PROGRAM BILL #27

Legislative Bill Drafting Commission
12071-01-6

S. --------

Senate

IN SENATE--Introduced by Sen

--read twice and ordered printed, and when printed to be committed to the Committee on

-------- A.

Assembly

IN ASSEMBLY--Introduced by M. of A.

with M. of A. as co-sponsors

--read once and referred to the Committee on

EXECLA
(Relates to compensation and benefits of certain members of the state police; appropriation; repealers)

Exec. compensation/benefits

AN ACT

to amend the executive law, in relation to terms and conditions of employment for members of the collective negotiating unit consisting of investigators, senior investigators, and investigative specialists in the division of state police; to amend the state finance law, in relation to terms and conditions of employment for members of the collective negotiating unit consisting of investigators, senior investigators, and investigative

IN SENATE _____

Senate introducer's signature

The senators whose names are circled below wish to join me in the sponsorship of this proposal

s15 Addabbo	s31 Espaillat	s27 Hoylman	s25 Montgomery	s56 Robach
s52 Akshar	s49 Farley	s09 Kaminsky	s40 Murphy	s10 Sanders
s46 Amedore	s17 Felder	s63 Kennedy	s54 Nozzolio	s23 Savino
s11 Avella	s02 Flanagan	s34 Klein	s58 O'Mara	s41 Serino
s42 Bonacic	s55 Funke	s28 Krueger	s62 Ortt	s29 Serrano
s04 Boyle	s59 Gallivan	s24 Lanza	s60 Panepinto	s51 Seward
s44 Breslin	s12 Gianaris	s39 Larkin	s21 Parker	s26 Squadron
s38 Carlucci	s22 Golden	s37 Latimer	s13 Peralta	s16 Stavisky
s14 Comrie	s47 Griffo	s01 LaValle	s30 Perkins	s35 Stewart-Cousins
s03 Croci	s20 Hamilton	s45 Little	s19 Persaud	
s50 DeFrancisco	s06 Hannon	s05 Marcellino	s61 Ranzenhofer	s53 Valesky
s32 Diaz	s36 Hassell-Thompson	s43 Marchione	s48 Ritchie	s08 Venditto
s18 Dilan		s07 Martins	s33 Rivera	s57 Young

IN ASSEMBLY _____

Assembly introducer's signature

The Members of the Assembly whose names are circled below wish to join me in the multi-sponsorship of this proposal:

a049 Abbate	a034 DenDekker	a011 Jean-Pierre	a003 Murray	a076 Seawright
a092 Abinanti	a054 Dilan	a135 Johns	a133 Nojay	a087 Sepulveda
a084 Arroyo	a081 Dinowitz	a077 Joyner	a037 Nolan	a027 Simanowitz
a035 Aubry	a147 DiPietro	a094 Katz	a130 Oaks	a052 Simon
a120 Barclay	a115 Duprey	a074 Kavanagh	a069 O'Donnell	a036 Simotas
a106 Barrett	a004 Englebright	a142 Kearns	a051 Ortiz	a104 Skartados
a060 Barron	a109 Fahy	a040 Kim	a091 Otis	a099 Skoufis
a082 Benedetto	a071 Farrell	a131 Kolb	a132 Palmesano	a022 Solages
a042 Bichotte	a126 Finch	a105 Lalor	a002 Palumbo	a114 Stec
a079 Blake	a008 Fitzpatrick	a013 Lavine	a088 Paulin	a110 Steck
a117 Blankenbush	a124 Friend	a134 Lawrence	a141 Peoples-Stokes	a127 Stirpe
a098 Brabenec	a095 Galef	a050 Lentol		a112 Tedisco
a026 Braunstein	a137 Gantt	a125 Lifton	a058 Perry	a101 Tenney
a044 Brennan	a007 Garbarino	a072 Linares	a086 Pichardo	a001 Thiele
a119 Brindisi	a148 Giglio	a102 Lopez	a089 Pretlow	a061 Titone
a138 Bronson	a080 Gjonaj	a123 Lupardo	a073 Quart	a031 Titus
a093 Buchwald	a066 Glick	a010 Lupinacci	a019 Ra	a055 Walker
a118 Butler	a023 Goldfeder	a121 Magee	a012 Raia	a146 Walter
a103 Cahill	a150 Goodell	a129 Magnarelli	a006 Ramos	a141 Weinstein
a065 Cancel	a075 Gottfried	a064 Malliotakis	a043 Richardson	a024 Weprin
a062 Castorina	a005 Graf	a030 Markey	a078 Rivera	a059 Williams
a145 Ceretto	a100 Gunther	a090 Mayer	a056 Robinson	a113 Woerner
a047 Colton	a046 Harris	a108 McDonald	a068 Rodriguez	a143 Wozniak
a032 Cook	a139 Hawley	a014 McDonough	a067 Rosenthal	a070 Wright
a144 Corwin	a083 Heastie	a017 McKevitt	a025 Rozic	a096 Zebrowski
a085 Crespo	a028 Hevesi	a107 McLaughlin	a116 Russell	a020
a122 Crouch	a048 Hikind	a038 Miller	a149 Ryan	a033
a021 Curran	a018 Hooper	a015 Montesano	a009 Saladino	
a063 Cusick	a128 Hunter	a136 Morelle	a111 Santabarbara	
a045 Cymbrowitz	a029 Hyndman	a057 Mosley	a016 Schimel	
a053 Davila	a097 Jaffee	a039 Moya	a140 Schimminger	

