STATE OF NEW YORK

10526

IN ASSEMBLY

June 2, 2022

Introduced by COMMITTEE ON RULES -- (at request of 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 civil service law and the state finance law, in relation to compensation and other terms and conditions of employment of certain state officers and employees, to authorize funding of joint labor-management committees, to implement agreements between the state and an employee organization; to amend chapter 333 of the laws of 1969 amending the civil service law and other laws relating to salary increases for certain state officers and employees, in relation to rates of pay for certain state employees; to repeal certain provisions of the civil service law relating thereto; and making an appropriation for the purpose of effectuating certain provisions thereof (Part A); and to amend the civil service law and the correction law, in relation to salaries of certain state officers and employees excluded from collective negotiating units; to repeal certain provisions of the civil service law and the correction law relating thereto; and making an appropriation for the purpose of effectuating certain provisions thereof (Part B)

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. This act enacts into law legislation necessary to implement collective bargaining agreements and to implement changes to salary and benefits for certain state officers and employees excluded from collective negotiating units. Each component is wholly contained within a Part identified as Parts A through B. The effective date for each particular provision contained within such Part is set forth in the last section of such Part. Any provision in any section contained within a Part, including the effective date of the Part, which makes reference to a section "of this act", when used in connection with that particular component, shall be deemed to mean and refer to the corresponding section of the Part in which it is found. Section two of this act sets forth the general severability clause applicable to this act. Section three of this act sets forth the general effective date of this act.

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

LBD12051-01-2

PART A

SALARIES AND BENEFITS FOR CERTAIN STATE OFFICERS AND EMPLOYEES IN THE ADMINISTRATIVE, INSTITUTIONAL, OPERATIONAL AND DIVISION OF MILITARY AND NAVAL AFFAIRS UNITS 2021-2025

Section 1. Subparagraphs 1, 2, 3, 4 and 5 of paragraph a of subdivision 1 of section 130 of the civil service law are REPEALED and five new subparagraphs 1, 2, 3, 4 and 5 are added to read as follows:

(1) Effective April first, two thousand twenty-one for officers and employees on the administrative payroll and effective March twenty-fifth, two thousand twenty-one for officers and employees on the institutional payroll:

SG	HR	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	JR	INCR
1	25825	26696	27567	28438	29309	30180	31051	31922	871
2	26811	27726	28641	29556	30471	31386	32301	33216	915
3	28150	29105	30060	31015	31970	32925	33880	34835	955
4	29379	30390	31401	32412	33423	34434	35445	36456	1011
5	30785	31844	32903	33962	35021	36080	37139	38198	1059
6	32507	33608	34709	35810	36911	38012	39113	40214	1101
7	34304	35459	36614	37769	38924	40079	41234	42389	1155
8	36239	37437	38635	39833	41031	42229	43427	44625	1198
9	38257	39510	40763	42016	43269	44522	45775	47028	1253
10	40446	41759	43072	44385	45698	47011	48324	49637	1313
11	42792	44170	45548	46926	48304	49682	51060	52438	1378
12	45241	46667	48093	49519	50945	52371	53797	55223	1426
13	47923	49416	50909	52402	53895	55388	56881	58374	1493
14	50697	52251	53805	55359	56913	58467	60021	61575	1554
15	53641	55261	56881	58501	60121	61741	63361	64981	1620
16	56646	58341	60036	61731	63426	65121	66816	68511	1695
17	59834	61624	63414	65204	66994	68784	70574	72364	1790
18	63290	65161	67032	68903	70774	72645	74516	76387	1871
19	66681	68645	70609	72573	74537	76501	78465	80429	1964
20	70170	72210	74250	76290	78330	80370	82410	84450	2040
21	73932	76067	78202	80337	82472	84607	86742	88877	2135
22	77895	80127	82359	84591	86823	89055	91287	93519	2232
23	82062	84392	86722	89052	91382	93712	96042	98372	2330
24	86528	88939	91350	93761	96172	98583	100994	103405	2411
25	91309	93827	96345	98863	101381	103899	106417	108935	2518

(2) Effective March thirty-first, two thousand twenty-two for officers and employees on the administrative payroll and effective April seventh, two thousand twenty-two for officers and employees on the institutional payroll:

SG	HR	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	JR	INCR
1	26342	27230	28118	29006	29894	30782	31670	32558	888
2	27347	28280	29213	30146	31079	32012	32945	33878	933
3	28713	29687	30661	31635	32609	33583	34557	35531	974
4	29967	30998	32029	33060	34091	35122	36153	37184	1031
5	31401	32481	33561	34641	35721	36801	37881	38961	1080
6	33157	34280	35403	36526	37649	38772	39895	41018	1123
7	34990	36168	37346	38524	39702	40880	42058	43236	1178
8	36964	38186	39408	40630	41852	43074	44296	45518	1222

9	39022	40300	41578	42856	44134	45412	46690	47968	1278
10	41255	42594	43933	45272	46611	47950	49289	50628	1339
11	43648	45054	46460	47866	49272	50678	52084	53490	1406
12	46146	47600	49054	50508	51962	53416	54870	56324	1454
13	48881	50404	51927	53450	54973	56496	58019	59542	1523
14	51711	53296	54881	56466	58051	59636	61221	62806	1585
15	54714	56366	58018	59670	61322	62974	64626	66278	1652
16	57779	59508	61237	62966	64695	66424	68153	69882	1729
17	61031	62857	64683	66509	68335	70161	71987	73813	1826
18	64556	66464	68372	70280	72188	74096	76004	77912	1908
19	68015	70018	72021	74024	76027	78030	80033	82036	2003
20	71573	73654	75735	77816	79897	81978	84059	86140	2081
21	75411	77589	79767	81945	84123	86301	88479	90657	2178
22	79453	81730	84007	86284	88561	90838	93115	95392	2277
23	83703	86080	88457	90834	93211	95588	97965	100342	2377
24	88259	90718	93177	95636	98095	100554	103013	105472	2459
25	93135	95703	98271	100839	103407	105975	108543	111111	2568

(3) Effective March thirtieth, two thousand twenty-three for officers and employees on the administrative payroll and effective April sixth, two thousand twenty-three for officers and employees on the institutional payroll:

SG	HR	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	JR	INCR
1	27132	28047	28962	29877	30792	31707	32622	33537	915
2	28167	29128	30089	31050	32011	32972	33933	34894	961
3	29574	30577	31580	32583	33586	34589	35592	36595	1003
4	30866	31928	32990	34052	35114	36176	37238	38300	1062
5	32343	33455	34567	35679	36791	37903	39015	40127	1112
6	34152	35309	36466	37623	38780	39937	41094	42251	1157
7	36040	37253	38466	39679	40892	42105	43318	44531	1213
8	38073	39332	40591	41850	43109	44368	45627	46886	1259
9	40193	41509	42825	44141	45457	46773	48089	49405	1316
10	42493	43872	45251	46630	48009	49388	50767	52146	1379
11	44957	46405	47853	49301	50749	52197	53645	55093	1448
12	47530	49028	50526	52024	53522	55020	56518	58016	1498
13	50347	51916	53485	55054	56623	58192	59761	61330	1569
14	53262	54895	56528	58161	59794	61427	63060	64693	1633
15	56355	58057	59759	61461	63163	64865	66567	68269	1702
16	59512	61293	63074	64855	66636	68417	70198	71979	1781
17	62862	64743	66624	68505	70386	72267	74148	76029	1881
18	66493	68458	70423	72388	74353	76318	78283	80248	1965
19	70055	72118	74181	76244	78307	80370	82433	84496	2063
20	73720	75863	78006	80149	82292	84435	86578	88721	2143
21	77673	79916	82159	84402	86645	88888	91131	93374	2243
22	81837	84182	86527	88872	91217	93562	95907	98252	2345
23	86214	88662	91110	93558	96006	98454	100902	103350	2448
24	90907	93440	95973	98506	101039	103572	106105	108638	2533
25	95929	98574	101219	103864	106509	109154	111799	114444	2645

(4) Effective March twenty-eighth, two thousand twenty-four for officers and employees on the administrative payroll and effective April fourth, two thousand twenty-four for officers and employees on the institutional payroll:

