSIONED AND NON-COMMIS-
6 SIONED OFFICERS IN THE DIVISION OF STATE POLICE SHALL RECEIVE A BASIC
7 ANNUAL SALARY PURSUANT TO THE FOLLOWING SCHEDULE:
8 ORANGE, CITY OF NEW NASSAU AND ALL OTHER
9 PUTNAM AND YORK, ROCKLAND SUFFOLK LOCATIONS
10 DUTCHESS AND WESTCHESTER COUNTIES
11 COUNTIES COUNTIES
12 SERGEANT AND
13 TECHNICAL
14 SERGEANT \$102,048 \$103,135 \$103,421 \$101,846
15 STATION
16 COMMANDER \$105,345 \$106,433 \$106,718 \$105,145
17 ZONE
18 SERGEANT \$107,027 \$108,111 \$108,396 \$106,825
19 FIRST,
20 STAFF

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

LBD12020-04-5

1	AND				
2	CHIEF T/				
3	SGT	\$112,533	\$113,619	\$113,903	\$112,330
4	LIEUTENANT				
5	AND				
6	TECHNICAL				
7	LIEUTENANT	\$121,953	\$123,038	\$123,323	\$121,752
8	LIEUTENANT				
9	BCI	\$124,342	\$125,427	\$125,713	\$124,138
10	CAPTAIN	\$130,059	\$131,144	\$131,432	\$129,857
11	CAPTAIN BCI	\$132,484	\$133,567	\$133,853	\$132,279
12	MAJOR	\$138,583	\$139,669	\$139,954	\$138,379
13	(6) EFFECTIVE APRIL FIRST, TWO THOUSAND FIFTEEN, MEMBERS OF THE				
14	COLLECTIVE NEGOTIATING UNIT CONSISTING OF COMMISSIONED AND NON-COMMIS-				
15	SIONED OFFICERS IN THE DIVISION OF STATE POLICE SHALL RECEIVE A BASIC				
16	ANNUAL SALARY PURSUANT TO THE FOLLOWING SCHEDULE:				
17		ORANGE,	CITY OF NEW	NASSAU AND	ALL OTHER
18		PUTNAM AND	YORK, ROCKLAND	SUFFOLK	LOCATIONS
19		DUTCHESS	AND WESTCHESTER	COUNTIES	
20		COUNTIES	COUNTIES		
21	SERGEANT AND				
22	TECHNICAL				
23	SERGEANT	\$104,089	\$105,198	\$105,489	\$103,883
24	STATION				
25	COMMANDER	\$107,452	\$108,562	\$108,852	\$107,248
26	ZONE				
27	SERGEANT	\$109,168	\$110,273	\$110,564	\$108,962
28	FIRST,				
29	STAFF				
30	AND				
31	CHIEF T/				
32	SGT	\$114,784	\$115,891	\$116,181	\$114,577
33	LIEUTENANT				
34	AND				
35	TECHNICAL				
36	LIEUTENANT	\$124,392	\$125,499	\$125,789	\$124,187
37	LIEUTENANT				
38	BCI	\$126,829	\$127,936	\$128,227	\$126,621
39	CAPTAIN	\$132,660	\$133,767	\$134,061	\$132,454
40	CAPTAIN BCI	\$135,134	\$136,238	\$136,530	\$134,925
41	MAJOR	\$141,355	\$142,462	\$142,753	\$141,147
42	(7) EFFECTIVE APRIL FIRST, TWO THOUSAND SIXTEEN, MEMBERS OF THE				
43	COLLECTIVE NEGOTIATING UNIT CONSISTING OF COMMISSIONED AND NON-COMMIS-				
44	SIONED OFFICERS IN THE DIVISION OF STATE POLICE SHALL RECEIVE A BASIC				
45	ANNUAL SALARY PURSUANT TO THE FOLLOWING SCHEDULE:				
46		ORANGE,	CITY OF NEW	NASSAU AND	ALL OTHER
47		PUTNAM AND	YORK, ROCKLAND	SUFFOLK	LOCATIONS
48		DUTCHESS	AND WESTCHESTER	COUNTIES	
49		COUNTIES	COUNTIES		
50	SERGEANT AND				
51	TECHNICAL				
52	SERGEANT	\$105,650	\$106,776	\$107,071	\$105,441
53	STATION				
54	COMMANDER	\$109,064	\$110,190	\$110,485	\$108,857
55	ZONE				
56	SERGEANT	\$110,806	\$111,927	\$112,222	\$110,596