1) Single House Bill (introduced and printed separately in either or both houses). Uni-Bill (introduced simultaneously in both houses and printed as one bill. Senate and Assembly introducer sign the same copy of the bill).

2) Circle names of co-sponsors and return to introduction clerk with 2 signed copies of bill and 4 copies of memorandum in support (single house); or 4 signed copies of bill and 8 copies of memorandum in support (uni-bill).

specialists in the division of state police; to amend the executive law, in relation to salary schedules for such members of such unit; in relation to implementing an agreement covering such members of such unit and in relation to the employee benefit fund for members of such unit; making an appropriation therefor; and to repeal certain provisions of such laws relating thereto

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

1 Section 1. Paragraph a of subdivision 2 of section 216 of the execu-
2 tive law is REPEALED and a new paragraph a is added to read as follows:
3 a. Salary schedules for investigators, senior investigators, and
4 investigative specialists in the division of state police.
5 (1) Effective April first, two thousand fourteen, members assigned to
6 the bureau of criminal investigation and investigative specialists
7 appointed to the bureau by the superintendent, shall receive a basic
8 annual salary pursuant to the following schedule:

	Senior Investigator	Investigator
Nassau and Suffolk	$108,280	$97,796
New York City, Rockland, Westchester	$107,996	$97,511
Orange, Putnam, Dutchess	$106,909	$96,425
All other locations	$106,707	$96,222

16 (2) Effective April first, two thousand fifteen, members assigned to
17 the bureau of criminal investigation and investigative specialists
18 appointed to the bureau by the superintendent, shall receive a basic
19 annual salary pursuant to the following schedule:

	Senior Investigator	Investigator
Nassau and Suffolk	$110,446	$99,752
New York City, Rockland, Westchester	$110,156	$99,461
Orange, Putnam, Dutchess	$109,047	$98,354
All other locations	$108,841	$98,146

27 (3) Effective April first, two thousand sixteen, members assigned to
28 the bureau of criminal investigation and investigative specialists

appointed to the bureau by the superintendent, shall receive a basic annual salary pursuant to the following schedule:

	Senior Investigator	Investigator
Nassau and Suffolk	$112,103	$101,248
New York City, Rockland, Westchester	$111,808	$100,953
Orange, Putnam, Dutchess	$110,683	$99,829
All other locations	$110,474	$99,618

(4) Effective April first, two thousand seventeen, members assigned to the bureau of criminal investigation and investigative specialists appointed to the bureau by the superintendent, shall receive a basic annual salary pursuant to the following schedule:

	Senior Investigator	Investigator
Nassau and Suffolk	$113,785	$102,767
New York City, Rockland, Westchester	$113,485	$102,467
Orange, Putnam, Dutchess	$112,343	$101,326
All other locations	$112,131	$101,112