SG	HR	STEP	STEP	STEP	STEP	STEP	STEP	JR	INCR

		1	2	3	4	5	6		
1	27946	28888	29830	30772	31714	32656	33598	34540	942
2	29012	30002	30992	31982	32972	33962	34952	35942	990
3	30461	31494	32527	33560	34593	35626	36659	37692	1033
4	31792	32886	33980	35074	36168	37262	38356	39450	1094
5	33313	34458	35603	36748	37893	39038	40183	41328	1145
6	35177	36369	37561	38753	39945	41137	42329	43521	1192
7	37121	38370	39619	40868	42117	43366	44615	45864	1249
8	39215	40512	41809	43106	44403	45700	46997	48294	1297
9	41399	42754	44109	45464	46819	48174	49529	50884	1355
10	43768	45188	46608	48028	49448	50868	52288	53708	1420
11	46306	47797	49288	50779	52270	53761	55252	56743	1491
12	48956	50499	52042	53585	55128	56671	58214	59757	1543
13	51857	53473	55089	56705	58321	59937	61553	63169	1616
14	54860	56542	58224	59906	61588	63270	64952	66634	1682
15	58046	59799	61552	63305	65058	66811	68564	70317	1753
16	61297	63131	64965	66799	68633	70467	72301	74135	1834
17	64748	66685	68622	70559	72496	74433	76370	78307	1937
18	68488	70512	72536	74560	76584	78608	80632	82656	2024
19	72157	74282	76407	78532	80657	82782	84907	87032	2125
20	75932	78139	80346	82553	84760	86967	89174	91381	2207
21	80003	82313	84623	86933	89243	91553	93863	96173	2310
22	84292	86707	89122	91537	93952	96367	98782	101197	2415
23	88800	91322	93844	96366	98888	101410	103932	106454	2522
24	93634	96243	98852	101461	104070	106679	109288	111897	2609
25	98807	101531	104255	106979	109703	112427	115151	117875	2724

(5) Effective March twenty-seventh, two thousand twenty-five for officers and employees on the administrative payroll and effective April third, two thousand twenty-five for officers and employees on the institutional payroll:

SG	HR	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	JR	INCR
1	28784	29754	30724	31694	32664	33634	34604	35574	970
2	29882	30902	31922	32942	33962	34982	36002	37022	1020
3	31375	32439	33503	34567	35631	36695	37759	38823	1064
4	32746	33873	35000	36127	37254	38381	39508	40635	1127
5	34312	35491	36670	37849	39028	40207	41386	42565	1179
6	36232	37460	38688	39916	41144	42372	43600	44828	1228
7	38235	39521	40807	42093	43379	44665	45951	47237	1286
8	40391	41727	43063	44399	45735	47071	48407	49743	1336
9	42641	44037	45433	46829	48225	49621	51017	52413	1396
10	45081	46544	48007	49470	50933	52396	53859	55322	1463
11	47695	49231	50767	52303	53839	55375	56911	58447	1536
12	50425	52014	53603	55192	56781	58370	59959	61548	1589
13	53413	55077	56741	58405	60069	61733	63397	65061	1664
14	56506	58238	59970	61702	63434	65166	66898	68630	1732
15	59787	61593	63399	65205	67011	68817	70623	72429	1806
16	63136	65025	66914	68803	70692	72581	74470	76359	1889
17	66690	68685	70680	72675	74670	76665	78660	80655	1995
18	70543	72628	74713	76798	78883	80968	83053	85138	2085
19	74322	76511	78700	80889	83078	85267	87456	89645	2189
20	78210	80483	82756	85029	87302	89575	91848	94121	2273
21	82403	84782	87161	89540	91919	94298	96677	99056	2379
22	86821	89308	91795	94282	96769	99256	101743	104230	2487

23	91464	94062	96660	99258	101856	104454	107052	109650	2598
24	96443	99130	101817	104504	107191	109878	112565	115252	2687
25	101771	104577	107383	110189	112995	115801	118607	121413	2806

§ 2. Subdivision 2 of section 208 of the civil service law, as amended by chapter 165 of the laws of 2017, is amended to read as follows:

2. An employee organization certified or recognized pursuant to this article shall be entitled to unchallenged representation status until seven months prior to the expiration of a written agreement between the public employer and said employee organization determining terms and conditions of employment. For the purposes of this subdivision, (a) any such agreement for a term covering other than the fiscal year of the public employer shall be deemed to expire with the fiscal year ending immediately prior to the termination date of such agreement, (b) any such agreement having a term in excess of three years shall be treated as an agreement for a term of three years, provided, however, any such agreement between the state and an employee organization representing employees in the executive or judicial branches which commences in the calendar year two thousand [~~sixteen~~] twenty-one having a term in excess of three years shall be treated as an agreement for a term certain specified in such agreement but in no event for a term greater than four years, and (c) extensions of any such agreement shall not extend the period of unchallenged representation status.

§ 3. Paragraph (e) of subdivision 3 of section 130 of the civil service law, as amended by chapter 165 of the laws of 2017, is amended to read as follows:

(e) (1) Where, and to the extent that, an agreement between the state and an employee organization entered into pursuant to article fourteen of this chapter on behalf of officers and employees serving in positions in the administrative services unit, institutional services unit, operational services unit or division of military and naval affairs unit so provides officers and employees to whom paragraph a of subdivision one of this section applies who, on or after April first, two thousand sixteen, on their anniversary date have five or more years, but less than ten years, of continuous service as defined by paragraph (c) of this subdivision at a basic annual salary rate equal to or in excess of the job rate or maximum salary of their salary grade, shall receive a lump sum payment in the amount of one thousand two hundred fifty dollars. Effective April first, two thousand nineteen, such lump sum payment shall increase to one thousand five hundred dollars.

(2) Effective until March thirty-first, two thousand twenty, where, and to the extent that, an agreement between the state and an employee organization entered into pursuant to article fourteen of this chapter on behalf of officers and employees serving in positions in the administrative services unit, institutional services unit, operational services unit or division of military and naval affairs unit so provides officers and employees to whom paragraph a of subdivision one of this section applies who, on or after April first, two thousand sixteen, on their anniversary date have ten or more years of continuous service as defined by paragraph (c) of this subdivision at a basic annual salary rate equal to or in excess of the job rate or maximum salary of their salary grade shall receive a lump sum payment in the amount of two thousand five hundred dollars which, effective April first, two thousand nineteen, such lump sum payment shall be increased to three thousand dollars. Effective April first, two thousand twenty, where, and to the extent that, an agreement between the state and an employee organization entered into pursuant to article fourteen of this chapter on behalf of

officers and employees serving in positions in the administrative services unit, institutional services unit, operational services unit or division of military and naval affairs unit so provides officers and employees to whom paragraph a of subdivision one of this section applies who, on or after April first, two thousand twenty, on their anniversary date have ten or more years, but less than fifteen years, of continuous service as defined by paragraph (c) of this subdivision at a basic annual salary rate equal to or in excess of the job rate or maximum salary of their salary grade shall receive a lump sum payment in the amount of three thousand dollars.

(3) Effective April first, two thousand twenty, where, and to the extent that, an agreement between the state and an employee organization entered into pursuant to article fourteen of this chapter on behalf of officers and employees serving in positions in the administrative services unit, institutional services unit, operational services unit or division of military and naval affairs unit so provides officers and employees to whom paragraph a of subdivision one of this section applies who, on or after April first, two thousand twenty, on their anniversary date have fifteen or more years of continuous service as defined by paragraph (c) of this subdivision at a basic annual salary rate equal to or in excess of the job rate or maximum salary of their salary grade shall receive a lump sum payment in the amount of four thousand five hundred dollars.

(4) Such lump sum payment, as provided by this paragraph, shall be in addition to and not part of the employee's basic annual salary, provided however that any amount payable by this paragraph shall be included as compensation for overtime and retirement purposes. Such lump sum payment, as provided by this paragraph, shall be payable in April of each fiscal year, or as soon as practicable thereafter, for those eligible employees who have achieved five or more, or ten or more, or fifteen or more years of continuous service as defined by paragraph (c) of this subdivision at a basic annual salary rate equal to or in excess of the job rate or maximum salary of their salary grade during the period October first through March thirty-first of the previous fiscal year. Such lump sum payment, as provided by this paragraph, shall be payable in October of each fiscal year, or as soon as practicable thereafter, for those eligible employees who have achieved five or more, or ten or more, or fifteen or more years of continuous service as defined by paragraph (c) of this subdivision at a basic annual salary rate equal to or in excess of the job rate or maximum salary of their salary grade during the period April first through September thirtieth of that same fiscal year.

(5) Effective April first, two thousand twenty-five, where, and to the extent that, an agreement between the state and an employee organization entered into pursuant to article fourteen of this chapter on behalf of officers and employees serving in positions in the administrative services unit, institutional services unit, operational services unit or division of military and naval affairs unit so provides officers and employees to whom paragraph a of subdivision one of this section applies who, on or after April first, two thousand twenty-five, on their anniversary date have twelve or more years, but less than seventeen years, of continuous service within one or any of the collective bargaining units, shall receive a lump sum payment in the amount of one thousand five hundred dollars.

(6) Effective April first, two thousand twenty-five, where, and to the extent that, an agreement between the state and an employee organization

entered into pursuant to article fourteen of this chapter on behalf of officers and employees serving in positions in the administrative services unit, institutional services unit, operational services unit or division of military and naval affairs unit so provides officers and employees to whom paragraph a of subdivision one of this section applies who, on or after April first, two thousand twenty-five, on their anniversary date have seventeen or more years but less than twenty-two years of continuous service within one or any of the collective bargaining units shall receive a lump sum payment in the amount of three thousand dollars.

(7) Effective April first, two thousand twenty-five, where, and to the extent that, an agreement between the state and an employee organization entered into pursuant to article fourteen of this chapter on behalf of officers and employees serving in positions in the administrative services unit, institutional services unit, operational services unit or division of military and naval affairs unit so provides officers and employees to whom paragraph a of subdivision one of this section applies who, on or after April first, two thousand twenty-five, on their anniversary date have twenty-two or more years of continuous service within one or any of the collective bargaining units shall receive a lump sum payment in the amount of four thousand five hundred dollars.