1 FIRST,
2 STAFF
3 AND
4 CHIEF T/
5 SGT \$116,506 \$117,629 \$117,924 \$116,296
6 LIEUTENANT
7 AND
8 TECHNICAL
9 LIEUTENANT \$126,258 \$127,381 \$127,676 \$126,050
10 LIEUTENANT
11 BCI \$128,731 \$129,855 \$130,150 \$128,520
12 CAPTAIN \$134,650 \$135,774 \$136,072 \$134,441
13 CAPTAIN BCI \$137,161 \$138,282 \$138,578 \$136,949
14 MAJOR \$143,475 \$144,599 \$144,894 \$143,264
15 (8) EFFECTIVE APRIL FIRST, TWO THOUSAND SEVENTEEN, MEMBERS OF THE
16 COLLECTIVE NEGOTIATING UNIT CONSISTING OF COMMISSIONED AND NON-COMMIS-
17 SIONED OFFICERS IN THE DIVISION OF STATE POLICE SHALL RECEIVE A BASIC
18 ANNUAL SALARY PURSUANT TO THE FOLLOWING SCHEDULE:
19 ORANGE, CITY OF NEW NASSAU AND ALL OTHER
20 PUTNAM AND YORK, ROCKLAND SUFFOLK LOCATIONS
21 DUTCHESS AND WESTCHESTER COUNTIES
22 COUNTIES
23 SERGEANT AND
24 TECHNICAL
25 SERGEANT \$107,235 \$108,378 \$108,677 \$107,023
26 STATION
27 COMMANDER \$110,700 \$111,843 \$112,142 \$110,490
28 ZONE
29 SERGEANT \$112,468 \$113,606 \$113,905 \$112,255
30 FIRST,
31 STAFF
32 AND
33 CHIEF T/
34 SGT \$118,254 \$119,393 \$119,693 \$118,040
35 LIEUTENANT
36 AND
37 TECHNICAL
38 LIEUTENANT \$128,152 \$129,292 \$129,591 \$127,941
39 LIEUTENANT
40 BCI \$130,662 \$131,803 \$132,102 \$130,448
41 CAPTAIN \$136,670 \$137,811 \$138,113 \$136,458
42 CAPTAIN BCI \$139,218 \$140,356 \$140,657 \$139,003
43 MAJOR \$145,627 \$146,768 \$147,067 \$145,413
44 S 2. Paragraph a of subdivision 2 of section 207-b of the state
45 finance law is REPEALED and a new paragraph a is added to read as
46 follows:
47 A. WHERE, AND TO THE EXTENT THAT, THE AGREEMENT BETWEEN THE STATE AND
48 AN EMPLOYEE ORGANIZATION ENTERED INTO PURSUANT TO ARTICLE FOURTEEN OF
49 THE CIVIL SERVICE LAW SO PROVIDES ON BEHALF OF THE EMPLOYEES IN THE
50 COLLECTIVE NEGOTIATING UNIT CONSISTING OF COMMISSIONED AND NON-COMMIS-
51 SIONED OFFICERS IN THE DIVISION OF STATE POLICE, ESTABLISHED PURSUANT TO
52 ARTICLE FOURTEEN OF THE CIVIL SERVICE LAW, AND UPON AUDIT AND WARRANT OF
53 THE STATE COMPTROLLER, THE DIRECTOR SHALL PROVIDE FOR THE PAYMENT OF
54 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 NEGOTIATING UNIT COVERED BY THE CONTROL-

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

33 S 3. Location compensation. (a) Notwithstanding any other provision of
34 law to the contrary, pursuant to the terms of the agreement negotiated
35 between the state and the employee organization representing the collec-
36 tive negotiating unit consisting of commissioned and non-commissioned
37 officers in the division of state police, members in this collective
38 negotiating unit whose principal place of employment, or, in the case of
39 a field employee, whose official station as determined in accordance
40 with the regulations of the state comptroller, is located in the county
41 of Monroe and who were on the payroll on March 31, 1985, and who have
42 received this location compensation continually since then, shall
43 continue to receive location pay at the rate of two hundred dollars
44 (\$200) per year, provided the member continues to be otherwise eligible.
45 Such location pay shall continue to be annualized and paid during the
46 regular bi-weekly periods. Such location pay shall be in addition to,
47 and shall not be a part of, a member's annual basic salary, and shall
48 not affect or impair any increments or other rights or benefits to which
49 the member may be entitled; provided, however, that location pay shall
50 be included as compensation for purposes of computation of overtime pay
51 and for retirement purposes.