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

b. Pursuant to the terms of an agreement negotiated between the executive branch of the state of New York and the employee organization representing the collective negotiating unit consisting of investigators, senior investigators, and investigative specialists in the division of state police, and upon audit and warrant of the state comp-

1 troller, the director shall provide for the payment of monies to such
2 employee organization for the establishment and maintenance of an
3 employee benefit fund established by the employee organization for the
4 employees in the collective negotiating unit covered by the controlling
5 provisions of such agreement providing for such employee benefit fund,
6 such amount to be determined consistent with said agreement, including
7 any and all monies agreed to be transferred in said agreement, and on
8 the basis of the number of full-time annual salaried employees, other
9 than full-time seasonal employees, on the payroll on March first, two
10 thousand eleven, for payments to be made on April first, two thousand
11 eleven, and on the payroll on March first, two thousand twelve, for
12 payments to be made on April first, two thousand twelve and on the
13 payroll on March first, two thousand thirteen, for payments to be made
14 on April first, two thousand thirteen and on the payroll on March first,
15 two thousand fourteen, for payments to be made on April first, two thou-
16 sand fourteen and on the payroll on March first, two thousand fifteen,
17 for payments to be made on April first, two thousand fifteen and on the
18 payroll on March first, two thousand sixteen for payments to be made on
19 April first, two thousand sixteen and on the payroll on March first, two
20 thousand seventeen for payments to be made on April first, two thousand
21 seventeen. The amount, which will be determined pursuant to this
22 section, for employees who are paid from special or administrative
23 funds, other than the general fund or the capital projects fund of the
24 state, will be paid from the appropriations as provided by law, in which
25 case the state comptroller shall establish procedures to ensure repay-
26 ment from said special or administrative funds. The director shall enter
27 into an agreement with an employee organization, which sets forth the

1 specific terms and conditions for the transmittal of monies pursuant to
2 this section.
3 § 3. Subdivision 2 of section 216-c of the executive law is REPEALED
4 and a new subdivision 2 is added to read as follows:
5 2. In addition to the compensation provided in subdivision one of this
6 section, members of the collective negotiating unit consisting of inves-
7 tigators, senior investigators and investigative specialists in the
8 division of state police, on the payroll on November first of each year,
9 shall continue to receive holiday compensation, effective April first,
10 two thousand ten, in the amount of fifteen hundred thirty-six dollars.
11 Effective April first, two thousand fourteen, such amount shall be
12 increased to fifteen hundred sixty-seven dollars. Effective April
13 first, two thousand fifteen, such amount shall be increased to fifteen
14 hundred ninety-eight dollars. Effective April first, two thousand
15 sixteen, such amount shall be increased to sixteen hundred twenty-two
16 dollars. Effective April first, two thousand seventeen, such amount
17 shall be increased to sixteen hundred forty-six dollars. Such payments
18 shall be in addition to, and shall not be part of, the member's annual
19 basic salary, except for the purpose of retirement, and shall be made in
20 a separate check during the payroll period which includes December first
21 each year.
22 § 4. Health benefits committee. Pursuant to the terms of an agreement
23 negotiated between the executive branch of the state of New York and the
24 employee organization representing the collective negotiating unit
25 consisting of investigators, senior investigators, and investigative
26 specialists in the division of state police, during the period April 1,
27 2011 through March 31, 2018, there shall continue to be a committee on
28 health benefits funded in the following amounts: $5,100 for the period

1 April 1, 2014 to March 31, 2015; $5,202 for the period April 1, 2015 to
2 March 31, 2016; $5,280 for the period April 1, 2016 to March 31, 2017;
3 and $5,359 for the period April 1, 2017 to March 31, 2018. One-half of
4 this amount in each year shall be made available to the state and one-
5 half shall be made available to the employee organization representing
6 such unit.