(8) Such lump sum payment, as provided by subparagraphs five, six and seven of this paragraph, shall be in addition to and not part of the employee's basic annual salary, provided however that any amount payable by this paragraph shall be included as compensation for overtime and retirement purposes.

(9) Such lump sum payment, as provided by subparagraphs five, six and seven of this paragraph, shall be payable in April of each fiscal year, or as soon as practicable thereafter, for those eligible employees who have achieved the continuous service required for a specific payment during the period October first through March thirty-first of the previous fiscal year. Such lump sum payment, as provided by subparagraph five, six or seven of this paragraph, shall be payable in October of each fiscal year, or as soon as practicable thereafter, for those eligible employees who have achieved the continuous service, as defined by this section, required for a specific payment during the period April first through September thirtieth of that same fiscal year.

(10) Effective April first, two thousand twenty-five, no employee shall receive a longevity payment pursuant to subparagraph one, two or three of this paragraph. All employees, to the extent eligible, shall receive a longevity payment pursuant to subparagraph five, six or seven of this paragraph.

§ 4. Subdivision 12-d of section 8 of the state finance law, as amended by chapter 322 of the laws of 2021, is amended to read as follows:

12-d. Notwithstanding any inconsistent provision of the court of claims act, examine, audit and certify for payment any claim submitted and approved by the head of a state department or agency, other than a department or agency specified in subdivision twelve of this section, for personal property of an employee damaged or destroyed in the course of the performance of official duties without fault on his or her part by an incarcerated individual, patient or client of such department or agency after March thirty-first, two thousand [~~sixteen~~] twenty-one and prior to April first, two thousand [~~twenty-one~~] twenty-six, provided no such claim may be certified for payment to an officer or employee who is in a collective negotiating unit until the director of employee

relations shall deliver to the comptroller a letter that there is in effect with respect to such negotiating unit a written collectively negotiated agreement with the state pursuant to article fourteen of the civil service law which provides therefor. Payment of any such claim shall not exceed the sum of three hundred dollars. No person submitting a claim under this subdivision shall have any claim for damages to such personal property approved pursuant to the provision of subdivision four of section five hundred thirty of the labor law or any other applicable provision of law.

§ 5. Paragraph (a) of subdivision 12-e of section 8 of the state finance law, as amended by chapter 165 of the laws of 2017, is amended to read as follows:

(a) Notwithstanding any inconsistent provision of the court of claims act, where, and to the extent that, an agreement between the state and an employee organization entered into pursuant to article fourteen of the civil service law on behalf of officers and employees serving in positions in the administrative services unit, institutional services unit, operational services unit or division of military and naval affairs unit so provides, examine, audit and certify for payment any claim submitted and approved by the head of a state department or agency for personal property of an officer or employee damaged or destroyed in the actual performance of official duties without fault or negligence of the officer or employee other than a claim specified and covered by subdivision twelve or twelve-d of this section after March thirty-first, two thousand [~~sixteen~~] twenty-one and prior to April first, two thousand [~~twenty-one~~] twenty-six. Payment of such claim shall not exceed the sum of three hundred fifty dollars. Where an agreement between the state and such employee organization entered into pursuant to article fourteen of the civil service law provides for payment to be made to officers and employees by a state department or agency, such payments for claims not in excess of the amount specified in subdivision three of section one hundred fifteen of this chapter may be made from a petty cash account established pursuant to section one hundred fifteen of this chapter and in the manner prescribed therein and pursuant to regulations of the comptroller. No person submitting a claim under this subdivision shall have any claim for damages to such personal property approved pursuant to the provisions of subdivision four of section five hundred thirty of the labor law or any other applicable provision of law.

§ 6. Notwithstanding any other provision of law, when, in the administrative services unit, the institutional services unit, the operational services unit or the division of military and naval affairs unit, a determination has been implemented to increase the hiring salary of a position in accordance with subdivision 4 of section 130 of the civil service law, incumbents of such positions who are employed in any state department, state institution or other state agency, in the particular area or areas or location or locations affected, who did not receive the benefit of the new hiring salary or have their salaries brought up to such new hiring salary may receive increased compensation as determined by an agreement between the office of employee relations and the employee organization representing such units.

§ 7. Compensation for certain state officers and employees in collective negotiating units. 1. The provisions of this section shall apply, except as otherwise stated in this section, to all full-time officers and employees in the collective negotiating units designated as the administrative services unit, the institutional services unit, the oper-

ational services unit, or the division of military and naval affairs unit established pursuant to article 14 of the civil service law.

2. Effective April 1, 2021 for officers and employees on the administrative payroll and effective March 25, 2021 for officers and employees on the institutional payroll, the basic annual salary of officers and employees in full-time annual salaried employment status on the day before such payroll period shall be increased by two percent adjusted to the nearest whole dollar amount.

3. Effective March 31, 2022 for officers and employees on the administrative payroll and effective April 7, 2022 for officers and employees on the institutional payroll, the basic annual salary of officers and employees in full-time annual salaried employment status on the day before such payroll period shall be increased by two percent adjusted to the nearest whole dollar amount.

4. Effective March 30, 2023 for officers and employees on the administrative payroll and effective April 6, 2023 for officers and employees on the institutional payroll, the basic annual salary of officers and employees in full-time annual salaried employment status on the day before such payroll period shall be increased by three percent adjusted to the nearest whole dollar amount.

5. Effective March 28, 2024 for officers and employees on the administrative payroll and effective April 4, 2024 for officers and employees on the institutional payroll, the basic annual salary of officers and employees in full-time annual salaried employment status on the day before such payroll period shall be increased by three percent adjusted to the nearest whole dollar amount.

6. Effective March 27, 2025 for officers and employees on the administrative payroll and effective April 3, 2025 for officers and employees on the institutional payroll, the basic annual salary of officers and employees in full-time annual salaried employment status on the day before such payroll period shall be increased by three percent adjusted to the nearest whole dollar amount.

7. Notwithstanding the provisions of subdivisions two, three, four, five and six of this section, if the basic annual salary of an officer or employee to whom the provisions of this section apply is identical with the hiring rate, step one, two, three, four, five, six or job rate of the salary grade of his or her position on the effective dates of the increases provided in these subdivisions, such basic annual salary shall be increased to the hiring rate, step one, two, three, four, five, six or job rate, respectively, of such salary grade as contained in the appropriate salary schedules in subparagraphs 1, 2, 3, 4 and 5 of paragraph a of subdivision 1 of section 130 of the civil service law, as added by section one of this act, to take effect on the dates provided in such subparagraphs 1, 2, 3, 4 and 5, respectively. The increases in basic annual salary provided by this subdivision shall be in lieu of any increase in basic annual salary provided for in subdivisions two, three, four, five and six of this section.

8. Payments pursuant to the provisions of subdivision 6 of section 131 of the civil service law for full-time annual salaried officers and employees entitled to such payments to whom the provisions of this section apply shall be payable in accordance with the terms of an agreement reached pursuant to article 14 of the civil service law between the state and an employee organization representing employees subject to the provisions of this section.

9. If an unencumbered position is one which if encumbered, would be subject to the provisions of this section, the salary of such position

shall be increased by the salary increase amounts specified in this section. If a position is created and filled by the appointment of an officer or employee who is subject to the provisions of this section, the salary otherwise provided for such position shall be increased in the same manner as though such position had been in existence but unencumbered.

10. The increases in salary provided in subdivisions two, three, four, five and six of this section, shall apply on a prorated basis to officers and employees, otherwise eligible to receive an increase in salary, who are paid on an hourly or per diem basis, employees serving on a part-time or seasonal basis and employees paid on any basis other than at an annual salary rate. Notwithstanding the foregoing, the provisions of subdivision eight of this section shall not apply to employees serving on an hourly, per diem, or seasonal basis, except as determined by the director of the budget.

11. In order to provide for the officers and employees to whom this section applies who are not allocated to salary grades, but are paid on an annual basis, increases and payments pursuant to subdivision eight of this section in proportion to those provided to persons to whom this section applies who are allocated to salary grades, the director of the budget is authorized to add appropriate adjustments and/or payments to the compensation which such officers and employees are otherwise entitled to receive. The director of the budget shall issue certificates which shall contain schedules of positions and the salaries and/or payments thereof for which adjustments and/or payments are made pursuant to the provisions of this subdivision, and a copy of each such certificate shall be filed with the state comptroller, the state department of civil service, the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

12. Notwithstanding any other provision of this section, the provisions of this section shall not apply to officers or employees paid on a fee schedule basis.

13. Notwithstanding any other provision of this section, any increase in compensation for any officer or employee appointed to a lower graded position from a redeployment list pursuant to subdivision 1 of section 79 of the civil service law who continues to receive his or her former salary pursuant to such subdivision shall be determined on the basis of such lower graded position provided, however, that the increases in salary provided in this section shall not cause such officer's or employee's salary to exceed the job rate of such lower graded position.

