

5969

2015-2016 Regular Sessions

I N S E N A T E

June 14, 2015

Introduced by Sen. GOLDEN -- (at request of the Governor) -- read twice
and ordered printed, and when printed to be committed to the Committee
on Finance

AN ACT to amend the executive law, in relation to the terms and condi-
tions 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 ASSEM-
BLY, 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2 of section 215 of the executive law are REPEALED and four new subpara-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

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

LBD12030-03-5

(2) EFFECTIVE APRIL FIRST, TWO THOUSAND FIFTEEN, MEMBERS OF THE COLLECTIVE NEGOTIATING UNIT CONSISTING OF TROOPERS IN THE DIVISION OF STATE POLICE SHALL RECEIVE A BASIC ANNUAL SALARY PURSUANT TO THE FOLLOWING SCHEDULE:

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

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

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

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

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

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

A-1. WHERE, AND TO THE EXTENT THAT, THE AGREEMENT BETWEEN THE STATE AND AN EMPLOYEE ORGANIZATION ENTERED INTO PURSUANT TO ARTICLE FOURTEEN OF THE CIVIL SERVICE LAW SO PROVIDES ON BEHALF OF EMPLOYEES IN THE COLLECTIVE NEGOTIATING UNIT CONSISTING OF TROOPERS IN THE DIVISION OF STATE POLICE, ESTABLISHED PURSUANT TO ARTICLE FOURTEEN OF THE CIVIL SERVICE LAW, 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

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

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

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

52 S 4. Location compensation. (a) Notwithstanding any other provision of
53 law 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, members in this collective negotiating unit whose principal

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

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

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

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

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

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

54 S 6. Expanded duty pay. (a) Notwithstanding any other provision of law
55 to the contrary, pursuant to the terms of the agreement negotiated
56 between the state and the employee organization representing the collec-

1 tive negotiating unit consisting of troopers in the division of state
2 police, during the period April 1, 2010 through March 31, 2014, the
3 annual payment for expanded duty pay for members of this unit shall
4 continue in the amount of seven thousand four hundred fifty-two dollars
5 (\$7,452). Effective April 1, 2014, the annual payment for expanded duty
6 pay shall be eight thousand seven hundred two dollars (\$8,702). There
7 shall be no retroactive payment of the increases to expanded duty pay
8 for the period April 1, 2011 to March 31, 2014 under any circumstances.
9 Pursuant to the agreement, the entire increase of one thousand two
10 hundred fifty dollars (\$1,250) covering the period April 1, 2011 to
11 March 31, 2014 is only payable on a prospective basis commencing April
12 1, 2014.

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

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

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

52 S 8. Health benefits committees. Pursuant to the terms of an agreement
53 negotiated between the state and the employee organization representing
54 the collective negotiating unit consisting of troopers in the division
55 of state police, during the period April 1, 2011 through March 31, 2018,
56 there shall continue to be a committee on health benefits funded in the

1 following amounts: \$12,750 for the period April 1, 2014 through March
2 31, 2015; \$13,005 for the period April 1, 2015 through March 31, 2016;
3 \$13,200 for the period April 1, 2016 through March 31, 2017; and \$13,398
4 for the period April 1, 2017 through March 31, 2018. One-half of this
5 amount in each year shall be made available to the state and one-half of
6 this amount shall be made available to the employee organization repres-
7 enting such unit.

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

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

30 S 11. Short swings. (a) Notwithstanding any provision of law to the
31 contrary, pursuant to the terms of the agreement negotiated between the
32 state and the employee organization representing the collective negoti-
33 ating unit consisting of troopers in the division of state police, or
34 the terms of the interest arbitration award made pursuant to subdivision
35 4 of section 209 of the civil service law binding the executive branch
36 of the state of New York and the employee organization representing such
37 unit, effective March 31, 2003, members of this unit who are required to
38 work short swings shall continue to receive compensation of thirty
39 dollars (\$30) for each short swing they are required to work and actual-
40 ly work. There shall be no short swing compensation where the short
41 swing is worked at the request of, or for the convenience of the member,
42 as determined by the division of state police. The definition of short
43 swing shall be a tour of duty commencing between the hours of five a.m.
44 and nine a.m. (B line) followed by a tour of duty commencing between
45 nine p.m. and one a.m. (A line) on consecutive days, or, a tour of duty
46 commencing between the hours of one p.m. and five p.m. (C line)
47 followed by a tour of duty commencing between the hours of five a.m. and
48 nine a.m. (B line) on consecutive days. Such additional compensation
49 shall not be payable if such member's hours of work continue from the
50 conclusion of the former shift to the commencement of the latter shift
51 without interruption.

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

1 the purposes of computation of overtime pay and for retirement purposes.
2 The director of the budget may adopt such regulations as may be deemed
3 necessary to carry out the provisions of this section.

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

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

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

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

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

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

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

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

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

45 S 20. Appropriations. Notwithstanding any provision of the state
46 finance law or any other provision of law to the contrary, the several
47 amounts as hereinafter set forth in this section are hereby appropriated
48 from the funds so designated for use by any state department or agency
49 for the fiscal year beginning April 1, 2014 or April 1, 2015 to supple-
50 ment appropriations from each respective fund available for personal
51 service, other than personal service and fringe benefits, and to carry
52 out the provisions of this act. The monies hereby appropriated are
53 available for payment of any liabilities or obligations incurred prior
54 to or during the state fiscal year commencing April 1, 2014 or April 1,
55 2015. For this purpose, these appropriations shall remain in full force
56 and effect for the payment of liabilities incurred on or before April 1,

1 2015 or April 1, 2016. No money shall be available for expenditure from
2 this appropriation until a certification of approval has been issued by
3 the director of the budget and a copy of such certificate or any amend-
4 ment thereto has been filed with the state comptroller, the chairperson
5 of the senate finance committee, and the chairperson of the assembly
6 ways and means committee.

7 ALL STATE DEPARTMENTS AND AGENCIES

8 Special Pay Bills
9 General Fund - State Purposes Account

10 PERSONAL SERVICE

11 Personal Service - Regular 31,143,000

12 NON-PERSONAL SERVICE

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

18 S 21. This act shall take effect immediately and shall be deemed to
19 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.