7 § 5. Maintenance allowance. (a) Pursuant to the terms of an agreement
8 negotiated between the executive branch of the state of New York and the
9 employee organization representing the collective negotiating unit
10 consisting of investigators, senior investigators, and investigative
11 specialists in the division of state police, effective April 1, 2014,
12 each member of such unit shall receive three thousand two hundred twen-
13 ty-five dollars ($3,225) as a maintenance allowance. Effective April 1,
14 2015, such amount shall be increased to three thousand two hundred nine-
15 ty dollars ($3,290). Effective April 1, 2016, such amount shall be
16 increased to three thousand three hundred thirty-nine dollars ($3,339).
17 Effective April 1, 2017, such amount shall be increased to three thou-
18 sand three hundred eighty-nine dollars ($3,389).

19 (b) Such maintenance allowance shall be paid on an annualized basis in
20 regular bi-weekly paychecks. Such additional compensation, as provided
21 in this section, shall be in addition to, and shall not be part of, the
22 member's basic annual salary, and shall not affect or impair any rights
23 or benefits to which the member may be entitled; provided, however, that
24 such additional compensation shall be included as compensation for
25 purposes of computation of overtime pay and retirement.

26 § 6. Expertise pay. (a) Notwithstanding any other provision of law to
27 the contrary, pursuant to the terms of an agreement negotiated between
28 the executive branch of the state of New York and the employee organiza-

1 tion representing the collective negotiating unit consisting of investi-
2 gators, senior investigators, and investigative specialists in the divi-
3 sion of state police, during the period April 1, 2010 through March 31,
4 2014, members in such collective negotiating unit shall continue to
5 receive expertise pay in the amount of twelve hundred dollars ($1,200)
6 annually. Effective April 1, 2014, the annual payment for expertise pay
7 shall be two thousand four hundred fifty dollars ($2,450). There shall
8 be no retroactive payment of the increases to expertise pay for the
9 period April 1, 2011 to March 31, 2014 under any circumstances. Pursuant
10 to the agreement the entire increase of one thousand two hundred fifty
11 dollars ($1,250) covering the period April 1, 2011 to March 31, 2014 is
12 only payable on a prospective basis commencing with the scheduled Decem-
13 ber 2014 payment.
14 (b) Such expertise pay shall be payable to those unit members on the
15 payroll on November 1 of each year during the pay period that includes
16 December 1. Such additional compensation as provided in this section
17 shall be in addition to, and shall not be part of, the member's basic
18 annual salary, and shall not affect or impair any rights or benefits to
19 which the member may be entitled; provided, however, that such addi-
20 tional compensation shall be included as compensation for purposes of
21 computation of overtime pay and as compensation for retirement.
22 § 7. Professional development and training funds. Pursuant to the
23 terms of an agreement negotiated between the executive branch of the
24 state of New York and the employee organization representing the collec-
25 tive negotiating unit consisting of investigators, senior investigators,
26 and investigative specialists in the division of state police, during
27 the period April 1, 2011 through March 31, 2018, there shall continue to
28 be a professional development and quality of working life committee

1 funded in the following amounts: $83,538 for the period April 1, 2014 to
2 March 31, 2015; $85,209 for the period April 1, 2015 to March 31, 2016;
3 $86,487 for the period April 1, 2016 to March 31, 2017; $87,784 for the
4 period April 1, 2017 to March 31, 2018 from which the tuition reimburse-
5 ment program, the master's program, and the employee assistance program
6 shall be supported.

7 § 8. Expanded duty pay. (a) Pursuant to the terms of an agreement
8 negotiated between the executive branch of the state of New York and the
9 employee organization representing the collective negotiating unit
10 consisting of investigators, senior investigators, and investigative
11 specialists in the division of state police, during the period April 1,
12 2010 through March 31, 2014, the annual payment for expanded duty pay
13 shall continue to be seven thousand four hundred fifty-two dollars
14 ($7,452). Such expanded duty pay is in recognition of such members
15 expanded duties, including those related to counterterrorism and other
16 post-September 11, 2001 initiatives, computer crimes, and law enforce-
17 ment activities involving gambling regulation. Effective April 1, 2014,
18 the annual payment for expanded duty pay shall be eight thousand seven
19 hundred two dollars ($8,702). There shall be no retroactive payment of
20 the increases to expanded duty pay for the period April 1, 2011 to March
21 31, 2014 under any circumstances. Pursuant to the agreement, the entire
22 increase of one thousand two hundred fifty dollars ($1,250) covering the
23 period April 1, 2011 to March 31, 2014 is only payable on a prospective
24 basis commencing April 1, 2014.