52 (b) Notwithstanding any other provision of law to the contrary, pursu-
53 ant to the terms of the agreement negotiated between the state and the
54 employee organization representing the collective negotiating unit
55 consisting of commissioned and non-commissioned officers in the division
56 of state police, members in this collective negotiating unit whose prin-

1 cipal place of employment, or, in the case of a field employee, whose
2 official station as determined in accordance with the regulations of the
3 state comptroller, is located in the city of New York, or in the county
4 of Rockland, Westchester, Nassau or Suffolk shall continue to receive
5 location pay at the rate of one thousand five hundred thirty-six dollars
6 (\$1,536) per year effective April 1, 2010.

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

14 S 4. Supplemental location compensation. (a) Notwithstanding any
15 other provision of law to the contrary, pursuant to the terms of the
16 agreement negotiated between the state and the employee organization
17 representing the collective negotiating unit consisting of commissioned
18 and non-commissioned officers in the division of state police, members
19 in this collective negotiating unit whose principal place of employment,
20 or, in the case of a field employee, whose official station as deter-
21 mined in accordance with the regulations of the state comptroller, is
22 located in the city of New York, or in the county of Putnam, Orange,
23 Dutchess, Rockland, Westchester, Nassau or Suffolk shall continue to
24 receive supplemental location pay as follows effective April 1, 2010:

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

29 (b) Such supplemental location pay shall continue to be annualized and
30 paid during regular bi-weekly periods. Such supplemental location
31 compensation shall be in addition to, and shall not be a part of, a
32 member's annual basic salary, and shall not affect or impair any incre-
33 ments or other rights or benefits to which the member may be entitled;
34 provided, however, that such compensation shall be included as compen-
35 sation for purposes of computation of overtime pay and for retirement
36 purposes.

37 S 5. Expanded duty pay. (a) Notwithstanding any other provision of law
38 to the contrary, pursuant to the terms of the agreement negotiated
39 between the state and the employee organization representing the collec-
40 tive negotiating unit consisting of commissioned and non-commissioned
41 officers in the division of state police, during the period April 1,
42 2010 through March 31, 2014, the annual payment for expanded duty pay
43 for members of this unit shall continue in the amount of seven thousand
44 four hundred fifty-two dollars (\$7,452). Effective April 1, 2014, the
45 annual payment for expanded duty pay shall be eight thousand seven
46 hundred two dollars (\$8,702). There shall be no retroactive payment of
47 the increases to expanded duty pay for the period April 1, 2011 to March
48 31, 2014 under any circumstances. Pursuant to the agreement, the entire
49 increase of one thousand two hundred fifty dollars (\$1,250) covering the
50 period April 1, 2011 to March 31, 2014 is only payable on a prospective
51 basis commencing April 1, 2014.

52 (b) Pursuant to the terms of the agreement negotiated between the
53 state and the employee organization representing the collective negoti-
54 ating unit consisting of commissioned and non-commissioned officers in

1 the division of state police, expanded duty pay shall continue to be
2 annualized and paid during regular bi-weekly periods. Such additional
3 compensation shall be in addition to, and shall not be part of, the
4 member's annual basic salary, and shall not affect or impair any rights
5 or benefits to which the member may be entitled; provided, however, that
6 such additional compensation shall be included as compensation for
7 purposes of computation of overtime pay and as compensation for retire-
8 ment.

9 S 6. Hazardous duty pay. (a) Notwithstanding any other provision of
10 law to the contrary, pursuant to the terms of the agreement negotiated
11 between the state and employee organization representing the collective
12 negotiating unit consisting of commissioned and non-commissioned offi-
13 cers in the division of state police, during the period April 1, 2010
14 through March 31, 2014, the annual payment for hazardous duty pay for
15 members of this unit shall continue in the amount of one thousand two
16 hundred dollars (\$1,200). Effective April 1, 2014, the annual payment
17 for hazardous duty pay shall be two thousand four hundred fifty dollars
18 (\$2,450). There shall be no retroactive payment of the increases to
19 hazardous duty pay for the period April 1, 2011 to March 31, 2014 under
20 any circumstances. Pursuant to the agreement, the entire increase of
21 one thousand two hundred fifty dollars (\$1,250) covering the period
22 April 1, 2011 to March 31, 2014 is only payable on a prospective basis
23 commencing with the scheduled December 2014 payment.