14. Notwithstanding any of the foregoing provisions of this section or of any law to the contrary, the director of the budget may reduce the salary of any position which is vacant or which becomes vacant, so long as the position, if encumbered, would be subject to the provisions of this section. The director of the budget does not need to provide a reason for such reduction.

15. Notwithstanding any of the foregoing provisions of this section or of any law to the contrary, any increase in compensation may be withheld in whole or in part from any employee to whom the provisions of this section are applicable when, in the opinion of the director of the budget and the director of employee relations, such increase is not warranted or is not appropriate for any reason.

§ 8. Compensation for certain employees of the contract colleges at Cornell and Alfred universities. 1. During the period April 1, 2021 to March 31, 2026, the basic annual salaries of positions in the nonprofessional service, except those positions in the Cornell service and main-

tenance unit which are subject to the terms of a collective bargaining agreement between Cornell University and the employee organization representing employees in such positions and except those positions in the Alfred service and maintenance unit which are subject to the terms of a collective bargaining agreement between Alfred University and the employee organization representing employees in such positions, in institutions under the management and control of Cornell and Alfred universities as representatives of the board of trustees of the state university may be increased pursuant to plans approved by the state university trustees. Such plans may include new salary schedules which shall supersede the salary schedules then in effect applicable to such employees. Such increases in basic annual salary rates, exclusive of performance advancement payments or merit recognition payments, shall not exceed in the aggregate the payments provided in subdivisions two, three, four, five and six of section seven of this act, for incumbents of positions subject to this subdivision. Such plans may provide, within the appropriations available therefor, an amount for distribution in whole or in part for meritorious service by Cornell and Alfred universities, in their discretion, with the approval of the state university trustees to the incumbents of such positions.

2. For the purposes of this section, the basic annual salary of employees is that salary which is obtained through direct appropriation of state moneys for the purpose of paying wages. Nothing in this section shall prevent payment of additional amounts to incumbents of such positions in the nonprofessional service in addition to the basic annual salary; provided, however, that the amounts required for such additional payment, and the cost of fringe benefits attributable to such payment, as determined by the comptroller, are made available to the state in accordance with the procedures established by the state university for such purposes.

3. Notwithstanding the foregoing provisions of this section, any increase in compensation provided by this section may be withheld in whole or in part from any officer or employee when, in the opinion of the director of the budget, such withholding is necessary to reflect the job performance of such officer or employee, or to maintain appropriate salary relationships among officers or employees of the state, or to reduce state expenditures to acceptable levels, or when such increase is not warranted or is not appropriate for any reason and the salary of such officer or employee is set at the discretion of the appointing authority.

4. Notwithstanding the foregoing provisions of this subdivision, act or any other provision of law, rule or regulation to the contrary, the contract colleges at Cornell and Alfred universities are authorized to provide for a procedure for the repayment of salaries withheld from incumbents of positions subject to this subdivision as described in subdivision one of this section, pursuant to subdivision 2-a of section 200 of the state finance law in lieu of the lump sum payment authorized by subparagraph 3 of paragraph (a) of such subdivision, subject to the approval of the state university trustees. Further, Cornell and Alfred universities are authorized to provide that the salary of employees newly hired on or after September 1, 1992 shall not be subject to the provisions of subdivision 2-a of section 200 of the state finance law.

§ 9. For employees in the administrative services unit, institutional services unit, operational services unit and division of military and naval affairs unit, effective March 30, 2023 for officers and employees on the administrative payroll and effective April 6, 2023 for officers

and employees on the institutional payroll pursuant to article 14 of the civil service law a lump sum payment of $3,000 shall be made to each employee in such units in full-time annual salaried employment status who was (i) active on the date of ratification of the agreement between the state and the employee organization covering such employee and (ii) in continuous service, as defined by paragraph (c) of subdivision 3 of section 130 of the civil service law, from that date until March 30, 2023 for officers and employees on the administrative payroll and effective April 6, 2023 for officers and employees on the institutional payroll except such payment shall be made to an eligible employee who retires directly from state service between the dates in (i) and (ii). Such lump sum shall not be considered salary for retirement purposes and shall not become part of basic annual salary. Notwithstanding the foregoing provisions of this subdivision, officers and employees who would have otherwise been eligible to receive such lump sum payment, but who were not on the payroll on such date, shall be eligible for said payment if they return to full-time employment status during the fiscal year 2023 without a break in continuous service. Such payment shall be prorated for employees in less than full-time annual salaried service.

§ 10. Location compensation for certain state officers and employees in collective negotiating units. Notwithstanding any inconsistent provisions of law, full-time annual salaried officers and employees, as well as non-annual salaried seasonal officers and employees who shall receive the compensation provided for pursuant to this section on a prorated basis, except non-annual salaried officers and employees who are not seasonal, in the collective negotiating units designated as the administrative services unit, the institutional services unit, the operational services unit, or the division of military and naval affairs unit established pursuant to article 14 of the civil service law, 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 comptroller is located: (1) in the county of Monroe and who were eligible to receive location pay on March 31, 1985, shall receive location pay at the rate of $200 per year provided they continue to be otherwise eligible; (2) in the city of New York, or in the county of Rockland, Westchester, Nassau or Suffolk shall, effective April 1, 2021, continue to receive a downstate adjustment at the annual rate of $3,026; or (3) in the county of Dutchess, Putnam or Orange shall, effective April 1, 2021, continue to receive a mid-Hudson adjustment at the annual rate of $1,513. Effective April 1, 2023, in the city of New York, or in the county of Rockland, Westchester, Nassau or Suffolk such amount shall increase to an annual rate of $3,087; and in the county of Dutchess, Putnam or Orange such amount shall increase to an annual rate of $1,543. Effective April 1, 2024, in the city of New York, or in the county of Rockland, Westchester, Nassau or Suffolk such amount shall increase to an annual rate of $3,400; and in the county of Dutchess, Putnam or Orange such amount shall increase to an annual rate of $1,650. Such location payments shall be in addition to and shall not be a part of an officer's or employee's basic annual salary, and shall not affect or impair any performance advancements or other rights or benefits to which an officer or employee may be entitled by law, provided, however, that location payments shall be included as compensation for purposes of computation of overtime pay and for retirement purposes. For the sole purpose of continuing eligibility for location pay in Monroe county, an officer or employee previously eligible to receive location pay on March 31, 1985 who is on an approved leave of absence or participates in an

employer program to reduce to part-time service during summer months shall continue to be eligible for said location pay upon return to full-time state service in Monroe county.

§ 11. Continuation of location compensation for certain officers and employees of the Hudson Valley developmental disabilities services office. 1. Notwithstanding any law, rule or regulation to the contrary, any officer or employee of the Hudson Valley developmental disabilities services office represented in the collective negotiating units designated as the administrative services unit, the institutional services unit or the operational services unit, who is receiving location pay pursuant to section 5 of chapter 174 of the laws of 1993 shall continue to receive such location pay under the conditions and at the rates specified by such section.

2. Notwithstanding any law, rule or regulation to the contrary, any officer or employee of the Hudson Valley developmental disabilities services office represented in the collective negotiating units designated as the administrative services unit, the institutional services unit or the operational services unit, who is receiving location pay pursuant to subdivision 2 of section 9 of chapter 315 of the laws of 1995 shall continue to receive such location pay under the conditions and at the rates specified by such subdivision.

3. Notwithstanding section ten of this act or any other law, rule or regulation to the contrary, any officer or employee of the Hudson Valley developmental disabilities services office represented in the collective negotiating units designated as the administrative services unit, the institutional services unit or the operational services unit, who is receiving location pay pursuant to such section ten shall continue to be eligible for such location pay if such officer's or employee's principal place of employment is changed to a location outside of the county of Rockland as the result of a reduction or redeployment of staff, provided, however, that such officer or employee is reassigned to or otherwise appointed or promoted to a different position at another work location within the Hudson Valley developmental disabilities services office located outside of the county of Rockland. The rate of such continued location pay shall not exceed the rates such officer or employee is receiving on the date of such reassignment, appointment or promotion.

§ 12. Notwithstanding any law, rule or regulation to the contrary, certain full-time employees of the office for people with developmental disabilities in the collective negotiating unit designated as the institutional services unit who are required to sleep over at their work site shall continue to receive inconvenience pay pursuant to section 17 of chapter 333 of the laws of 1969 as amended, in accordance with and subject to the conditions established by the terms of a negotiated agreement between the state and an employee organization representing such unit and the resolution of a contract grievance bearing identification number 98-04-448.

§ 13. Additional compensation for certain employees in recognition of pre-shift briefing. 1. In recognition of the general requirement for full-time employees of the state in the collective negotiating unit designated as the division of military and naval affairs unit, established pursuant to article 14 of the civil service law, to assemble for briefing prior to the commencement of duties, each such employee shall continue to receive additional compensation at the rate of $60 per biweekly payroll period in accordance with the terms of a collectively negotiated agreement between the state and an employee organization

representing such employees pursuant to article 14 of the civil service law. Such additional compensation shall be paid in addition to and shall not be a part of the employee's basic annual salary. Notwithstanding the foregoing provisions of this section, or of any other law, such additional compensation as added by this section shall be in lieu of the continuation of any other additional compensation for such employees paid prior to June 2, 1988, in recognition of pre-shift briefing.