25 (b) Such expanded duty pay shall be annualized and paid during regular
26 bi-weekly periods. Such additional compensation as provided in this
27 section shall be in addition to, and shall not be part of, the member's
28 basic annual salary, and shall not affect or impair any rights or bene-

1 fits to which the member may be entitled; provided, however, that such
2 additional compensation shall be included as compensation for purposes
3 of computation of overtime pay and as compensation for retirement.
4 § 9. Supervisory responsibility pay. (a) Pursuant to the terms of an
5 agreement negotiated between the executive branch of the state of New
6 York and the employee organization representing the collective negotiat-
7 ing unit consisting of investigators, senior investigators, and investi-
8 gative specialists in the division of state police, effective March 31,
9 2005, certain members shall continue to receive additional compensation,
10 as prescribed in the interest arbitration award dated February 4, 2005
11 as modified by such agreement, when designated by the division of state
12 police to work as a "unit coordinator", "acting senior investigator", or
13 "acting administrative senior investigator".
14 (b) Such additional compensation as provided in this section shall be
15 in addition to, and shall not be part of, the member's basic annual
16 salary, and shall not affect or impair any rights or benefits to which
17 the member may be entitled; provided, however, that such additional
18 compensation shall be included as compensation for the purposes of
19 computation of overtime pay and retirement.
20 § 10. Location compensation. (a) Notwithstanding any other provision
21 of law to the contrary, members in the collective negotiating unit
22 consisting of investigators, senior investigators, and investigative
23 specialists in the division of state police whose principal place of
24 employment or, in the case of a field employee, whose official station,
25 as determined in accordance with the regulations of the state comp-
26 troller, is located in the county of Monroe, who were on the payroll on
27 March 31, 1985, and who have received this location compensation contin-
28 ually since then, shall continue to receive location pay at the rate of

1 $200 per year; provided that each such member continues to be otherwise
2 eligible.
3 (b) Pursuant to the terms of an agreement negotiated between the exec-
4 utive branch of the state of New York and the employee organization
5 representing the collective negotiating unit consisting of investi-
6 gators, senior investigators, and investigative specialists in the divi-
7 sion of state police, members of such unit whose principal place of
8 employment or, in the case of a field employee, whose official station,
9 as determined in accordance with the regulations of the state comp-
10 troller, is located in the city of New York or in the counties of Rock-
11 land, Westchester, Nassau, or Suffolk shall continue to receive location
12 pay effective April 1, 2010 in the amount of $1,536.
13 (c) Such location pay as provided in this section shall be annualized
14 and paid during the regular bi-weekly periods. Such compensation shall
15 be in addition to and shall not be part of the member's basic annual
16 salary and shall not affect or impair any rights or benefits to which
17 the member may be entitled; provided, however, that location pay shall
18 be included as compensation for the purposes of computation of overtime
19 pay and retirement.
20 § 11. Supplemental location pay. (a) Pursuant to the terms of an
21 agreement negotiated between the executive branch of the state of New
22 York and the employee organization representing the collective negotiat-
23 ing unit consisting of investigators, senior investigators, and investi-
24 gative specialists in the division of state police, members of such unit
25 whose principal place of employment, or, in the case of a field employ-
26 ee, whose official station, as determined in accordance with the regu-
27 lations of the state comptroller, is located in the city of New York or
28 in the county of Putnam, Orange, Dutchess, Rockland, Westchester,

1 Nassau, or Suffolk shall continue to receive supplemental location pay,
2 in addition to the location pay provided in section ten of this act,
3 effective April 1, 2010 as follows:

