S T A T E O F N E W Y O R K

5970

2015-2016 Regular Sessions

I N S E N A T E

June 14, 2015

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

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:

Section 1. Subparagraphs 5, 6, 7 and 8 of paragraph a of subdivision 2 of section 215 of the executive law are REPEALED and four new subparagraphs 5, 6, 7 and 8 are added to read as follows:

(5) EFFECTIVE APRIL FIRST, TWO THOUSAND FOURTEEN, MEMBERS OF THE COLLECTIVE NEGOTIATING UNIT CONSISTING OF COMMISSIONED AND NON-COMMISSIONED OFFICERS 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
SERGEANT AND TECHNICAL SERGEANT	$102,048	$103,135	$103,421	$101,846
STATION COMMANDER	$105,345	$106,433	$106,718	$105,145
ZONE SERGEANT	$107,027	$108,111	$108,396	$106,825
FIRST,				

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

LBD12020-04-5

STAFF AND CHIEF T/ SGT	$112,533	$113,619	$113,903	$112,330
LIEUTENANT AND TECHNICAL LIEUTENANT	$121,953	$123,038	$123,323	$121,752
LIEUTENANT BCI	$124,342	$125,427	$125,713	$124,138
CAPTAIN	$130,059	$131,144	$131,432	$129,857
CAPTAIN BCI	$132,484	$133,567	$133,853	$132,279
MAJOR	$138,583	$139,669	$139,954	$138,379

(6) EFFECTIVE APRIL FIRST, TWO THOUSAND FIFTEEN, MEMBERS OF THE COLLECTIVE NEGOTIATING UNIT CONSISTING OF COMMISSIONED AND NON-COMMISSIONED OFFICERS 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
SERGEANT AND TECHNICAL SERGEANT	$104,089	$105,198	$105,489	$103,883
STATION COMMANDER ZONE SERGEANT FIRST, STAFF AND CHIEF T/ SGT	$107,452	$108,562	$108,852	$107,248
	$109,168	$110,273	$110,564	$108,962
	$114,784	$115,891	$116,181	$114,577
LIEUTENANT AND TECHNICAL LIEUTENANT	$124,392	$125,499	$125,789	$124,187
LIEUTENANT BCI	$126,829	$127,936	$128,227	$126,621
CAPTAIN	$132,660	$133,767	$134,061	$132,454
CAPTAIN BCI	$135,134	$136,238	$136,530	$134,925
MAJOR	$141,355	$142,462	$142,753	$141,147

(7) EFFECTIVE APRIL FIRST, TWO THOUSAND SIXTEEN, MEMBERS OF THE COLLECTIVE NEGOTIATING UNIT CONSISTING OF COMMISSIONED AND NON-COMMISSIONED OFFICERS 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
SERGEANT AND TECHNICAL SERGEANT	$105,650	$106,776	$107,071	$105,441
STATION COMMANDER ZONE	$109,064	$110,190	$110,485	$108,857

SERGEANT FIRST, STAFF AND CHIEF T/ SGT	$110,806	$111,927	$112,222	$110,596
LIEUTENANT AND TECHNICAL LIEUTENANT	$116,506	$117,629	$117,924	$116,296
LIEUTENANT BCI	$126,258	$127,381	$127,676	$126,050
CAPTAIN	$128,731	$129,855	$130,150	$128,520
CAPTAIN BCI	$134,650	$135,774	$136,072	$134,441
MAJOR	$137,161	$138,282	$138,578	$136,949
	$143,475	$144,599	$144,894	$143,264

(8) EFFECTIVE APRIL FIRST, TWO THOUSAND SEVENTEEN, MEMBERS OF THE COLLECTIVE NEGOTIATING UNIT CONSISTING OF COMMISSIONED AND NON-COMMISSIONED OFFICERS 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
SERGEANT AND TECHNICAL SERGEANT	$107,235	$108,378	$108,677	$107,023
STATION COMMANDER	$110,700	$111,843	$112,142	$110,490
ZONE SERGEANT FIRST, STAFF AND CHIEF T/ SGT	$112,468	$113,606	$113,905	$112,255
LIEUTENANT AND TECHNICAL LIEUTENANT	$118,254	$119,393	$119,693	$118,040
LIEUTENANT BCI	$128,152	$129,292	$129,591	$127,941
CAPTAIN	$130,662	$131,803	$132,102	$130,448
CAPTAIN BCI	$136,670	$137,811	$138,113	$136,458
MAJOR	$139,218	$140,356	$140,657	$139,003
	$145,627	$146,768	$147,067	$145,413

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

A. 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 THE EMPLOYEES IN THE COLLECTIVE NEGOTIATING UNIT CONSISTING OF COMMISSIONED AND NON-COMMISSIONED OFFICERS 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 ORGANIZA-