2. Notwithstanding any inconsistent provisions of law, effective April 1, 2016, where and to the extent that, an agreement between the state and an employee organization entered into pursuant to article 14 of the civil service law so provides, in recognition of the general requirement that certain full-time employees of the state in the collective negotiating unit designated as the institutional services unit, established pursuant to article 14 of the civil service law, in the employ of the office of children and family services, assemble for briefing prior to the commencement of duties, each such employee shall continue to receive additional compensation in the amount of $4.80, or one-quarter hour of their overtime rate, whichever is higher, when they are required to and actually assemble for such briefing. Such additional compensation shall be paid in addition to and shall not be a part of the employee's basic annual salary.

§ 14. Assignment to duty pay. Notwithstanding any inconsistent provisions of law, effective April 1, 2021, where and to the extent that, an agreement between the state and an employee organization entered into pursuant to article 14 of the civil service law so provides, an assignment to duty lump sum shall be paid each year to an employee who is serving in a particular assignment deemed qualified pursuant to such agreement. Such payment shall be in an amount negotiated for those employees assigned to qualifying work assignments and who work such assignments for the minimum periods of time in a year provided in the negotiated agreement. Assignment to duty pay shall not be paid in any year an employee does not meet the minimum period of time in such qualifying assignment required by the agreement or upon cessation of the assignment to duty program on March 30, 2026 unless an extension is negotiated by the parties. Such lump sum shall be considered salary only for final average salary retirement purposes.

§ 15. Long term seasonal employees. Notwithstanding any inconsistent provisions of law, effective April 1, 2021, where and to the extent that, an agreement between the state and an employee organization entered into pursuant to article 14 of the civil service law so provides, a lump sum shall be paid each year to an employee who is serving in a qualifying long term seasonal position. Such payment shall be in an amount negotiated and pursuant to negotiated qualifying criteria and shall be considered salary only for final average salary retirement purposes. Such benefit shall be available until March 30, 2026.

§ 16. In recognition of the specific requirements for winter maintenance activity for full-time employees of the state department of transportation in the collective negotiating unit designated as the operational services unit, established pursuant to article 14 of the civil service law, and to the extent the terms of a negotiated agreement between the state and an employee organization representing such unit entered into pursuant to article 14 of the civil service law so provides, such employees shall receive payments for winter maintenance shifts and call-out responses if otherwise eligible and in accordance with such negotiated agreement.

§ 17. Subdivision 2 of section 17 of chapter 333 of the laws of 1969 amending the civil service law and other laws relating to salary increases for certain state officers and employees, as amended by chapter 165 of the laws of 2017, is amended to read as follows:

2. Any employee subject to this section who is required to work a tour of duty which includes four or more hours between the hours of six p.m. and six a.m., exclusive of any hours for which he or she receives overtime compensation, shall be entitled to inconvenience pay for such tour of duty in an amount equal to the daily rate equivalent of four hundred dollars per year, unless a higher daily rate is authorized under the terms of a collective negotiated agreement between the state and an employee organization pursuant to article 14 of the civil service law, or is authorized by the director of the budget for employees excluded from negotiating rights under article 14 of the civil service law, in which case such daily rate may be up to five hundred seventy-five dollars per year, shall continue effective April 2, [~~2016~~] 2021. The provisions of this subdivision shall apply on a prorated basis to officers and employees serving on a seasonal basis in the collective negotiating units designated as the administrative services unit, the institutional services unit, the operational services unit, and the division of military and naval affairs unit, and officers and employees excluded from collective negotiating units established pursuant to article 14 of the civil service law.

§ 18. Notwithstanding any inconsistent provision of law, where and to the extent that any agreement between the state and an employee organization entered into pursuant to article 14 of the civil service law so provides on behalf of employees in the collective negotiating units designated as the administrative, institutional, operational services negotiating units or the division of military and naval affairs negotiating unit established pursuant to article 14 of the civil service law, the state shall contribute an amount designated in such agreement and for the period covered by such agreement to the accounts of such employees enrolled for dependent care deductions pursuant to subdivision 7 of section 201-a of the state finance law. Such amounts shall be from funds appropriated in this act and shall not be part of basic annual salary for overtime or retirement purposes.

§ 19. 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 and arbitration settlements and awards pursuant to articles 33 and 34 of the collective negotiating agreement between the state and the employee organization representing the collective negotiating units designated as the administrative services unit, the institutional services unit, the operational services unit or the division of military and naval affairs unit established pursuant to article 14 of the civil service law.

§ 20. During the period April 2, 2021 through April 1, 2026, there shall be a statewide labor-management committee continued and administered pursuant to the terms of the agreement negotiated between the state and an employee organization representing employees in the collective negotiating units designated as the administrative services unit, the institutional services unit, the operational services unit or the division of military and naval affairs unit established pursuant to article 14 of the civil service law which shall, after April 2, 2021, have the responsibility of studying and making recommendations concerning the major issues of productivity, the quality of work life and implementing the agreements reached.

§ 21. The salary increases, benefit modifications, and any other modifications to terms and conditions of employment provided for by this act for state employees in the collective negotiating units designated as the administrative services unit, the institutional services unit, the operational services unit or the division of military and naval affairs unit 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 units collectively negotiated agreements, ratified by the membership, which provide for such increases and modifications.

§ 22. Date of entitlement to salary increase. Notwithstanding the provisions of this act or of any other law, the increase in salary or compensation of any officer or employee provided by this act shall be added to the salary or compensation of such officer or employee at the beginning of that payroll period the first day of which is nearest to the effective date of such increases 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 dates of such increases 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 in this act, and the payment thereof pursuant to this section on a date prior thereto, instead of on such effective date, 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 twenty-three of this act.

§ 23. Notwithstanding the provisions of any other section of this act or 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 salary and other 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, 2021, until the time when basic annual salaries and other compensation due are first paid pursuant to this act for such services in excess of the salary and other compensation actually received therefor, shall be entitled to a lump sum payment for the difference between the salary and other compensation to which such incumbent is entitled for such services and the salary and other compensation actually received pursuant to the terms of an agreement between the state and the employee organization representing the employees covered by this act.

§ 24. The comptroller is authorized to pay any amounts required during the fiscal year commencing April 1, 2022 by the foregoing provisions of this act for any state department or agency from any appropriation or other funds available to such state department or agency for personal service or for other related employee benefits during such fiscal year. To the extent that such appropriations in any fund are insufficient to accomplish the purposes herein set forth, 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 pay such amounts.

§ 25. No officer or employee participating in a special annuity program pursuant to the provisions of article 8-C of the education law shall, by reason of an increase in compensation pursuant to this act,

suffer any reduction of the salary adjustment to which he or she would otherwise be entitled by reason of participation in such program, and such salary adjustment shall be based upon the salary of such officer or employee without regard to the reduction authorized by such article.

§ 26. Notwithstanding any provision of the state finance law or any other provision of law to the contrary, the sum of $220,000,000 is hereby appropriated in the general fund/state purposes account (10050) in miscellaneous-all state departments and agencies solely for apportionment/transfer by the director of the budget for use by any state department or agency in any fund for the fiscal year beginning April 1, 2022 to supplement appropriations for personal service, other than personal service and fringe benefits, and to carry out the provisions of this act. No money shall be available for expenditure from this appropriation until a certificate 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 chairman of the senate finance committee and the chairman of the assembly ways and means committee. 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, 2021 through March 31, 2023. For this purpose, these appropriations shall remain in full force and effect for the payment of liabilities incurred on or before March 31, 2023.

§ 27. The several amounts as hereinafter set forth, or so much thereof as may be necessary, are hereby appropriated from the fund so designated for use by any state department or agency for the fiscal year beginning April 1, 2022 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, 2021 through March 31, 2023. No money shall be available for expenditure from this appropriation until a certificate 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 chair of the senate finance committee and the chair of the assembly ways and means committee.

ALL STATE DEPARTMENTS AND AGENCIES
SPECIAL PAY BILLS

General Fund / State Operations
State Purposes Account - 003
Non-personal Service

Joint committee on health benefits 1,980,864
Employee training and development 15,942,512
Safety and health maintenance committee 947,861
Employment security committee 793,506
Work-Life Services 3,781,531
Discipline 566,930
Statewide performance rating committee 62,948
Employee Assistance Program 949,044
Property damage 46,866
Work related clothing (operational services unit) 1,537,802

Tool allowance (operational services unit) 112,321
Tool insurance (operational services unit) 38,079
Uniform allowance (institutional services unit) 605,312
Work related clothing (institutional services unit) 112,616
Work related clothing (administrative services unit) 62,500
Contract Administration 400,000

§ 28. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2021. Appropriations made by this act shall remain in full force and effect for liabilities incurred through March 31, 2023.