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

8 (b) Such supplemental location pay shall be annualized and paid during
9 the regular bi-weekly periods. Such compensation shall be in addition to
10 and shall not be part of the member's basic annual salary and shall not
11 affect or impair any rights or benefits to which the member may be enti-
12 tled; provided, however, that supplemental location pay shall be
13 included as compensation for the purposes of computation of overtime pay
14 and retirement.
15 § 12. Unused sick leave at retirement. Pursuant to the terms of an
16 agreement negotiated between the executive branch of the state of New
17 York and the employee organization representing the collective negotiat-
18 ing unit consisting of investigators, senior investigators, and investi-
19 gative specialists in the division of state police, members of such unit
20 shall continue to receive a lump sum cash payment for accumulated and
21 unused sick leave credits standing to the employee's credit at the time
22 of separation from service by retirement. The amount of such payment
23 shall be determined in the following manner:
24 (a) Effective April 1, 1998, the number of days of such accumulated
25 and unused sick leave, not to exceed 300 days, less 165 days, shall be

1 multiplied by the member's daily rate of pay in effect at the time of
2 separation from service by retirement.
3 (b) The lump sum payment shall be one-fifth of such amount provided
4 for in subdivision (a) of this section.
5 (c) Such additional compensation shall be in addition to and shall not
6 be part of the member's basic annual salary, and shall not affect or
7 impair any rights or benefits to which the member may be entitled;
8 provided, however, that such additional compensation shall be included
9 as compensation for retirement purposes.
10 § 13. Physical fitness program. (a) Pursuant to the terms of an agree-
11 ment negotiated between the executive branch of the state of New York
12 and the employee organization representing the collective negotiating
13 unit consisting of investigators, senior investigators, and investi-
14 gative specialists in the division of state police, effective April 1,
15 1999, a joint labor management committee shall be continued for the
16 purpose of evaluating the assessment, study, and testing for the fitness
17 of members of the employee organization. The division of state police
18 shall administer such program through the provision of an annual appro-
19 priation. Members in the employee organization shall receive an annual
20 fitness bonus if they satisfy the fitness requirements developed by the
21 division of state police during a fiscal year. The amount of such
22 fitness bonus shall be determined by the committee within the amount
23 appropriated therefor. Such awards shall be paid on or about December
24 first of each fiscal year.
25 (b) Any amounts received pursuant to this section shall be in addition
26 to, and shall not be a part of, the member's basic annual salary, and
27 shall not affect or impair, any increments or other rights or benefits

1 to which the member may be entitled; provided, however, that any amounts
2 received shall be included as compensation for retirement purposes.
3 (c) The division of state police and the employee organization repres-
4 enting such unit may agree to expend the funds appropriated on an annual
5 basis for the physical fitness program for a mutually agreeable alter-
6 nate purpose. Pursuant to the terms of the agreement, the parties agree
7 that the amount appropriated for this fund for fiscal year 2015-2016
8 shall be transferred to the employee benefit fund established pursuant
9 to paragraph b of subdivision 2 of section 207-b of the state finance
10 law and the amounts appropriated for this fund for fiscal years
11 2016-2017 and 2017-2018 shall remain with the division of state police.
12 Effective April 1, 2018, the annual appropriation for this fund shall be
13 transferred to the employee benefit fund established pursuant to para-
14 graph b of subdivision 2 of section 207-b of the state finance law each
15 year unless the parties agree to expend such funds for a mutually agree-
16 able alternate purpose.
17 § 14. Recognized degree pay. (a) Pursuant to the terms of an agreement
18 negotiated between the executive branch of the state of New York and the
19 employee organization representing the collective negotiating unit
20 consisting of investigators, senior investigators, and investigative
21 specialists in the division of state police, members of such unit who
22 possess or obtain a recognized degree from an accredited and recognized
23 college or university on or after April 1, 2001, shall continue to
24 receive a lump sum payment of $250 for an associate degree, $500 for a
25 bachelor's degree, and $750 for a graduate degree. Payment for such
26 degree shall occur annually in June of each year, and shall be for one
27 degree only. When such degree is obtained in a fiscal year, such