24 (b) Notwithstanding any other provision of law to the contrary, pursu-
25 ant to the terms of the agreement negotiated between the state and the
26 employee organization representing the collective negotiating unit
27 consisting of commissioned and non-commissioned officers in the division
28 of state police, hazardous duty pay shall be payable to members of this
29 unit in December of each respective state fiscal year to which the
30 payment is attributed, or as soon as practicable thereafter. Such
31 payment shall continue to be made as a lump sum payment to members of
32 this unit on the payroll on the first of November each year during the
33 pay period that includes the first of December each year. Such payment
34 shall be in addition to, and shall not be part of, the member's annual
35 basic salary, and shall not affect or impair any rights or benefits to
36 which the member may be entitled; provided, however, that such payment
37 shall be included as compensation for purposes of computation of over-
38 time pay and as compensation for retirement.

39 S 7. Command pay. (a) Notwithstanding any provision of law to the
40 contrary, pursuant to the terms of an agreement negotiated between the
41 state and the employee organization representing the collective negoti-
42 ating unit consisting of commissioned and non-commissioned officers in
43 the division of state police, in recognition that commissioned and non-
44 commissioned officers in the division of state police assume higher
45 level responsibilities, such commissioned and non-commissioned officers
46 shall continue to receive command pay in the amount of three hundred
47 nineteen dollars (\$319) effective April 1, 2010.

48 (b) Such payment shall be annualized and paid during the regular
49 bi-weekly periods and shall be in addition to, and not part of, the
50 member's annual basic salary, and shall not affect or impair any rights
51 or benefits to which the member may be entitled; provided, however, such
52 payments shall be included as compensation for retirement purposes.
53 Command pay shall be included for overtime calculations for non-commis-
54 sioned officers.

55 S 8. Health benefits committees. Pursuant to the terms of an agreement
56 negotiated between the state and the employee organization representing

1 the collective negotiating unit consisting of commissioned and non-com-
2 missioned officers in the division of state police, during the period
3 April 1, 2011 through March 31, 2018, there shall continue to be a
4 committee on health benefits funded in the following amounts: \$5,100 for
5 the period April 1, 2014 through March 31, 2015; \$5,202 for the period
6 April 1, 2015 through March 31, 2016; \$5,280 for the period April 1,
7 2016 through March 31, 2017; and \$5,359 for the period April 1, 2017
8 through March 31, 2018. One-half of this amount in each year shall be
9 made available to the state and one-half of this amount shall be made
10 available to the employee organization representing such unit.

11 S 9. Professional development and training funds. Pursuant to the
12 terms of an agreement negotiated between the state and the employee
13 organization representing the collective negotiating unit consisting of
14 commissioned and non-commissioned officers in the division of state
15 police, during the period April 1, 2011 through March 31, 2018, there
16 shall continue to be a professional development and quality of working
17 life committee from which the tuition reimbursement program, the
18 master's program and the employee assistance program shall be supported.
19 Such committee shall be funded in the following amounts: \$94,248 for the
20 period April 1, 2014 through March 31, 2015; \$96,133 for the period
21 April 1, 2015 through March 31, 2016; \$97,575 for the period April 1,
22 2016 through March 31, 2017; and \$99,039 for the period April 1, 2017
23 through March 31, 2018.

24 S 10. Recognized degree pay. Notwithstanding any provision of law to
25 the contrary, pursuant to the terms of the agreement negotiated between
26 the state and the employee organization representing the collective
27 negotiating unit consisting of commissioned and non-commissioned offi-
28 cers in the division of state police, or the terms of the interest arbi-
29 tration award made pursuant to subdivision 4 of section 209 of the civil
30 service law binding the executive branch of the state of New York and
31 the employee organization representing such unit, effective March 31,
32 2003, the lump sum payments for degrees, as contained in section 5 of
33 chapter 244 of the laws of 2002, shall continue.