TION FOR THE EMPLOYEES IN THE NEGOTIATING UNIT COVERED BY THE CONTROLLING PROVISIONS OF SUCH AGREEMENT PROVIDING FOR SUCH EMPLOYEE BENEFIT FUND. SUCH AMOUNTS ARE 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, THE NUMBER OF FULL-TIME ANNUAL SALARIED EMPLOYEES, OTHER THAN FULL-TIME SEASONAL EMPLOYEES, ON THE PAYROLL ON MARCH FIRST, TWO THOUSAND TWELVE FOR PAYMENTS TO BE MADE ON APRIL FIRST, TWO THOUSAND TWELVE, THE NUMBER OF FULL-TIME ANNUAL SALARIED EMPLOYEES, OTHER THAN FULL-TIME SEASONAL EMPLOYES, ON THE PAYROLL ON MARCH FIRST, TWO THOUSAND THIRTEEN FOR PAYMENTS TO BE MADE ON APRIL FIRST, TWO THOUSAND THIRTEEN, THE NUMBER OF FULL-TIME ANNUAL SALARIED EMPLOYEES, OTHER THAN FULL-TIME SEASONAL EMPLOYEES, ON THE PAYROLL ON MARCH FIRST, TWO THOUSAND FOURTEEN FOR PAYMENTS TO BE MADE ON APRIL FIRST, TWO THOUSAND FOURTEEN, THE NUMBER OF FULL-TIME ANNUAL SALARIED EMPLOYEES, OTHER THAN FULL-TIME SEASONAL EMPLOYEES, ON THE PAYROLL ON MARCH FIRST, TWO THOUSAND FIFTEEN FOR PAYMENTS TO BE MADE ON APRIL FIRST, TWO THOUSAND FIFTEEN, THE NUMBER OF FULL-TIME ANNUAL SALARIED EMPLOYEES, OTHER THAN FULL-TIME SEASONAL EMPLOYEES, ON THE PAYROLL ON MARCH FIRST, TWO THOUSAND SIXTEEN FOR PAYMENTS TO BE MADE ON APRIL FIRST, TWO THOUSAND SIXTEEN AND THE NUMBER OF FULL-TIME ANNUAL SALARIED EMPLOYEES, OTHER THAN FULL-TIME SEASONAL EMPLOYEES, ON THE PAYROLL ON MARCH FIRST, TWO THOUSAND SEVENTEEN FOR PAYMENTS TO BE MADE ON APRIL FIRST, TWO THOUSAND SEVENTEEN. THE AMOUNTS, WHICH WILL BE DETERMINED PURSUANT TO THIS SECTION, FOR EMPLOYEES WHO ARE PAID FROM SPECIAL OR ADMINISTRATIVE FUNDS, OTHER THAN THE GENERAL FUND OR THE CAPITAL PROJECTS FUND OF THE STATE, WILL BE PAID FROM THE APPROPRIATIONS AS PROVIDED BY LAW, IN WHICH CASE THE STATE COMPTROLLER WILL ESTABLISH PROCEDURES TO ENSURE REPAYMENT FROM SAID SPECIAL OR ADMINISTRATIVE FUNDS. THE DIRECTOR SHALL ENTER INTO AN AGREEMENT WITH THE EMPLOYEE ORGANIZATION THAT SETS FORTH THE SPECIFIC TERMS AND CONDITIONS FOR THE TRANSMITTAL OF MONIES PURSUANT TO THIS SECTION.

S 3. Location compensation. (a) 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, members in this collective negotiating 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 county of Monroe and 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 two hundred dollars ($200) per year, provided the member continues to be otherwise eligible. Such location pay shall continue to be annualized and paid during the regular bi-weekly periods. Such location pay shall be in addition to, and shall not be a part of, a member's annual basic salary, and shall not affect or impair any increments or other rights or benefits to which the member may be entitled; provided, however, that location pay shall be included as compensation for purposes of computation of overtime pay and for retirement purposes.

(b) 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, members in this collective negotiating 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 county of Rockland, Westchester, Nassau or Suffolk shall continue to receive location pay at the rate of one thousand five hundred thirty-six dollars ($1,536) per year effective April 1, 2010.

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

S 4. Supplemental location compensation. (a) 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, members in this collective negotiating 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 county of Putnam, Orange, Dutchess, Rockland, Westchester, Nassau or Suffolk shall continue to 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

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

S 5. Expanded duty pay. (a) 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, during the period April 1, 2010 through March 31, 2014, the annual payment for expanded duty pay for members of this unit shall continue in the amount of seven thousand four hundred fifty-two dollars ($7,452). 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) Pursuant to the terms of the agreement negotiated between the state and the employee organization representing the collective negoti-

ating unit consisting of commissioned and non-commissioned officers in the division of state police, expanded duty pay shall continue to be annualized and paid during regular bi-weekly periods. Such additional compensation shall be in addition to, and shall not be 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 such additional compensation shall be included as compensation for purposes of computation of overtime pay and as compensation for retirement.

S 6. Hazardous duty pay. (a) Notwithstanding any other provision of law to the contrary, pursuant to the terms of the agreement negotiated between the state and employee organization representing the collective negotiating unit consisting of commissioned and non-commissioned officers in the division of state police, during the period April 1, 2010 through March 31, 2014, the annual payment for hazardous duty pay for members of this unit shall continue in the amount of one thousand two hundred dollars ($1,200). Effective April 1, 2014, the annual payment for hazardous duty pay shall be two thousand four hundred fifty dollars ($2,450). There shall be no retroactive payment of the increases to hazardous 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 with the scheduled December 2014 payment.