1 payment shall be made as soon as practicable after conferral of the
2 degree.
3 (b) Such additional compensation as provided in this section shall be
4 in addition to, and shall not be part of, the member's basic annual
5 salary, and shall not affect or impair any rights or benefits to which
6 the member may be entitled; provided, however, that such additional
7 compensation shall be included as compensation for retirement purposes.
8 § 15. Short swings. Notwithstanding any provision of law to the
9 contrary, pursuant to the terms of an agreement negotiated between the
10 executive branch of the state of New York and the employee organization
11 representing the collective negotiating unit consisting of investi-
12 gators, senior investigators, and investigative specialists in the divi-
13 sion of state police, effective September 1, 2016, members of this unit
14 who are required to work short swings shall receive compensation of
15 thirty dollars ($30) for each short swing they are required to work and
16 actually work. There shall be no short swing compensation where the
17 short swing is worked at the request of, or for the convenience of the
18 member, as determined by the division of state police. The definition of
19 short swing shall be when there are eight hours or less between the
20 scheduled end time of a Member's tour of duty and the start time of the
21 next scheduled tour of duty. Such compensation shall not be payable if
22 such member's hours of work continue from the end time of the Member's
23 tour of duty to the commencement of the start time of the next scheduled
24 tour of duty without interruption.
25 § 16. Notwithstanding any provision of law to the contrary, pursuant
26 to the terms of an agreement negotiated between the executive branch of
27 the state of New York and the employee organization representing the
28 collective negotiating unit consisting of investigators, senior investi-

1 gators, and investigative specialists in the division of state police,
2 members of such unit shall receive recall overtime only in accordance
3 with the terms of the collective bargaining agreement.

4 § 17. Payment and publication of grievance arbitration settlements and
5 awards. Notwithstanding any provision of law to the contrary, the
6 appropriations contained in this act shall be available to the state for
7 the payment and publication of grievance arbitration settlements and
8 awards pursuant to article 15 of the collective negotiating agreement
9 between the state and the employee organization representing the collec-
10 tive negotiating unit consisting of investigators, senior investigators,
11 and investigative specialists in the division of state police, such
12 provisions being in effect pursuant to paragraph (e) of subdivision 1 of
13 section 209-a of the civil service law.

14 § 18. The compensation and benefit modifications provided for by this
15 act for state employees in the collective negotiating unit consisting of
16 investigators, senior investigators, and investigative specialists in
17 the division of state police pursuant to article 14 of the civil service
18 law shall not be implemented until the director of employee relations
19 shall have delivered to the director of the budget and the comptroller a
20 letter certifying that there is in effect with respect to such negotiat-
21 ing unit a collective bargaining agreement which provides for such
22 compensation and benefit modifications and which is fully executed in
23 writing with the state pursuant to article 14 of the civil service law,
24 and ratified pursuant to the ratification procedure of the employee
25 organization certified pursuant to article 14 of the civil service law
26 to represent such collective negotiating unit.

27 § 19. Date of entitlement to salary increase. Notwithstanding the
28 provisions of this act or of any other provision of law to the contrary,

1 the increase of salary or compensation of any member of the collective
2 negotiating unit consisting of investigators, senior investigators, and
3 investigative specialists in the division of state police provided by
4 this act shall be added to the salary of such member at the beginning of
5 that payroll period the first day of which is nearest to the effective
6 date of such increase as provided in this act, or at the beginning of
7 the earlier of two payroll periods the first days of which are nearest
8 but equally near to the effective date of such increase as provided in
9 this act; provided, however, that, for the purposes of determining the
10 salary of such officer or employee upon reclassification, reallocation,
11 appointment, promotion, transfer, demotion, reinstatement, or other
12 change of status, such salary increase shall be deemed to be effective
13 on the date thereof as prescribed by this act, with payment thereof
14 pursuant to this section on a date prior thereto, instead of on such
15 effective date, and shall not operate to confer any additional salary
16 rights or benefits on such officer or employee. Payment of such salary
17 increase may be deferred pursuant to section twenty of this act.
18 § 20. Deferred payment of salary increase. Notwithstanding the
19 provisions of any other section of this act or of any provision of law
20 to the contrary, pending payment pursuant to this act of the basic annu-
21 al salaries of incumbents of positions subject to this act, such incum-
22 bents shall receive, as partial compensation for services rendered, the
23 rate of compensation otherwise payable in their respective positions. An
24 incumbent holding a position subject to this act at any time during the
25 period from April 1, 2011 until the time when basic annual salaries are
26 first paid pursuant to this act for such services in excess of the
27 compensation actually received therefor, shall be entitled to a lump sum
28 payment for the difference between the salary to which such incumbent is

1 entitled for such service and the compensation actually received there-
2 for. Such lump sum payment shall be made as soon as practicable. The
3 amounts paid under this act shall count as compensation earned during
4 the year or years for which it is calculated and not as compensation
5 earned wholly in the year in which the lump sum is paid.