REPEAL NOTE.--Subparagraphs 1, 2, 3, 4 and 5 of paragraph a of subdivision 1 of section 130 of the civil service law, repealed by section one of this act, provided salary schedules for state employees in the administrative services unit, the operational services unit, the institutional services unit and the division of military and naval affairs and are replaced by revised salary schedules in new subparagraphs 1, 2, 3, 4 and 5.

PART B

SALARIES AND BENEFITS FOR CERTAIN STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE NEGOTIATING UNITS FOR 2021-2022

Section 1. Subparagraphs 1, 2, 3, 4 and 5 of paragraph d of subdivision 1 of section 130 of the civil service law are repealed and two new subparagraphs 1 and 2 are added to read as follows:

(1) Effective April first, two thousand twenty-one:

GRADE	HIRING RATE	JOB RATE
M/C 3	$28,315	$36,198
M/C 4	$29,565	$37,840
M/C 5	$31,338	$39,677
M/C 6	$32,668	$41,712
M/C 7	$34,551	$43,970
M/C 8	$36,449	$46,235
M/C 9	$38,531	$48,696
M/C 10	$40,607	$51,399
M/C 11	$43,071	$54,251
M/C 12	$45,344	$57,097
M/C 13	$47,980	$60,270
M/C 14	$50,831	$63,583
M/C 15	$53,660	$67,016
M/C 16	$56,684	$70,591
M/C 17	$59,902	$74,486
M/C 18	$60,219	$74,724
M/C 19	$63,449	$78,611
M/C 20	$66,683	$82,553
M/C 21	$70,279	$86,817
M/C 22	$74,057	$91,378

M/C 23	$77,853	$97,268
M 1	$84,031	$106,218
M 2	$93,192	$117,800
M 3	$103,431	$130,705
M 4	$114,398	$144,369
M 5	$127,025	$160,485
M 6	$140,641	$176,900
M 7	$155,024	$191,996
M 8	$130,708+	

(2) Effective April first, two thousand twenty-two:

GRADE	HIRING RATE	JOB RATE
M/C 3	$28,881	$36,922
M/C 4	$30,156	$38,597
M/C 5	$31,965	$40,471
M/C 6	$33,321	$42,546
M/C 7	$35,242	$44,849
M/C 8	$37,178	$47,160
M/C 9	$39,302	$49,670
M/C 10	$41,419	$52,427
M/C 11	$43,932	$55,336
M/C 12	$46,251	$58,239
M/C 13	$48,940	$61,475
M/C 14	$51,848	$64,855
M/C 15	$54,733	$68,356
M/C 16	$57,818	$72,003
M/C 17	$61,100	$75,976
M/C 18	$61,423	$76,218
M/C 19	$64,718	$80,183
M/C 20	$68,017	$84,204
M/C 21	$71,685	$88,553
M/C 22	$75,538	$93,206
M/C 23	$79,410	$99,213
M 1	$85,712	$108,342
M 2	$95,056	$120,156
M 3	$105,500	$133,319
M 4	$116,686	$147,256
M 5	$129,566	$163,695
M 6	$143,454	$180,438
M 7	$158,124	$195,836
M 8	$133,322+	

§ 2. Subdivision 1 of section 19 of the correction law is REPEALED and a new subdivision 1 is added to read as follows:

1. This section shall apply to each superintendent of a correctional facility appointed on or after August ninth, nineteen hundred seventy-five and any superintendent heretofore appointed who elects to be covered by the provisions thereof by filing such election with the commissioner.

a. The salary schedule for superintendents of a correctional facility with an inmate population capacity of four hundred or more inmates shall be as follows:

Effective April first, two thousand twenty-one:

Hiring Rate	Job Rate
$133,007	$181,510

Effective April first, two thousand twenty-two:

Hiring Rate	Job Rate
$135,667	$185,140

b. The salary schedule for superintendents of correctional facilities with an inmate population capacity of fewer than four hundred inmates shall be as follows:

Effective April first, two thousand twenty-one:

Hiring Rate	Job Rate
$103,431	$130,707

Effective April first, two thousand twenty-two:

Hiring Rate	Job Rate
$105,500	$133,321

§ 3. Paragraph (b) of subdivision 8 of section 130 of the civil service law, as amended by section 3 of part D of chapter 24 of the laws of 2019, is amended to read as follows:

(b) Officers and employees to whom the provisions of this subdivision apply may receive lump sum merit awards in accordance with guidelines issued by the director of the budget within the appropriations made available therefor. Additionally, effective April first, nineteen hundred eighty-eight, and each April first thereafter, such officers and employees to whom the provisions of this subdivision apply whose basic annual salary equals or exceeds the job rate of the salary grade of their position who on their anniversary date have five or more years of continuous service as defined by paragraph (c) of subdivision three of this section at a basic annual salary rate equal to or in excess of the job rate or maximum salary of their salary grade and whose basic annual salary is less than eight hundred seventy-five dollars during fiscal year two thousand seven-two thousand eight, one thousand dollars during fiscal year two thousand eight-two thousand nine, and one thousand one hundred twenty-five dollars during fiscal year two thousand nine-two thousand ten in excess of the job rate of the salary grade of their position shall on such anniversary date have their basic annual salary as otherwise effective increased by a longevity payment in the amount of eight hundred seventy-five dollars during fiscal year two thousand seven-two thousand eight, one thousand dollars during fiscal year two thousand eight-two thousand nine, and one thousand one hundred twenty-five dollars during fiscal year two thousand nine-two thousand ten, except that such officers and employees who on their anniversary date have ten or more years of continuous service as defined by paragraph (c) of subdivision three of this section at a basic annual salary rate equal to or in excess of the job rate or maximum salary of the salary grade of their position and whose basic annual salary is less than one thousand seven hundred fifty dollars during fiscal year two thousand seven-two thousand eight, two thousand dollars during fiscal year two thousand eight-two thousand nine, and two thousand two hundred fifty dollars during fiscal year two thousand nine-two thousand ten in excess of the job rate of the salary grade of their position shall on such anniversary date receive a longevity payment increasing their basic annual salary to that of the job rate of the salary grade of their position increased by one thousand seven hundred fifty dollars during fiscal year two thousand seven-two thousand eight, two thousand dollars during fiscal year two thousand eight-two thousand nine, and two thousand two hundred fifty dollars during fiscal year two thousand nine-two thousand ten. Such increases shall be effective at the beginning of the pay period following the anniversary date upon which the required service is attained. Effective April first, two thousand ten, however, such longevity

payments shall be made in the amount of one thousand two hundred fifty dollars to officers and employees as defined herein who on their anniversary date have five or more years of continuous service **as defined by paragraph (c) of subdivision three of this section at a basic annual salary rate equal to or in excess of the job rate or maximum salary of their salary grade,** and in the amount of two thousand five hundred dollars to officers and employees as defined herein who on their anniversary date have ten or more years of continuous service **as defined by paragraph (c) of subdivision three of this section at a basic annual salary rate equal to or in excess of the job rate or maximum salary of their salary grade**.

Effective April first, two thousand nineteen, however, such longevity payments shall be made in the amount of one thousand five hundred dollars to officers and employees as defined herein who on their anniversary date have five or more years of continuous service **as defined by paragraph (c) of subdivision three of this section at a basic annual salary rate equal to or in excess of the job rate or maximum salary of their salary grade,** and in the amount of three thousand dollars to officers and employees as defined herein who on their anniversary date have ten or more years of continuous service **as defined by paragraph (c) of subdivision three of this section at a basic annual salary rate equal to or in excess of the job rate or maximum salary of their salary grade**. Additionally, effective April first, two thousand twenty, such officers and employees to whom the provisions of this subdivision apply whose basic annual salary equals or exceeds the job rate of the salary grade of their position who on their anniversary date have fifteen or more years of continuous service as defined by paragraph (c) of subdivision three of this section at a basic annual salary rate equal to or in excess of the job rate or maximum salary of their salary grade shall on such anniversary date receive a longevity payment in the amount of four thousand five hundred dollars. Such payments shall be made in addition to and shall not be considered part of basic annual salary and shall be made by separate check as soon as practicable following the anniversary date upon which the required service is attained.

§ 4. Compensation for certain state officers and employees. 1. The provisions of this section shall apply to the following annual-salaried state officers and employees: (a) officers and employees whose positions are designated managerial or confidential pursuant to article 14 of the civil service law; (b) civilian state employees of the division of military and naval affairs in the executive department whose positions are not in, or are excluded from representation rights in, any recognized or certified negotiating unit; (c) officers and employees excluded from representation rights under article 14 of the civil service law pursuant to rules or regulations of the public employment relations board; and (d) officers and employees whose salaries are prescribed by section 19 of the correction law.

2. For such officers and employees the following increases shall apply: effective April 1, 2021, the basic annual salary of officers and employees to whom the provisions of this subdivision apply shall be increased by two percent adjusted to the nearest whole dollar amount, and effective April 1, 2022 the basic annual salary of officers and employees to whom the provisions of this subdivision apply shall be increased by two percent adjusted to the nearest whole dollar amount.