34 S 11. Short swings. (a) Notwithstanding any provision of law to the
35 contrary, pursuant to the terms of the agreement negotiated between the
36 state and the employee organization representing the collective negoti-
37 ating unit consisting of commissioned and non-commissioned officers in
38 the division of state police, or the terms of the interest arbitration
39 award made pursuant to subdivision 4 of section 209 of the civil service
40 law binding the executive branch of the state of New York and the
41 employee organization representing such unit, effective March 31, 2003,
42 members of this unit who are required to work short swings shall contin-
43 ue to receive compensation of thirty dollars (\$30) for each short swing
44 they are required to work and actually work. There shall be no short
45 swing compensation where the short swing is worked at the request of, or
46 for the convenience of the member, as determined by the division of
47 state police. The definition of short swing shall be a tour of duty
48 commencing between the hours of five a.m. and nine a.m. (B line)
49 followed by a tour of duty commencing between nine p.m. and one a.m. (A
50 line) on consecutive days, or, a tour of duty commencing between the
51 hours of one p.m. and five p.m. (C line) followed by a tour of duty
52 commencing between the hours of five a.m. and nine a.m. (B line) on
53 consecutive days. Such additional compensation shall not be payable if
54 such member's hours of work continue from the conclusion of the former
55 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. The director of the budget may adopt such regulations as may be deemed necessary to carry out the provisions of this section.

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

S 13. Overtime meal allowance. Notwithstanding any other 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 commissioned and non-commissioned officers 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, the overtime meal allowance for unit members shall continue at the rates in effect as of March 31, 2007.

S 14. The salary increases and benefit modifications provided for by this act for state employees in the collective negotiating unit consisting of commissioned and non-commissioned officers in the division of state police established pursuant to article 14 of the civil service law shall not be implemented until the director of employee relations shall have delivered to the director of the budget and the comptroller a letter certifying that there is in effect with respect to such negotiating unit a collective negotiating agreement which provides for such increases and modifications and which is fully executed in writing with the state pursuant to article 14 of the civil service law, and ratified pursuant to the ratification procedure of the employee organization certified pursuant to article 14 of the civil service law to represent each such collective negotiating unit.

S 15. Payment and publication of grievance arbitration settlements and awards. Notwithstanding any provision of law to the contrary, the appropriations contained in this act shall be available to the state for the payment and publication of grievance arbitration settlements and awards pursuant to article 15 of the collective negotiating agreement between the state and the employee organization representing the collective negotiating unit consisting of commissioned and non-commissioned officers in the division of state police.

S 16. Date of entitlement to salary increase. Notwithstanding the provisions of this act or of any other provision of law to the contrary, the increase of salary or compensation of any member of the collective negotiating unit consisting of commissioned and non-commissioned officers in the division of state police provided by this act shall be added to the salary of such member at the beginning of that payroll period the first day of which is nearest to the effective date of such increase as provided in this act, or at the beginning of the earlier of two payroll periods the first days of which are nearest but equally near to the effective date of such increase as provided in this act; provided, however, that, for the purposes of determining the salary of such officer or employee upon reclassification, reallocation, appointment, promotion, transfer, demotion, reinstatement, or other change of status, such salary increase shall be deemed to be effective on the date thereof

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

6 S 17. 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 commissioned and
25 non-commissioned officers in the division of state police, there shall
26 be no retroactive payment of the increases to the compensation provided
27 in section five or six of this act for the period April 1, 2011 to March
28 31, 2014 under any circumstances.

29 S 18. 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 19. 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 \$8,801,000

11 NON-PERSONAL SERVICE

12 Fringe Benefits \$673,000
13 Health Benefits Committee \$11,000
14 Professional Development Fund..... \$191,000
15 Employee Benefit Fund \$530,000
16 Contract Administration \$25,000

17 S 20. This act shall take effect immediately and shall be deemed to have
18 been in full force and effect on and after April 1, 2011.

REPEAL NOTE.--Subparagraphs 5, 6, 7, and 8 of paragraph a of subdivision 2 of section 215 of the executive law, repealed by section one of this act, provided salary schedules for state employees in the particular titles in the collective negotiating unit consisting of commissioned and non-commissioned officers in the division of state police and is replaced by revised salary schedules in new subparagraphs 5, 6, 7, and 8 of paragraph a of subdivision 2 implementing an agreement between the state and the employee organization representing such unit. Paragraph a 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 commissioned and non-commissioned officers in the division of state police and is replaced by a revised schedule of payments to be made to such fund in a new paragraph a implementing an agreement between the state and the employee organization representing such unit.