6 § 21. Use of appropriations. Notwithstanding any provision of the
7 state finance law or any other provision of law to the contrary, the
8 state comptroller is authorized to pay any amounts required by the fore-
9 going provisions of this act. To the extent that existing appropriations
10 available to any state department or agency in any fund are insufficient
11 to accomplish the purposes set forth in this section, the director of
12 the budget is authorized to allocate to the various departments and
13 agencies, from any appropriations available in any fund, the amounts
14 necessary to make such payments. Any appropriations or other funds
15 available to any state department or agency for personal service or for
16 other related employee benefits during the fiscal year commencing April
17 1, 2011 shall be available for the payment of any liabilities or obli-
18 gations incurred pursuant to the foregoing provisions of this act,
19 whether prior to or during the state fiscal year commencing April 1,
20 2016.

21 § 22. Appropriations. Notwithstanding any provision of the state
22 finance law or any other provision of law to the contrary, the several
23 amounts as hereinafter set forth in this section are hereby appropriated
24 from the funds so designated solely for apportionment/transfer by the
25 director of the budget for use by any state department or agency in any
26 fund for the fiscal year beginning April 1, 2016 to supplement appropri-
27 ations for personal service, other than personal service and fringe
28 benefits, and to carry out the provisions of this act. The monies hereby

1 appropriated are available for payment of any liabilities or obligations
2 incurred prior to or during the state fiscal year commencing April 1,
3 2011 in addition to liabilities or obligations associated with the state
4 fiscal year commencing April 1, 2016. For this purpose, these appropri-
5 ations shall remain in full force and effect for the payment of liabil-
6 ities incurred on or before March 31, 2017.

7 MISCELLANEOUS -- ALL STATE DEPARTMENTS AND AGENCIES

8 STATE OPERATIONS 2016-17

9 Special Pay Bills
10 General Fund / State Operations
11 State Purposes Account - 10050

12 PERSONAL SERVICE

13 Personal Service 22,257,000

14 NONPERSONAL SERVICE

15 Fringe benefits 5,343,000
16 Health Benefits Committee 16,000
17 Professional Development Fund 256,000
18 Employee Benefit Fund 340,000
19 Physical Fitness Pay 454,000
20 Contract Administration 50,000

1 § 23. This act shall take effect immediately; provided that the direc-
2 tor of employee relations certifies that there is in effect with respect
3 to the negotiating unit consisting of investigators, senior investi-
4 gators, and investigative specialists in the division of state police a
5 collective bargaining agreement which provides for the compensation and
6 benefit modifications in this act, and shall be deemed to have been in
7 full force and effect on and after April 1, 2011.

REPEAL NOTE.--

Paragraph a of subdivision 2 of section 216 of the executive law, repealed by section one of this act, provided salary schedules for state employees in particular titles in the collective negotiating unit consisting of investigators and senior investigators in the division of state police and is replaced by revised salary schedules in a new paragraph a of such subdivision 2 implementing an agreement pursuant to Article 14 of the civil service law.

Paragraph b of subdivision 2 of section 207-b of the state finance law, repealed by section two of this act, provided for payments to an employee benefit fund for state employees in the particular titles in the collective negotiating unit consisting of investigators and senior investigators in the division of state police and is replaced by revised schedule of payments to be made to such fund in a new paragraph b of such subdivision 2 implementing an agreement pursuant to Article 14 of the civil service law.

Subdivision 2 of section 216-c of the executive law, repealed by section three of this act, provided for holiday compensation payments based on four days pay to eligible members of the collective negotiating unit consisting of investigators, senior investigators and investigative specialists in the division of state police and is replaced by a revised

payment amount in a new subdivision 2 of such section implementing an agreement pursuant to Article 14 of the civil service law.