3. If an unencumbered position is one that, if encumbered, would be subject to the provisions of this section, the salary of such position shall be increased by the salary increase amount specified in this

section. If a position is created and is filled by the appointment of an officer or employee who is subject to the provisions of this section, the salary otherwise provided for such position shall be increased in the same manner as though such position had been in existence but unencumbered.

4. The increase in salary payable pursuant to this section shall apply on a prorated basis in accordance with guidelines issued by the director of the budget to officers and employees otherwise eligible to receive an increase in salary pursuant to this act who are paid on an hourly or per diem basis, employees serving on a part-time or seasonal basis, and employees paid on any basis other than at an annual salary rate.

5. Notwithstanding any of the foregoing provisions of this section, the provisions of this section shall not apply to the following except as otherwise provided by law: (a) officers or employees paid on a fee schedule basis; (b) officers or employees whose salaries are prescribed by section 40, 60, or 169 of the executive law; (c) officers or employees in collective negotiating units established pursuant to article 14 of the civil service law.

6. Officers and employees to whom the provisions of this section apply who are incumbents of positions that are not allocated to salary grades specified in paragraph d of subdivision 1 of section 130 of the civil service law and whose salary is not prescribed in any other statute shall receive the salary increases specified in subdivision two of this section.

7. In order to provide for the officers and employees to whom this section applies who are not allocated to salary grades performance advancements, merit awards, longevity payments and in lieu payments, and special achievement awards in proportion to those provided to persons to whom this section applies who are allocated to salary grades, the director of the budget is authorized to add appropriate adjustments to the compensation that such officers and employees are otherwise entitled to receive. The director of the budget shall issue certificates that shall contain schedules of positions and the salaries or payments thereof for which adjustments or payments are made pursuant to the provisions of this subdivision, and a copy of each such certificate shall be filed with the state comptroller, the department of civil service, the chair of the senate finance committee and the chair of the assembly ways and means committee.

8. Notwithstanding any of the foregoing provisions of this section, any increase in compensation for any officer or employee appointed to a lower graded position from a redeployment list pursuant to subdivision 1 of section 79 of the civil service law who continues to receive his or her former salary pursuant to such subdivision shall be determined on the basis of such lower graded position provided, however, that the increases in salary provided in subdivision two of this section shall not cause such officer's or employee's salary to exceed the job rate of any such lower graded position at salary grade.

9. Notwithstanding any of the foregoing provisions of this section or of any law to the contrary, the director of the budget may reduce the salary of any position which is vacant or which becomes vacant, so long as the position, if encumbered, would be subject to the provisions of this section. The director of the budget does not need to provide a reason for such reduction.

§ 5. Compensation for certain state officers and employees in the division of state police. 1. The provisions of this section shall apply

to officers and employees whose salaries are provided for by paragraph (a) of subdivision 1 of section 215 of the executive law.

2. Effective April 1, 2021, the basic annual salary of officers and employees to whom the provisions of this subdivision apply shall be increased by two percent adjusted to the nearest whole dollar amount, and effective April 1, 2022 the basic annual salary of officers and employees to whom the provisions of this subdivision apply shall be increased by two percent adjusted to the nearest whole dollar amount.

3. The increases in salary payable pursuant to this section shall apply on a prorated basis in accordance with guidelines issued by the director of the budget to officers and employees otherwise eligible to receive an increase in salary pursuant to this act who are paid on an hourly or per diem basis, employees serving on a part-time or seasonal basis, and employees paid on any basis other than at an annual salary rate.

4. Notwithstanding any of the foregoing provisions of this section, any increase in compensation for any officer or employee appointed to a lower graded position from a redeployment list pursuant to subdivision 1 of section 79 of the civil service law who continues to receive his or her former salary pursuant to such subdivision shall be determined on the basis of such lower graded position provided, however, that the increase in salary provided in subdivision two of this section shall not cause such officer's or employee's salary to exceed the job rate of any such lower graded position at salary grade.

§ 6. Compensation for certain state employees in the state university and certain employees of contract colleges at Cornell and Alfred universities. 1. (a) Effective April 1, 2021, the basic annual salary of incumbents of positions in the professional service in the state university that are designated, stipulated, or excluded from negotiating units as managerial or confidential as defined pursuant to article 14 of the civil service law, may be increased pursuant to plans approved by the state university trustees. Such increase in basic annual salary rates shall not exceed in the aggregate two percent of the total basic annual salary rates in effect on March 31, 2021.

(b) Effective April 1, 2022, the basic annual salary of incumbents of positions in the professional service in the state university that are designated, stipulated, or excluded from negotiating units as managerial or confidential as defined pursuant to article 14 of the civil service law, may be increased pursuant to plans approved by the state university trustees. Such increase in basic annual salary rates shall not exceed in the aggregate two percent of the total basic annual salary rates in effect on March 31, 2022.

2. (a) Effective April 1, 2021, the basic annual salary of incumbents of positions in the institutions under the management and control of Cornell and Alfred universities as representatives of the board of trustees of the state university that, in the opinion of the director of employee relations, would be designated managerial or confidential were they subject to article 14 of the civil service law may be increased pursuant to plans approved by the state university trustees. Such increase in basic annual salary rates shall not exceed in the aggregate two percent of the total basic annual salary rates in effect March 31, 2021.

(b) Effective April 1, 2022, the basic annual salary of incumbents of positions in the institutions under the management and control of Cornell and Alfred universities as representatives of the board of trustees of the state university that, in the opinion of the director of

employee relations, would be designated managerial or confidential were they subject to article 14 of the civil service law may be increased pursuant to plans approved by the state university trustees. Such increase in basic annual salary rates shall not exceed in the aggregate two percent of the total basic annual salary rates in effect March 31, 2022.

3. (a) During the period April 1, 2021 through March 31, 2022, the basic annual salary of incumbents of positions in the non-professional service that, in the opinion of the director of employee relations, would be designated managerial or confidential were they subject to article 14 of the civil service law, except those positions in the Cornell service and maintenance unit that are subject to the terms of a collective bargaining agreement between Cornell University and the employee organization representing employees in such positions and except those positions in the Alfred service and maintenance unit that are subject to the terms of a collective bargaining agreement between Alfred University and the employee organization representing employees in such positions, in institutions under the management and control of Cornell and Alfred universities as representatives of the board of trustees of the state university may be increased pursuant to plans approved by the state university trustees. Such plans may include a new salary schedule which shall supersede the salary schedules then in effect applicable to such employees. Such plans shall provide for an increase in basic annual salary, which, exclusive of performance advancement payments or merit recognition payments, shall not exceed in the aggregate two percent of the total basic annual salary rates in effect on March 31, 2021.

(b) During the period April 1, 2022 through March 31, 2023, the basic annual salary of incumbents of positions in the non-professional service that, in the opinion of the director of employee relations, would be designated managerial or confidential were they subject to article 14 of the civil service law, except those positions in the Cornell service and maintenance unit that are subject to the terms of a collective bargaining agreement between Cornell University and the employee organization representing employees in such positions and except those positions in the Alfred service and maintenance unit that are subject to the terms of a collective bargaining agreement between Alfred University and the employee organization representing employees in such positions, in institutions under the management and control of Cornell and Alfred universities as representatives of the board of trustees of the state university may be increased pursuant to plans approved by the state university trustees. Such plans may include a new salary schedule which shall supersede the salary schedules then in effect applicable to such employees. Such plans shall provide for an increase in basic annual salary, which, exclusive of performance advancement payments or merit recognition payments, shall not exceed in the aggregate two percent of the total basic annual salary rates in effect on March 31, 2022.

4. For the purposes of this section, the basic annual salary of an employee is that salary that is obtained through direct appropriation of state moneys for the purpose of paying wages. Nothing in this part shall prevent increasing amounts paid to incumbents of such positions in the professional service in addition to the basic annual salary, provided, however, that the amounts required for such increase and the cost of fringe benefits attributable to such increase, as determined by the comptroller, are made available to the state in accordance with the

procedures established by the state university, with the approval of the director of the budget, for such purposes.

5. Notwithstanding any of the foregoing provisions of this section or any law to the contrary, any increase in compensation may be withheld in whole or in part from any employee to whom the provisions of this section apply pursuant to section fourteen of this act.

§ 7. Compensation for certain state employees in the state university that are designated, stipulated, or excluded from negotiating units as managerial or confidential pursuant to article 14 of the civil service law and certain employees of contract colleges at Cornell and Alfred universities.

1. The provisions of this subdivision shall apply only to incumbents of positions in bargaining unit 13 in the professional service of the state university that are designated, stipulated or excluded from negotiating units as managerial or confidential pursuant to article 14 of the civil service law.

(a) For each of the years 2021 and 2022, there shall be available an amount equal to one-half of one percent (0.5%) of the total of the basic annual salaries on June 30 of each such year of incumbents to whom the provisions of this subdivision apply, for distribution to such incumbents on the payroll on June 30 of each such year and at the time of payment by the state university trustees in their discretion, and subject to the approval of the chancellor and the director of the budget.