(b) 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, hazardous duty pay shall be payable to members of this unit in December of each respective state fiscal year to which the payment is attributed, or as soon as practicable thereafter. Such payment shall continue to be made as a lump sum payment to members of this unit on the payroll on the first of November each year during the pay period that includes the first of December each year. Such payment shall be in addition to, and shall not be 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 such payment shall be included as compensation for purposes of computation of overtime pay and as compensation for retirement.

S 7. Command pay. (a) Notwithstanding any provision of law to the contrary, pursuant to the terms of an 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, in recognition that commissioned and non-commissioned officers in the division of state police assume higher level responsibilities, such commissioned and non-commissioned officers shall continue to receive command pay in the amount of three hundred nineteen dollars ($319) effective April 1, 2010.

(b) Such payment shall be annualized and paid during the regular bi-weekly periods and shall be in addition to, and not 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, such payments shall be included as compensation for retirement purposes. Command pay shall be included for overtime calculations for non-commissioned officers.

S 8. Health benefits committees. Pursuant to the terms of an 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, during the period April 1, 2011 through March 31, 2018, there shall continue to be a committee on health benefits funded in the following amounts: $5,100 for the period April 1, 2014 through March 31, 2015; $5,202 for the period April 1, 2015 through March 31, 2016; $5,280 for the period April 1, 2016 through March 31, 2017; and $5,359 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 commissioned and non-commissioned officers 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 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, effective March 31, 2003, the lump sum payments for degrees, as contained in section 5 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 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, 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. 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 as prescribed by this act, with payment thereof pursuant to this section on a date prior thereto, instead of on such effective date, and shall not operate to confer any additional salary rights or benefits on such officer or employee. Payment of such salary increase may be deferred pursuant to section seventeen of this act.

S 17. Deferred payment of salary increase. Notwithstanding the provisions of any other section of this act or of any other provision of law to the contrary, pending payment pursuant to this act of the basic annual salaries of incumbents of positions subject to this act, such incumbents shall receive, as partial compensation for services rendered, the rate of compensation otherwise payable in their respective positions. An incumbent holding a position subject to this act at any time during the period from April 1, 2011 until the time when basic annual salaries are first paid pursuant to this act for such services in excess of the compensation actually received therefor, shall be entitled to a lump sum payment for the difference between the salary to which such incumbent is entitled for such service and the compensation actually received therefor. Such lump sum payment shall be made as soon as practicable. Any amount payable in such lump sum paid represents compensation earned in each of the year or years for which it is calculated pursuant to this act and not as compensation earned wholly in the year during which the lump sum is paid. 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, there shall be no retroactive payment of the increases to the compensation provided in section five or six of this act for the period April 1, 2011 to March 31, 2014 under any circumstances.

S 18. Use of appropriations. Notwithstanding any provision of the state finance law or any other provision of law to the contrary, the state comptroller is authorized to pay any amounts required by the foregoing provisions of this act. To the extent that existing appropriations available to any state department or agency in any fund are insufficient to accomplish the purposes set forth in this section, the director of the budget is authorized to allocate to the various departments and agencies, from any appropriations available in any fund, the amounts necessary to make such payments. Any appropriations or other funds available to any state department or agency for personal service or for other related employee benefits during the fiscal year commencing April 1, 2014 or April 1, 2015 shall be available for the payment of any liabilities or obligations incurred pursuant to the foregoing provisions of this act, whether occurring prior to or during the state fiscal year commencing April 1, 2014 or April 1, 2015.

S 19. Appropriations. Notwithstanding any provision of the state finance law or any other provision of law to the contrary, the several amounts as hereinafter set forth in this section are hereby appropriated from the funds so designated for use by any state department or agency for the fiscal year beginning April 1, 2014 or April 1, 2015 to supplement appropriations from each respective fund available for personal service, other than personal service and fringe benefits, and to carry out the provisions of this act. The monies hereby appropriated are available for payment of any liabilities or obligations incurred prior to or during the state fiscal year commencing April 1, 2014 or April 1, 2015. For this purpose, these appropriations shall remain in full force

and effect for the payment of liabilities incurred on or before April 1, 2015 or April 1, 2016. No money shall be available for expenditure from this appropriation until a certification of approval has been issued by the director of the budget and a copy of such certificate or any amendment thereto has been filed with the state comptroller, the chairperson of the senate finance committee, and the chairperson of the assembly ways and means committee.

ALL STATE DEPARTMENTS AND AGENCIES

Special Pay Bills
General Fund - State Purposes Account

PERSONAL SERVICE

Personal Service - Regular $8,801,000

NON-PERSONAL SERVICE

Fringe Benefits $673,000
Health Benefits Committee $11,000
Professional Development Fund..... $191,000
Employee Benefit Fund $530,000
Contract Administration $25,000

S 20. This act shall take effect immediately and shall be deemed to have 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.