(b) Additionally, for each of the years 2021 and 2022 there also shall be available an amount equal to one-half of one percent (0.5%) of the total of the basic annual salaries on June 30 of each such year of incumbents to whom the provisions of this subdivision apply, for distribution to such incumbents on the payroll on June 30 of each such year and at the time of payment by the state university trustees in their discretion, and subject to the approval of the chancellor and the director of the budget, to address equity, compression and inversion issues. Such distributions as described in this paragraph shall occur not later than December 31 of each year, and shall be retroactive to July 1 of such year.

2. The compensation increases in subdivision one of this section may also be provided by Cornell and Alfred universities, within available appropriations, at their discretion, and with the requisite approval of the state university trustees and the director of the budget, to incumbents of positions in the institutions under the management of Cornell and Alfred universities as representative of the board of trustees of the state university of New York that, in the opinion of the director of employee relations, would be designated managerial or confidential were they subject to article 14 of the civil service law.

§ 8. Location compensation for certain state officers and employees. 1. This section shall apply to all full-time annual salaried state officers and employees and non-annual salaried seasonal state officers and employees except the following:

(a) officers and employees of the legislature and the judiciary, including officers and employees of boards, bodies and commissions that are deemed to be part of the legislature or judiciary for the purposes of section 49 of the state finance law;

(b) officers and employees whose salaries are prescribed by or determined in accordance with section 40, 60, 169, 215 or 216 of the executive law;

(c) incumbents of allocated or unallocated positions in the professional service in the state university and in institutions under the management and control of Cornell and Alfred universities as representatives of the board of trustees of the state university;

(d) officers and employees who are in recognized or certified collective negotiating units pursuant to article 14 of the civil service law.

2. Notwithstanding the provisions of section 15 of chapter 333 of the laws of 1969, as amended, officers and employees subject to this section whose principal place of employment or, in the case of field employees, whose official station as determined in accordance with the regulations of the comptroller is located:

(a) in the county of Monroe and who were eligible to receive location pay on March 31, 1985, shall receive location pay at the rate of $200 per year provided they continue to be otherwise eligible.

(b) in the city of New York, or in the county of Rockland, Westchester, Nassau, or Suffolk shall continue to receive a downstate adjustment at the rate of $3,026 effective October 1, 2008.

(c) in the county of Dutchess, Orange, or Putnam shall continue to receive a mid-Hudson adjustment at the rate of $1,513 effective October 1, 2008.

3. Such location payments shall be in addition to and shall not be a part of an employee's basic annual salary and shall not affect or impair any advancements or other rights or benefits to which an employee may be entitled by law, provided, however, that location payments shall be included as compensation for purposes of computation of overtime pay and for retirement purposes.

4. For the sole purpose of continuing eligibility for location pay in Monroe county, an employee previously eligible to receive location pay on March 31, 1985 who is on an approved leave of absence or participates in an employer program to reduce to part-time service during summer months shall continue to be eligible for said location pay upon return to full-time state service in Monroe county.

§ 9. Continuation of location compensation for certain officers and employees of the Hudson Valley developmental disabilities services office. 1. Notwithstanding any law, rule or regulation to the contrary, any officer or employee of the Hudson Valley developmental disabilities services office not represented in collective negotiating units established pursuant to article 14 of the civil service law who is receiving location pay pursuant to section 5 of chapter 174 of the laws of 1993 shall continue to receive such location pay under the conditions and at the rates specified by such section.

2. Notwithstanding section eight of this act or any other provision of law, rule or regulation to the contrary, any officer or employee of the Hudson Valley developmental disabilities services office not represented in collective negotiating units established pursuant to article 14 of the civil service law who is receiving location pay pursuant to section eight of this act shall continue to be eligible for such location pay if such officer's or employee's principal place of employment is changed to a location outside of the county of Rockland as the result of a reduction or redeployment of staff, provided, however, that such officer or employee is reassigned to or otherwise appointed or promoted to a different position at another work location within such Hudson Valley developmental disabilities services office located outside of the county of Rockland. The rate of such continued location pay shall not exceed the rate such officer or employee is receiving on the date of such reassignment, appointment, or promotion.

§ 10. Overtime meal allowance. Notwithstanding any other provision of law to the contrary, individuals in positions in the classified service of the state of New York designated managerial or confidential pursuant to article 14 of the civil service law, shall continue to receive, effective April 1, 2011, an overtime meal allowance in the amount of $5.50 pursuant to eligibility guidelines developed by the director of employee relations.

§ 11. Effect of participation in special annuity program. No officer or employee participating in a special annuity program pursuant to the provisions of article 8-C of the education law shall, by reason of an increase in compensation pursuant to this act, suffer any reduction of the salary adjustment to which that employee would otherwise be entitled by reason of participation in such program, and such salary adjustment shall be based upon the salary of such officer or employee without regard to the reduction authorized by such article.

§ 12. Notwithstanding any provision of law to the contrary, the appropriations contained in this act shall be available to the state for the payment of grievance settlements and awards pursuant to executive order 42, dated October 14, 1970, and title 9, part 560, official compilation of codes, rules and regulations of the state of New York.

§ 13. Date of entitlement to salary increase. Notwithstanding the provisions of this act or of any other law, the increase in salary or compensation of any officer or employee provided by this act shall be added to the salary or compensation of such officer or employee at the beginning of that payroll period the first day of which is nearest to the effective date of such increases 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 dates of such increases 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 in this act, and the payment thereof pursuant to this section on a date prior thereto, instead of on such effective date, 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 fourteen of this act.

§ 14. Deferred payment of salary increase. Notwithstanding the provisions of any other section of this act or 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 salary and other 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, 2021, until the time when basic annual salaries and other compensation due are first paid pursuant to this act for such services in excess of the salary and other compensation actually received therefor, shall be entitled to a lump sum payment for the difference between the salary and other compensation to which such incumbent is entitled for such services and the salary and other compensation actually received.

§ 15. 1. Notwithstanding the provisions of any other section of this act or any other provision of law to the contrary, any increase in compensation provided: (a) in this act, or (b) as a result of a promotion, appointment, or advancement to a position in a higher salary grade, or (c) pursuant to paragraph (c) of subdivision 6 of section 131

of the civil service law, or (d) pursuant to paragraph (b) of subdivision 8 of section 130 of the civil service law, or (e) pursuant to paragraph (a) of subdivision 3 of section 13 of chapter 732 of the laws of 1988, as amended, may be withheld in whole or in part from any officer or employee when, in the opinion of the director of the budget, such withholding is necessary to reflect the job performance of such officer or employee, or to maintain appropriate salary relationships among officers or employees of the state, or to reduce state expenditures to acceptable levels or when, in the opinion of the director of the budget, such increase is not warranted or is not appropriate. As a result of an exercise of the director's authority under this act to withhold any increase, such salary schedules as defined in section one of this act shall be implemented and/or modified by the director of the budget, as necessary, consistent with the provision or withholding of such increases pursuant to this section.

2. Notwithstanding the provisions of any other section of this act, the salary increase provided for in this act shall not be implemented until the director of the budget delivers notice to the comptroller that such amounts may be paid.

§ 16. 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 during the fiscal year commencing April 1, 2022 by the provisions of this act for any state department or agency from any appropriation or other funds available to such state department or agency for personal service or for other related employee benefits during such fiscal year. To the extent that such appropriations are insufficient in any fund to accomplish the purposes herein set forth, 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 pay such amounts. The aforementioned appropriations shall be available for payment of any liabilities or obligations incurred prior to April 1, 2022 in addition to current liabilities.

§ 17. Notwithstanding any provision of the state finance law or any other provision of law to the contrary, the sum of $130,000,000 is hereby appropriated in the general fund/state purposes account (10050) in miscellaneous-all state departments and agencies solely for apportionment/transfer by the director of the budget for use by any state department or agency in any fund for the state fiscal year April 1, 2022 through March 31, 2023 to supplement appropriations for personal service, other than personal service and fringe benefits, and to carry out the provisions of this act. No money shall be available for expenditure from this appropriation until a certificate 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 chair of the senate finance committee and the chair of the assembly ways and means committee. The monies hereby appropriated are available for payment of any liabilities or obligations incurred prior to or during the state fiscal year April 1, 2022 through March 31, 2023. For this purpose, the monies appropriated shall remain in full force and effect for the payment of liabilities incurred on or before March 31, 2023.

§ 18. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2021. Appropriations made by this act shall remain in full force and effect for liabilities incurred through March 31, 2023.

REPEAL NOTE.--Subparagraphs 1, 2, 3, 4 and 5 of paragraph d of subdivision 1 of section 130 of the civil service law, repealed by section one of this act, provided salary schedules for unrepresented state employees and are replaced by revised salary schedules in new subparagraphs 1 and 2. Subdivision 1 of section 19 of the correction law, repealed by section two of this act, provided salary schedules for superintendents of correctional facilities and are replaced by revised salary schedules in new subdivision 1.

§ 2. Severability clause. If any clause, sentence, paragraph, subdivision, section or part contained in any part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part contained in any part thereof directly involved in the controversy which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

§ 3. This act shall take effect immediately provided, however, that the applicable effective date of Parts A through B of this act shall be as specifically set forth in the last section of such Part.